

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
MEETING OF JANUARY 7, 2021
TIME OF MEETING: 7:00 P.M.
DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

***** AGENDA *****

Items on the agenda may be taken out of order.

Public comment is limited to three (3) minutes for each individual speaker.

In accordance with California Government Code Section 54957.5, any writing that is a public record and relates to an open session agenda item which is distributed less than 72 hours prior to the meeting shall be available for public inspection at the District Office, 7500 Schmidt Lane, El Cerrito, during regular business hours. Copies of the agenda are posted on the District website at www.stegesan.org. Those disabled persons requiring auxiliary aids or services in attending or participating in this meeting should notify the District at least 48 hours prior to the meeting at 510/524-4668.

Members of the public can observe the live stream of the meeting by accessing <https://zoom.us/j/84090509848> or by calling (669) 900-9128 and entering the Meeting ID# 840 9050 9848 followed by the pound (#) key.

Public comment can be sent remotely by delivering to 7500 Schmidt Lane, El Cerrito, CA 94530 or via email to comments@stegesan.org with "Public Comment" in the subject line. To provide written comment on an item on the agenda or to address the Board during Public Comment, please note the agenda item number that you want to address or whether you intend for the comment to be included in Public Comment. Comments timely received 15 minutes before the starting time of the meeting will either be provided as written comment or be read into the record, with a maximum allowance of 3 minutes per individual comment read into the record, subject to the Board President's discretion. Copies of all timely received written comments will be provided to the Board and will be added to the official record.

Pursuant to Executive Order N-29-20, Board Members Christian-Smith, Gilbert-Snyder, Merrill, Miller, and O'Keefe may be attending this meeting via remote conferencing. In the event that any Board Member elects to attend remotely, all votes conducted during the remote conferencing session will be conducted by roll call vote.

I. Call To Order

II. Roll Call

Agenda Items: Directors and Officers of the Board will consider and announce if they have any conflicts of interest posed by items on the meeting agenda.

III. Public Comment

(Members of the public are invited to address the Board concerning topics that are **not** on the agenda)

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IV. Approval of Minutes

Motion: A. Approval of December 10, 2020 Board Meeting Minutes
(The Board will review and consider approving the minutes)

V. Communications

Info: A. Oral Communications
1. Brief reports from Directors on matters related to the District, including attendance at city or community meetings
a. City & Community Meetings

Info: B. Written communications

VI. Reports of Staff and Officers

Info: A. Manager's Report
1. Director's Contact Info
2. Board of Director's Training Summary
3. 2021 California Association of Sanitation Agencies (CASA) Conferences

- January 27-28, 2021 – Winter Conference, Virtual Event
- August 11-13, 2021 – 66th Annual Conference, San Diego, CA

VII. Business

Info/Motion A. Board Governance Policy Manual Review
(The Board will review the Manual)

Info: B. Draft Long Range Planning Agenda
(The Board will consider the draft agenda)

VIII. Approval of Checks

Info/Motion: A. Checks for January 7, 2021 - Fund No. 3418 & 3423
(The Board will consider approving the checks)

X. Future Agenda Items

January 21, 2021
CLOSED SESSION – Quarterly Claims Reports

STEGE SANITARY DISTRICT BOARD OF DIRECTORS

MEETING OF JANUARY 7, 2021

TIME OF MEETING: 7:00 P.M.

DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

CLOSED SESSION – Manager Performance Evaluation

Board Governance Manual Approval

Resolution for Disposal of Surplus Property

Quarterly Financial Statements

Long Range Planning Workshop Agenda

CASA Conference – Attendee Reports

SPASPA Status Report

February 11, 2021

Actuarial Analysis of Retiree Health Benefits Report

Long Range Planning Workshop Agenda

Board Training Summary

CASA Conference

Form 700

XI. Adjournment

(The next meeting of the Stege Sanitary District Board of Directors is scheduled to be held on January 21, 2021 at 7:00 P.M. at the District Board Room, 7500 Schmidt Lane, El Cerrito, CA.)

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
 MEETING OF DECEMBER 10, 2020
 TIME OF MEETING: 2:00 P.M.
 DISTRICT BOARD ROOM, 7500 SCHMIDT LANE, EL CERRITO, CA

*****MINUTES*****

- I. Call to Order:** President Miller called the meeting to order at 2:03 P.M.
- II. Roll Call:** Present: Christian-Smith (video-conference), Gilbert-Snyder (video-conference), Merrill, O’Keefe (tele-conference), Miller
- Absent: None
- Others Present: Rex Delizo, District Manager
 Kristopher Kokotaylo, District Counsel
 Paul Pham, Chavan and Associates
 (for Item VII.A)
 Kary Richardson, Administrative Supervisor
 (for Items VII.A, VIII and IX)
 Paul Soo, Senior Civil Engineer
 (for Items VI.C and VII.B)

Agenda Items: Directors and Officers of the Board did not announce any conflicts of interest posed by items on the meeting agenda.

- III. Public Comment:** There was no public comment.

Item VII.A was taken out of order at this time in the meeting.

VII. Business

A. Fiscal Year 2019-2020 Financial Audit/Financial Reporting

The auditor, Paul Pham of Chavan and Associates, gave an overview of the audit of the District’s finances for Fiscal Year 2019-20, gave it a clean “unmodified” opinion, and answered several questions.

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MOTION: By Merrill, seconded by Gilbert-Snyder, to accept the Fiscal Year 2019-20 Financial Audit Report, as amended

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Merrill, O’Keefe,
 Miller
 NOES: None
 ABSTAIN: None
 ABSENT: None

Item VIII. was taken out of order at this time in the meeting.

VIII. Financial Statements – November 2020

- A. Monthly Investment, Cash, Receivables Report, November 2020
- B. Monthly Operating Statement, November 2020
- C. Pension and Other Post-Employment Benefits (OPEB) Unfunded Actuarial Liability (UAL) Report

Administrative Supervisor, Kary Richardson, reviewed the financial statements with the Board.

Item IX. was taken out of order at this time in the meeting.

IX. Approval of Checks

- A. Checks for December 10, 2020 - Fund No. 3418 & 3423

MOTION: By Merrill, seconded by O’Keefe, to pay the bills, Check Nos. 26880 through 26908 in the amount of \$57,560.10

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Merrill, O’Keefe,
 Miller
 NOES: None
 ABSTAIN: None

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
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ABSENT: None

The Board resumed the order of the agenda at this time in the meeting.

IV. Approval of Minutes

A. Approval of November 12, 2020 Board Meeting Minutes

MOTION: By Christian-Smith, seconded by Merrill, to approve the minutes of the November 12, 2020 Board Meeting, as amended

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Merrill, O’Keefe,
Miller

NOES: None

ABSTAIN: None

ABSENT: None

V. Communications

A. Oral Communications

1. Brief reports from Directors on matters related to the District, including attendance at city or community meetings

- a. City & Community Meetings

No reports were given.

B. Written Communications

1. KIDS for the BAY 2019–2020 Annual Report

The Board received the report.

VI. Reports of Staff and Officers

A. Attorney’s Report:

Kokotaylo reported on the California Supreme Court’s review of the Santa Monica Voting Rights Case.

B. Manager’s Report:

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
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1. Monthly Maintenance Summary Report

The Manager reported no significant issues with last month's maintenance activities.

2. Emergency Contact Update

The Manager requested Directors' update their emergency contact information.

3. 2021 California Association of Sanitation Agencies (CASA) Conference

The Manager reported on the upcoming CASA conferences.

C. Engineer's Report:

1. Monthly Report of Sewer Replacements and Repairs

Soo reported on payment for one sewer repair made in November.

2. Consent Decree Quarterly Report

Soo reported the District continues to be on track to achieve the Consent Decree annual minimum requirements.

VII. Business

A. Fiscal Year 2019-20 Financial Audit Report

This item was taken out of order earlier in the meeting (see above).

B. Resolution No. 2049-1220 Approving and Authorizing Professional Services Agreement to Prepare Plans and Specifications to Upgrade the Canon Pump Station

The Board reviewed and approved the resolution with some amendments to the Professional Services Agreement as recommended by District Counsel.

MOTION: By O'Keefe, seconded by Christian-Smith, to approve of Resolution No. 2049-1220 Approving and Authorizing Professional Services Agreement to Prepare Plans and Specifications to Upgrade the Canon Pump Station, as amended

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Merrill, O'Keefe, Miller

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NOES: None
ABSTAIN: None
ABSENT: None

C. 2021 Board Meeting Calendar

The Board reviewed and adopted the Board Meeting Calendar for 2021.

MOTION: By Gilbert-Snyder, seconded by Merrill, to adopt the Board Meeting Schedule for Calendar Year 2021

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Merrill, O’Keefe,
Miller
NOES: None
ABSTAIN: None
ABSENT: None

D. Connection Charge Calculation Report

The Board reviewed and discussed the report that indicated a 6.8% increase of the Engineering News Record’s Construction Cost Index (ENR-CCI) since May 2019. The Board requested staff move forward with the preparation of the ordinance but asked staff to provide a connection charge calculation, as was done in the fee study, to compare to the ENR-CCI increase.

MOTION: By Merrill, seconded by O’Keefe, to move forward with the preparation of an Ordinance updating the connection charge based on a 6.8% increase of the ENR-CCI (May 2019 - November 2020)

VOTE: AYES: Christian-Smith, Gilbert-Snyder, Merrill, O’Keefe,
Miller
NOES: None
ABSTAIN: None

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ABSENT: None

E. Flexible Benefit Plan Review

The Board approved eliminating the Flexible Benefit Plan contribution amount of \$1866 and corresponding cash out amount of \$1000 and, instead, paying for employee health care coverage up to the Kaiser rate or a cash in lieu amount of \$500, and increasing all employee salaries and salary ranges by \$1000. The flex plan will continue to be available for employees voluntarily choosing to contribute their own pre-tax dollars for eligible medical and dependent care expenses. O'Keefe stated she would prefer to see more information on the impact of salary increases before making a decision.

MOTION: By Merrill, seconded by Christian-Smith, to eliminate the Flexible Benefit Plan contribution amount of \$1866 and cash out amount of \$1000, pay for employee health care coverage up to the Kaiser rate with a cash in lieu amount of \$500, and increase all employee salaries and salary ranges by \$1000, all effective as of January 1, 2021

VOTE: AYES: Christian-Smith, Gilbert-Snyder Merrill, Miller
 NOES: O'Keefe
 ABSTAIN: None
 ABSENT: None

F. Deferred Compensation Matching Contribution Review

The Board reviewed the deferred compensation matching amount and took no action.

VIII. Financial Statements – November 2020

This item was taken out of order earlier in the meeting (see above).

IX. Approval of Checks

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This item was taken out of order earlier in the meeting (see above).

X. Future Agenda Items

January 7, 2021

Board Governance Manual Review
 Long Range Planning Workshop Agenda
 Service Rate Discussion
 District of Distinction Board Training Summary
 Director's Contact Info
 CASA Conference

January 21, 2021

CLOSED SESSION – Quarterly Claims Reports
 CLOSED SESSION – Manager Performance Evaluation
 Board Governance Manual Approval
 Resolution for Disposal of Surplus Property
 Quarterly Financial Statements
 Long Range Planning Workshop Agenda
 Service Rate Discussion
 CASA Conference – Attendee Reports
 SPASPA Status Report

NOMINATION AND ELECTION OF OFFICERS

Nomination and Election of Officers - 2021

MOTION: By Gilbert-Snyder, seconded by Christian-Smith, to nominate
 and elect Director O'Keefe for President and Director Merrill for Vice
 President of the Stege Sanitary District Board of Directors for 2021

VOTE: AYES: Christian-Smith, Gilbert-Snyder, O'Keefe, Miller
 NOES: None

STEGE SANITARY DISTRICT BOARD OF DIRECTORS
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ABSTAIN: Merrill

ABSENT: None

XI. Adjournment

The meeting was adjourned at 4:25 P.M. The next meeting of the District Board of Directors will be held on Thursday, January 7, 2021 at 7:00 P.M. at the District Board Room, 7500 Schmidt Lane, El Cerrito, California

Rex Delizo
STEGE SANITARY DISTRICT
Secretary

**SUMMARY OF BOARD OF DIRECTORS
TRAINING DUE DATES**

<i>DUE DATES</i>	Governance Training 6 hrs. every 5 years	AB 1234 Ethics Training 2 hrs. every 2 years	AB 1661 Harassment Prevention Training 2 hrs. every 2 years
Juliet Christian-Smith	8/2025	8/2022	5/2021
Paul Gilbert-Snyder	3/2023	8/2022	5/2021
Dwight Merrill	3/2024	8/2022	5/2021
Al Miller	3/2024	8/2022	5/2021
Bea O'Keefe	3/2024	8/2022	5/2021
<i>Next Available Training</i>	Virtual Workshop: SDLA Module 1 - Governance Foundations March 24-25, 2021	Meyers Nave AB1234 Ethics Compliance Training August 2022	Meyers Nave AB1661 Harassment Prevention Training and Education May 2021

**Highlighted dates are due w/in 90 days*

Moving Forward



2021 Winter Conference | January 27-28 | Virtual Event

CASAweb.org

@CASACleanWater @CASA_CleanWater

Draft Winter Conference Program “SUBJECT TO CHANGE”

Wednesday, January 27

- | | |
|-------------------------|--|
| 9:00 a.m. – 9:15 a.m. | Welcome from CASA President Jason Dow |
| 9:15 a.m. – 10:15 a.m. | Keynote: The Future of Work
Heather McGowan |
| 10:15 a.m. – 10:30 a.m. | BREAK |
| 10:30 a.m. – 11:00 a.m. | What Comes Next in California? Navigating the Governor's Executive Orders, Follow Up Actions, and 2021 Budget Priorities |
| 11:00 a.m. – 11:45 a.m. | Water in Real Life: Navigating Complex Communications
Stephanie Corso, Rogue Water Group
Arianne Shipley, Rogue Water Group |
| 11:45 a.m. – 12:15 p.m. | BREAK |
| 12:15 p.m. – 1:15 p.m. | Lunchtime Screening of Brave Blue World/Networking Session |
| 1:15 p.m. – 1:30 p.m. | BREAK |
| 1:30 p.m. – 2:30 p.m. | Roundtables Session 1 (See Topic List Below) |
| 2:30 p.m. – 2:45 p.m. | BREAK |
| 2:45 p.m. – 3:45 p.m. | Roundtables Session 2 (See Topic List Below) |
| 3:45 p.m. – 5:00 p.m. | Federal Legislative Committee Meeting (via Zoom) |
| 4:00 p.m. – 5:00 p.m. | Associates Committee Meeting (via Zoom) |
| 4:00 p.m. – 5:00 p.m. | Communications Committee Meeting (via Zoom) |

Thursday, January 28

- 8:00 a.m. – 9:00 a.m. Virtual Women’s Networking Breakfast/Coffee (Specialty Meeting)
- 9:00 a.m. – 9:15 a.m. Welcome from CASA Vice President Jasmin Hall
- 9:15 a.m. – 10:15 a.m. **What’s Next in Washington?**
Radhika Fox, US Water Alliance
Ken Kaposic, Former Deputy Assistant Administrator for Office of Water (Invited)
- 10:30 a.m. – 10:45 a.m. BREAK
- 10:45 a.m. – 12:00 p.m. **What’s Next for Agency Financing and Investment? A Perspective on Bond Ratings, Agency Revenues, and Project Finance**
 - Robb Grantham, Santa Margarita Water District
 - Doug Scott, Fitch Ratings
 - Brian Forbath, Stradling Yocca Carlson & Rauth
 - Jeff Tucker, Vallejo Flood & Wastewater District
- 12:00 p.m. – 12:15 p.m. BREAK
- 12:15 p.m. – 1:30 p.m. **Virtual Luncheon Program:**
Executive Director Presentation on New 5 Year Strategic Plan
2020 CASA Awards Program
State Legislative Update (Jessica Gauger)
Federal Legislative Update (Eric Sapirstein)
- 1:30 p.m. – 2:45 p.m. **Forging Partnerships for a Shared Future**
 - Karen Cowan, CASQA: Stormwater Opportunities
 - Jamie Ecker, Waste Management: 1383 Implementation (Invited)
 - Peter Grevatt, Water Research Foundation: WBE Efforts
 - Andria Ventura, Clean Water Action: PFAS Collaborations (Invited)
- 2:45 p.m. – 3:00 p.m. BREAK
- 3:00 p.m. – 4:00 p.m. State Legislative Committee (via Zoom)

Roundtable Topics

- Communications: Agency Outreach to Diverse Audiences
- Communications: Explaining Wastewater Based Epidemiology to Your Community
- COVID-19: Latest Updates on WBE Activities
- COVID-19: Workplace Considerations
- Technical: Odor Control - Effective Strategies for Engaging Collaborating with Your Communities
- Regulatory: SRF Program Update
- Regulatory: Climate Resiliency and Mitigation Actions
- Technology: Pre-Processing Technology for Co-Digestion
- Regulatory: SB 1383 Implementation
- Regulatory: CECs Roundtable [Updates on Microplastics and PFAS]
- Federal: What to Expect from a New Administration: First 100 Days to Next Four Years

BOARD GOVERNANCE POLICY MANUAL REVIEW

ISSUE:

The Board shall conduct a full review of the Board Governance Policy Manual annually.

FISCAL IMPACT:

The fiscal impact to review the manual is minimal.

STRATEGIC PLAN:

GOAL 5: Maintain and Improve Community Outreach and Communication

WORK PLAN ITEM "i": Maintain governance and transparency practices that qualify for the Special District Leadership Foundation District of Distinction Accreditation and the District Transparency Certificate of Excellence

BACKGROUND:

The Board decided to prepare a Board Governance Policy Manual in 2004. The Manual was completed in April 2005 and includes sections on roles, beliefs, norms and protocols, policies and procedures. The latest update was in January 2020.

Staff recommends the Board consider several proposed amendments (red-lined draft attached).

RECOMMENDATION:

Approve the Board Governance Policy Manual, as amended.

ALTERNATIVES:

1. Take no action and provide staff further direction.

ATTACHMENTS:

- Board Governance Policy Manual

SECTION 1

MISSION STATEMENT

To protect public health and the environment for the communities it serves through planning and operation of a safe, efficient, and economical wastewater collection system.

(Resolution No. 2135-0420)

SECTION 2

DISTRICT SUMMARY

The Stege Sanitary District (District) was organized in 1913 to provide for the collection, treatment and disposal of wastewater from the developed area in southwest Contra Costa County. The original District boundaries were similar to those of today, however service within the boundaries has expanded to include over 35,000 people and 13,900 sewer connections. The only expected growth of the District is through building on the few remaining vacant parcels and commercial area development.

The present service area of the District comprises 5.3 square miles and includes the communities of El Cerrito, Kensington and a part of Richmond Annex. The sewage collection system includes approximately 150 miles of collection lines and two small pump stations. The primary elements of this collection system are the public main sewers and the private lateral sewers. The District owns and has maintenance responsibility for the main sewers located in public rights-of-way or in easements on private land. Individual property owners own and have maintenance responsibility for their lateral sewers installed from the building plumbing to the main sewer. Wastewater collected in the District system flows to the Special District #1 Interceptor sewer and is then conveyed to the East Bay Municipal Utility District (EBMUD) Wastewater Treatment Facility in Oakland.

SECTION 3

ROLES OF DISTRICT OFFICERS

The Stege Sanitary District Board of Directors consists of five (5) Directors elected at large and serving staggered four (4) year terms with elections being held on even-numbered years. The roles, obligations, and responsibilities of members of the Board are as follows:

Officers of the Board include the **President**, **Vice-President** and **Secretary** of the Board. The term of office of the President and Vice-President of the Board of Directors shall commence upon their election by the Board.

The **President** of the Board shall be elected annually by the Board at the last meeting of each calendar year. The President of the Board shall serve as Chairperson at all Board meetings. **The President** ~~She/he~~ shall have the same rights as the **other Directors** to vote; introduce motions, resolutions and ordinances; and to engage in debate. The President signs all contracts, deeds, warrants, releases, receipts and documents in the name of the District unless the Board, by resolution, authorizes the Manager or other District officers or employees to sign the documents. The President of the Board is also responsible for interacting with and communicating Board directions to the Manager so that the Manager can effectively and efficiently carry out Board directives.

The **Vice-President** shall be elected annually by the Board at the last meeting of each calendar year, to act in the President's absence or inability to act.

The **Secretary** of the Board may be a Director or an individual appointed by the Board to serve in the position of Secretary of the Board for a period of time deemed appropriate by the Board. It is the current practice of the Board to designate the District Manager as Secretary.

If a Secretary is a Director, the Secretary shall be elected annually to the office by the Board at the last regular meeting of each calendar year. If not a Director, the Secretary shall serve at the pleasure of the Board for an unspecified term of office. The Secretary shall be responsible for preparation of minutes and a record of actions taken at Board and Board Committee meetings and other duties established by the Sanitary District Act of 1923 (the "Act") or otherwise by law.

District Counsel's Role in Representing the District

As a direct report of the Board of Directors, the District Counsel is responsible for representing the Stege Sanitary District in all legal matters. As Chief Legal Officer, the District Counsel represents the District as a whole, including the District Board of Directors, District management

and staff. The District Counsel shall comply with all applicable professional rules of conduct that govern the representation of organizations, including State Bar Rules of Professional Conduct, Rule No. 3-60, which states:

“In representing an organization, a member [lawyer] shall conform his or her representation to the concept that the client is the organization itself, acting through its highest authorized officer, employee, body, or constituent overseeing the particular engagement.”

It is the policy of the District Board of Directors that the District Counsel may not represent any Board Member or employee of the District in an individual or personal capacity. The District Counsel shall take direction from the majority of the Board. The District Counsel cannot take any action requested by an individual Board member or employee contrary to the desires of the Board as expressed by the Board majority. However, given the nature of legislative entities, which may often be split with a consistent “majority” and “minority,” the District Counsel should provide balanced legal advice to both sides.

This policy is not intended to discourage the individual Board Members or the District Manager or Staff from seeking legal advice from the District Counsel related to District policy and operations. The District Counsel shall use his or her professional judgment to ensure that legal services are provided in a manner consistent with this policy and the Rules of Professional Conduct.

SECTION 4

CORE BELIEFS OF THE DISTRICT BOARD OF DIRECTORS

1. We strive to meet our public health and environmental requirements, in the most efficient and cost effective way, for present and future District customers.
2. Our work will be of high-quality and responsive to our customers’ desires and needs. Our customers are those who pay our rates and/or use our services.
3. Steger Sanitary District operates for the benefit of our customers and the public, not for the benefit of our staff or board. We will try to accommodate both our customers and our staff, but our customers come first.
4. We are committed to working in the best interests of the District, not personal interests.
5. We will earn and keep the public trust in our stewardship by adhering to high standards of honesty, transparency, and personal integrity.
6. We will plan and proactively take advantage of evolving technology and best management practices.

7. We are committed to minimizing hazards to our employees and the public, recognizing the special hazards involved in operating a wastewater collection system.

FINANCIAL RATES

8. Our rates shall be fair, equitable, and reasonable.
9. Our reserves shall be maintained at levels that will provide adequate, but not excessive, funds to support anticipated working capital and emergency needs.
10. “Pay as you go” with existing funds rather than borrowed is the preferred way to finance our fixed assets.
11. We will periodically review all procedures and policies to ensure our rates are fair, justified and sustained to achieve our mission and maintain the current and long-term viability of the District.

ASSET MANAGEMENT

12. We are entrusted by our customers with funds and fixed assets to accomplish our mission. We are stewards of these resources, not owners.
13. Recognizing the long life of our fixed assets, we are committed to managing them over the long term and maintaining them in a serviceable condition.
14. The benefits of capital replacements must justify the costs.

PERSONNEL

15. We believe a diverse and inclusive environment is important in fulfilling our core values.
16. We believe that the District must strive to create a safe, productive, and positive working environment for all staff, ensuring effective collaboration and communication at all levels.
17. To encourage safe and productive work methods, we support professional training and development for staff and Directors.
18. We believe that our staff should be compensated at levels that are consistent with recruiting, hiring, and retaining high quality employees.
19. Our personnel management philosophy is based on the belief that our employees value doing a good job.

ETHICS/INTEGRITY

20. We are committed to ethical personnel practices.
21. We are committed to prudent, ethical, and legal financial practices.
22. We are committed to an open and transparent governance.
23. We believe that the staff, manager, and board should work together as a team in order to accomplish District goals.
24. We believe in equal opportunity for all, and special privilege for none.
25. As individuals, we are responsible for our actions; as a group, we support our colleagues in their efforts to fulfill their responsibilities.

26. We are mindful that, as elected officials, our actions, both inside and outside the board room, may reflect on the District.

SECTION 5

CULTURAL NORMS OF THE DISTRICT BOARD OF DIRECTORS

1. The Board will be efficient in the number of meetings it holds to limit costs and payments to Directors. No more than one board meeting and one committee meeting per month or two board meetings per month should be the normal schedule.
2. Directors will be compensated with meeting fees consistent with current law and will not receive any health or pension benefit.
3. Board members will be reimbursed expenses only for pre-approved meetings which offer significant benefits to the District. CASA and CSDA meetings will generally be reimbursed for actual and reasonable travel expenses though each Director should try to hold down costs.
4. If a member is attending a non-board meeting for which expenses will be reimbursed, the member should attend the sessions, pay attention, and, in accordance with AB 1234, provide a brief report at the next regular meeting.
5. Directors are expected to attend all board meetings. It is understood that there sometimes will be personal and business reasons that result in absences. In the event when Directors need to be excused from attendance at a meeting, they should give notice at an earlier meeting or contact staff. In the event a Director would like a change to the agenda because of an expected absence, the Director should contact the Board President prior to the meeting, rather than the District Manager or staff.
6. The Board President will contact and speak to Directors that have attendance, tardiness, lack of attentiveness, or meeting participation issues or problems.
7. Directors should be engaged, participate, and pay attention at all board meetings.
8. Newly elected or appointed Directors should receive a copy of the Board Governance Policy Manual and Board Handbook prior to attendance at their first board meeting. The new Directors will be asked to review the material and be ready to discuss it with the full board at a meeting within six months after their term begins. The purpose is to reach a consensus regarding board operations, which may include modifications of certain items.
9. Newly elected or appointed Directors should take a tour of District facilities within the first six months of their term. The Manager and Superintendent should be contacted to arrange this tour, which is an important part of a new Director's orientation.
10. In order to distribute the Directors' duties evenly, the offices of President and Vice President will be rotated among Directors so that each Director will hold those offices about once

every five years. The Director who is Vice President will ordinarily be the President the following year. This rotational scheme will be followed unless there are unusual circumstances or a significant change in the composition of the Board.

11. Neither District staff nor District vehicles shall be expected to be used to transport board members to or from regular board meetings.

SECTION 6

PROTOCOLS

BOARD MEETINGS

In general, District Ordinance Code Section 2.5.2 covers Board meetings.

1. Rules of Order. Ordinarily, meetings of the Board will be conducted informally in the manner determined by the President. However, at the request of any Director, the meeting shall be conducted in accordance with the rules of order and parliamentary procedure as specified in the current edition of The Standard Code of Parliamentary Procedure by Alice F. Sturgis, copyright 1950. A copy of that reference work shall be available at every Board meeting.
2. Board Room Layout/Seating. Board meetings shall be conducted around a rectangular meeting table so Directors, Manager and Counsel face each other. Seats for the public will be available.
3. Agenda Preparation. The Board Secretary shall prepare the agenda in consultation with the Board President, with assistance from District staff. The agenda shall be completed and posted at the District office and website no later than 72 hours prior to the start of the meeting, and agenda packets will be delivered to Directors at least 72 hours prior to the start of the meeting. Some supporting information may be supplied closer to the meeting or at the meeting.
4. Agenda Structure. The basic structure of each regular meeting agenda includes items for Roll Call, Conflict of Interest review, Public Hearings, Public Comment for issues not included on the agenda, Closed Sessions, Approval of Minutes, Communications (both oral and written), reports of Staff and Officers, Business, Monthly Financial Statements, Approval of Checks, Future Agenda Items (generally for the next two meetings), and Adjournment. The first of two meetings of the month is considered a study session and will generally not include any monthly or quarterly reports.
5. Agenda Item Identification. The Manager, as Secretary, will provide specific items for Board meeting agendas. Other agenda items may be identified as part of the Future Agenda Item section of the regular meeting. Items identified after the adjournment of the most recent

Board meeting may be added by request of any Director to the Manager. The President shall be contacted if the Manager discourages inclusion of requested items.

6. Meeting Minutes. The Board Secretary shall record action meeting minutes, including a summary of Public Comment, if any. The meeting minutes will provide an overview of the decisions reached and the actions to be taken and not a verbatim recording of the discussions. The Board will consider approval of the draft minutes at the following meeting.
7. Getting Questions Answered About Agenda Items Before a Meeting. Directors are encouraged to contact the Manager prior to the meeting if they have any questions. Some questions on agenda items may be answered prior to the meeting and this will help to minimize the length of meetings. The Manager will let the Board know if these questions become excessive.
8. Public Participation. All Board meetings are open and public, and all persons are permitted to attend any meeting, except closed sessions of the Board held in accordance with law. Public participation is addressed in Ordinance Code 2.5.2.8. Directors and staff members shall treat members of the public who attend Board meetings with respect. The President will accommodate public members wishing to speak on specific agenda items by moving these items up on the agenda, if the Board determines it is practical. The President may invite members of the public to sit at the table if seating is available.
9. Public Addressing Board. Members of the public will be asked to complete a request slip if they wish to address the Board. The Board President may choose to limit the time allowed for any member of the public to address the Board. In the event there is a large group completing slips, the Board President may ask the public members to refrain from repeating what others have said, and to further limit time allowed to speak.
10. Informal Board Reports at Meetings. Directors may briefly comment on any subject not on the agenda during the Public Comment section of the agenda. There will also be an agenda item titled Oral Communication at each Board meeting that provides an opportunity for brief informal, verbal reports. Other informal reports should be brief and limited to specific subjects on the agenda.
11. Allow Majority to Set Direction – How We Act When We’re Not in Majority. Directors shall accept decisions of the Board after action is taken. Discussion of an item shall not continue at that meeting after a vote on it has been taken.
12. Bringing Agenda Items Back for Further Discussion – Revisiting Issues. There are times that additional discussion on items may be desirable and necessary. Additional information or analysis may help to clarify questions and it may be appropriate to defer items for future agendas if and when a majority of Directors want this. Tabling should not be used as a mechanism to simply defer decisions.
13. Explanation of Votes. Explanation of a vote after the vote has been taken is discouraged. Director’s viewpoints should be expressed as part of the discussion of an issue prior to the vote.

14. Sharing Expertise. The expertise of individual Directors can be an important and useful tool in deliberating issues and setting policies. Directors should share their expertise in a judicious manner, staying on topic and being mindful not to engage in lengthy accounts of personal experiences.
15. Deliberation at Meetings. Deliberation of issues at meetings should be focused, open, honest, and undertaken with a goal of reaching a solution. When the Board is stymied or obviously there are differing opinions regarding an item under discussion or review, the Board should first focus on issues where there is agreement among directors. Disagreements should then be discussed and deliberated, in hopes of reaching a consensus.
16. Preparation for Board Meetings. Directors should come to meetings well-prepared. Agenda materials should be read and reviewed in advance of the meeting, and questions that can be answered in advance of the meeting that are not relevant to policy decisions and/or agenda items should be asked of the Manager outside of the meeting.
17. Discussion of Policy vs. Non-Policy Issues. The major focus at Board meetings shall be on policy issues, Manager's performance, and Board fiduciary responsibilities. The Board should avoid directing the Manager on day-to-day operations.
18. Disclosure. Directors should disclose to the Board if they have had discussions with parties that have a personal, financial interest in an agenda item that is to be considered by the Board.
19. Number of Meetings. The Board will generally meet twice monthly in all months except November and December, when there will usually be one meeting. An annual special meeting for long-range planning will usually be held in the Spring. Other special meetings should be scheduled to be on the same days as regular meetings, when possible, to avoid extra meeting expense compensation.

BOARD/ MANAGER RELATIONS

20. Board/Manager Communications. Informal communications between the Manager and individual Directors by phone, electronic communication, or personal meeting is expected to occur periodically. Formal communications regarding any concerns of Manager conduct should be directed to the Manager through the Board President. There will be communications with the Manager at Board meetings as part of the normal meeting process, and at times as specific agenda items.
21. Manager/Board Communications. The Manager's concern about Board members' conduct should be directed through the Board President or the Vice President if the concern regards the President.
22. Manager Performance Evaluation and Review. The Board will review the performance of the Manager periodically, at least twice per year. An interim review by the Board will occur sometime early in the calendar year at a Board meeting. An annual review will be performed in June at a Board meeting and will be used as a factor in the determination of any compensation adjustments for the Manager for the next fiscal year.

23. Individual Board Member Request for Action. Individual Directors should ask the Manager to take action on issues only if there is a concern such as safety that necessitates immediate action, or another situation that requires quick action. Otherwise, Directors should request actions through the Board meeting process.
24. Individual Board Members Request for Information. Individual Board members are encouraged to ask the Manager if they have questions regarding District business or activities. The Manager will let the Board know if these types of questions become excessive. Requests for information that would require substantial staff time to handle should only come through the Board, not individual Directors.

BOARD/STAFF RELATIONS

25. Individual Board Member Request for Information. There may be instances when information should be obtained from staff. For example, when the Manager is not present or the information requested is ministerial such as conference, meeting, or hotel arrangements, staff should be contacted. Directors should generally request information regarding District business from the Manager instead of directly from staff members.
26. Individual Board Member Request for Action. Directors should not request action of staff, unless the requests involve ministerial types of actions such as conference, meeting, or hotel arrangements.
27. Handling Complaints from Staff. Directors who receive complaints from staff related to the District Manager should direct that staff to contact/inform the Board President or District Counsel as appropriate for follow up and consideration. Complaints related to other issues should be directed to the Manager.
28. Board/Staff Communications. Directors may informally communicate with staff at various District functions like the holiday lunch, safety and recognition awards lunch, and day-to-day encounters at the District office. Communications on issues like employee salaries and benefits, disciplinary issues, and other Board business should be directed through the Manager.

BOARD/COMMUNITY RELATIONS

29. Handling Complaints from the Community. Complaints from the community directed to Directors should be passed on to the Manager for response/action.
30. Addressing Concerns of the Community. Directors should be sensitive to the concerns of the community. Hosting a booth at the annual El Cerrito Fourth of July Fair, answering questions, listening to customers at this and other public events and venues provides an awareness of the community's concerns and issues. Specific concerns may be discussed at Board meetings, and some may be easily handled by passing on to the Manager and staff for action.
31. Visiting District Sites. Directors are invited to visit District facilities and projects periodically.

BOARD/BOARD RELATIONS

32. Role of the President. The President is in charge of the conduct of the Board meetings and has final approval of the agenda. The Board traditionally appoints the President as representative of the Board in negotiations with the Manager for the Manager's compensation. The President is also the official representative and spokesperson for the Board of Directors.
33. Use of Committees. Ad hoc Committees, created in accordance with the District Ordinance Code, may be used to address special issues as they arise.
34. Confidentiality and Trust. In order for the Board to function most effectively, there must be a high level of trust among the Board members. In order to maintain trust, Board members will respect the confidentiality of closed sessions and personal information. Board members may disagree, but will not indulge in backstabbing, double crossing, or other counterproductive activities.
35. Role in Public. Directors shall identify themselves as speaking for themselves, not as a representative of the Board, unless relating Board policy. Directors should not undercut Board actions in Public.
36. Board/Board Communications. Conversations between and among Board members are governed by the Brown Act. All Board members shall familiarize themselves with the Brown Act and comply with its requirements. Whenever three or more Board members are together outside of a Board meeting, they shall avoid discussing District matters. To avoid any possibility of a "serial" meeting, when even two members are together, even they should avoid discussing District matters. Communications include electronic communications. General matters relating to sewage collection and local government are not restricted by the Brown Act and are appropriate topics of conversation under any circumstances.
37. Electronic Communication during Meetings. The Board shall avoid disrupting meetings with electronic communication devices (e.g., cellular phones). All Board Members shall turn off electronic communication devices or set them to silent or vibrate. Board Members shall step outside of the meeting room to talk on a cellular phone. No communication is allowed that would be a violation of the Brown Act.
38. Self-Assessment of Governance. The Board will have an item at its annual Long Range Planning Workshop to assess the effectiveness of its governance.
39. Team Effectiveness. Directors are expected to support each other and function as a team. Newly appointed or elected Directors are expected to review the Board Governance Policy Manual and Board Handbook. Existing Directors are expected to assist new Directors in their transition onto the Board. Both new and existing Directors should work together constructively to develop a new consensus as to how the Board will govern and conduct its business.

SECTION 7

CODE OF ETHICS AND BEHAVIOR

The Board of Directors of the Steger Sanitary District is committed to providing excellence in legislative leadership that results in the provision of the highest quality of services to its constituents. In order to foster civil and ethical behavior between and among members of the Board of Directors, the following rules shall be observed.

1. The dignity, style, values, and opinions of each Director shall be respected.
2. Responsiveness and attentive listening in communication is encouraged.
3. The needs of the District's constituents should be the priority of the Board of Directors.
4. The primary responsibility of the Board of Directors is the formulation and evaluation of policy and oversight of operations. Routine matters concerning the operational aspects of the District are the domain of the District Manager.
5. Directors should commit themselves to emphasizing the positive and avoid double talk, hidden agenda, gossip, backbiting, and other negative forms of interaction.
6. Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.
7. Differing viewpoints are a healthy part of the decision-making process. Individuals have the right to disagree with ideas and opinions without being disrespectful. Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

The Board of Directors shall observe the following rules when interacting with District Staff.

1. In seeking clarification on ministerial items, Directors may approach staff members directly to obtain information.
2. In seeking clarification on non-ministerial items, especially those involving personnel, legal action, land acquisition and development, finance, and programming, Directors should refer directly to the District Manager.
3. In handling complaints from residents and property owners of the District, said complaints should be referred directly to the District Manager.
4. In handling items related to safety, concerns for safety or hazards should be reported to the District Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.
5. When approached by District staff concerning specific District policy, Directors should direct inquiries to the District Manager. The chain of command should be followed.

The work of the District is a team effort. The Board should work together in a collaborative process with District Staff, assisting each other in conducting the affairs of the District.

1. When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions to the District Manager.
2. Directors should develop a working relationship with the District Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.
3. Individual Directors should function as a part of the whole Board. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.
4. Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

SECTION 8

CONFLICT OF INTEREST CODE

The Political Reform Act (Cal. Gov. Code Sec. 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) which contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, it may be amended by the FPPC to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Sec. 18730 and any amendments to it duly adopted by the FPPC are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Stege Sanitary District.

Designated employees shall file their statements of economic interest (Form 700) with Contra Costa County resulting in an electronic copy to Stege Sanitary District. Stege Sanitary District will retain statements for all designated employees and will make the statements available for public inspection and reproduction (Cal. Gov. Code Sec. 81008).

APPENDIX TO STEGE SANITARY DISTRICT CONFLICT OF INTEREST CODE DESIGNATED OFFICIALS AND EMPLOYEES

<u>Designated Positions</u>	<u>Disclosure Category</u>
Secretary of the Board	All
Legal Counsel	All
Consultants ^{1,2}	All

It has been determined that the positions listed below manage public investments and will file a Statement of Economic Interest pursuant to Cal. Gov. Code Sec. 87200:

<u>Position</u>	<u>Disclosure Category</u>
Members of the Board of Directors	All
District Manager	All

Persons who hold more than one position need only file one Statement of Economic Interest.

¹ With respect to Consultants, the District Manager may determine, in writing, whether a particular consultant participates in the making of governmental decisions in conducting the firm's business with the District. Such determination shall include a description of the consultant's duties, and, based upon that description, a statement of the extent of disclosure requirements. The District Manager shall forward a copy of this determination to the Board of Supervisors of the Contra Costa County. Nothing herein excuses any such consultant from any other provisions of this Conflict of Interest Code.

² If these Designated Employees are business firms, the Statement shall be filed by the individual or individuals in the firm who participate in the making of governmental decisions in conducting the firm's business with the District.

Disclosure Categories

Category 1. A designated employee assigned to Category 1 is required to disclose investments which may foreseeably be materially affected by any decision made or participated in by the designated employee.

Category 2. A designated employee assigned to Category 2 is required to disclose interests in real property which may be materially affected by any decision made or participated in by the designated employee.

Category 3. A designated employee assigned to Category 3 is required to disclose income which may be materially affected by any decision made or participated in by the designated employee.

Category 4. A designated employee assigned to Category 4 is required to disclose any business entity in which the designated employee is a director, officer, partner, trustee, or holds any position of management which may be materially affected by any decision made or participated in by the designed employee.

(Ordinance No. 2074-0117)

SECTION 9

STATEMENT OF ECONOMIC INTERESTS (FORM 700)

The California Political Reform Act requires certain state and local government officials to disclose their private economic interests on an official Statement of Economic Interests form. The purpose of the financial disclosure is to alert public officials to personal interests that might be affected while they are performing their official duties (i.e., making governmental decisions). Disclosure also helps inform the public about potential conflicts of interest.

Disclosure is made on the Statement of Economic Interests (Form 700) available at Fair Political Practices Commission website (www.fppc.ca.gov). Filed forms are public documents that must be made available to anyone who requests them.

Essentially, there are four times to file Form 700:

- An "initial" statement is required within 30 days of the date when an office or position has been added to a newly-adopted or newly-amended conflict of interest code.
- An "assuming office" statement is required within 30 days of the date when taking a position already designated in a conflict of interest code.
- "Annual" statements are required before April 1 of each year, covering the preceding calendar year.
- A "leaving office" statement is required within 30 days of the date you leave a designated position.

To ensure current regulations and deadlines are met, Directors shall refer to the Fair Political Practices Commission website (www.fppc.ca.gov) and Contra Costa County website (www.cocovote.us) for up to date rules and filing schedules.

SECTION 10

CAMPAIGN FINANCES (FORM 460/470)

Any candidate or officeholder who has a controlled committee, or who has raised or spent or will raise or spend \$2,000 or more during a calendar year in connection with election to office or holding office shall file a California Fair Political Practices Commission Form 460 - Recipient Committee Campaign Statement available at the Fair Political Practices Commission website (www.fppc.ca.gov).

Any candidate or officeholder who does not have a controlled committee and who does not intend to raise or spend \$2,000 or more in a calendar year shall file a California Fair Political Practices Commission Form 470 - Officeholder and Candidate Campaign Statement available at the Fair Political Practices Commission website (www.fppc.ca.gov). This statement is used to declare that the candidate/officeholder has no intention of receiving or spending \$2,000 or more in a calendar year.

In most cases, July 31 is the filing deadline. To ensure current regulations and deadlines are met, Directors shall refer to the Fair Political Practices Commission website (www.fppc.ca.gov) and Contra Costa County website (www.cocovote.us) for up to date rules and filing schedules.

SECTION 11

BOARD MEMBER COMPENSATION POLICY

It is the policy of the Stege Sanitary District Board of Directors that Board members will be compensated for attendance at all Board meetings, in accordance with Section 2.9 of the District Code of Regulations. Board members will not be compensated for attendance at CASA, City Council, City Council Committee, Neighborhood Council, other Special District Meetings, or Special District Association Meetings. Compensation will consist of meeting fees consistent with current law and will not include any health, pension or other benefit.

The current Directors' fees payable to members of the Board of Directors of the Stege Sanitary District is ~~\$223.88~~ 222.31 per meeting day of service.

(Ordinance No. 2139-0720)

SECTION 12

POLICY PROHIBITING ACCEPTANCE OF GRATUITIES

Board members shall not accept gratuities offered or presented except for trivial items of negligible commercial value, such as a hat, cap, note pad, pen, blotter, calendar or other item that does not exceed \$25.

Gifts that are offered should be refused; gifts that are delivered shall be returned if possible, and gifts that cannot be returned should be donated to the District for disposition.

One area that is often troublesome is the acceptance of meal invitations. Inexpensive, working meals (such as lunch) for the purpose of discussion of business related to the District may be acceptable; however, Board members are cautioned that these events shall be kept as infrequent as possible.

To ensure current regulations are met, Directors shall refer to the Fair Political Practices Commission website (www.fppc.ca.gov) for up to date rules regarding limits on gifts.

SECTION 13

ATTENDANCE AT MEETINGS, SEMINARS AND CONFERENCES POLICY

It shall be the policy of the Board of Directors of the Stege Sanitary District to encourage its members to maintain and enhance their directorship and committee skills through attendance at Board approved meetings, seminars and conferences determined to have value for that purpose.

(Ordinance No. 1456-0189)

SECTION 14

EXPENSE REIMBURSEMENT POLICY

If time permits, Directors shall seek Board approval before attending meetings, seminars, and conferences for which reimbursement is sought. District staff attendance at such function shall be preapproved by the Manager and within the constraints of the appropriate budget.

All Directors and staff who claim reimbursement of travel expenses shall be responsible for maintaining and submitting a record of travel expenses incurred on behalf of the District and, where required, for documenting said costs.

Meal and incidental expenses shall be reimbursed at amounts that do not exceed the Internal Revenue Service (IRS) standards established for the location in which the expenses were incurred.

District procedures regarding reimbursement of personal expenses related to travel on District business should be reviewed and updated periodically.

It shall be the policy of the Stege Sanitary District to reimburse travel expense claims for its Directors and staff, in conformance with all applicable District policies and procedures, and appropriate procedures shall be established.

(Ordinance No. 1762-0501)

SECTION 15

REQUIRED BOARD TRAINING COURSES

The Board of Directors of the Stege Sanitary District shall, at a minimum, take the required training courses as follows:

- AB 1234 Ethics Training every 2 Years, as required by law
- AB 1825 Harassment Prevention Training every 2 Years, as required by law
- Governance Training every 5 Years, as required to maintain Special District Leadership Foundation's District of Distinction Accreditation

The Board of Directors of the Stege Sanitary District are encouraged to complete all four modules of the California Special Districts Association (CSDA) Special District Leadership Academy as follows:

- Module 1: Governance Foundations
- Module 2: Setting Direction & Community Leadership
- Module 3: Board's Role in Finance & Fiscal Accountability
- Module 4: Board's Role in Human Resources

SECTION 16

PUBLIC RELATIONS POLICY

It is the policy of the Stege Sanitary District Board of Directors that: 1) customers should be periodically informed about District business, and 2) any requests from the media (print, audio, or video) regarding District affairs shall be directed to the District Manager.

District newsletters are a means of conveying this information, and newsletters should be sent to all known customers. There shall be two newsletters each year, and the target transmittal dates are May and November. These dates provide an even spacing of six months between letters and the May date allows for informing customers about budget information for the next fiscal year, including service charge changes.

Other means of conveying this information include through the District website, email, participating in community events such as the 4th of July Fair, and social media and online communities such as Facebook, Twitter, Nextdoor, and Yelp.

SECTION 17

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

It is the policy of the District that employment practices and conditions shall be free of unlawful discrimination on the basis of race, religion, color, national origin, ancestry, pregnancy, childbirth, medical condition, physical or mental disability, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military or veteran status, political affiliation, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act of the California Family Rights Act), domestic violence victim status, or any other basis as defined and protected by federal or state law (collectively, “protected categories”). This policy covers District employees, applicants, volunteers, and elected or appointed officials.

(Resolution No. 2144-0820 – Amended Personnel Policy)

SECTION 18

DISCRIMINATION AND HARASSMENT PREVENTION POLICY

The District is committed to providing a work environment free from discrimination and harassment. This includes discrimination and harassment based on a “protected category,” as defined above. Discrimination and harassment are prohibited by the District and may result in disciplinary action, up to and including dismissal.

Accordingly, the District adopts this anti-discrimination and anti-harassment policy or Discrimination and Harassment Prevention Policy (“DHP Policy”) to encourage professional and respectful behavior and prevent discriminatory and harassing conduct in the workplace. The District also prohibits retaliation against a person who engages in activities protected under this policy (“protected activities”). Reporting, or assisting in reporting, suspected violations of this policy and cooperating in investigations or proceedings arising out of a violation of this policy are considered “protected activities.”

This DHP Policy covers District employees, applicants, and elected or appointed officials. As used in this DHP Policy only, the term “employee” includes contractors and volunteers in the workplace. The DHP Policy extends to conduct with a connection to an employee’s work, even when the conduct takes place away from District premises. In addition, discrimination or harassment carried out by persons with whom the District has a business, service, or professional relationship is prohibited and may result in termination of the business relationship, or other appropriate response as determined by the District.

All employees, applicants, and elected or appointed officials are expected to assume responsibility for maintaining a work environment that is free from discrimination, harassment, and retaliation. Employees, applicants, and elected or appointed officials are encouraged to promptly report conduct that they believe violates this policy so that the District has an opportunity to address and resolve any concerns. Managers and supervisors are required to promptly report conduct that they believe violates this policy. We are committed to responding to alleged violations of this policy in a timely and fair manner and to taking appropriate action aimed at ending the prohibited conduct.

- A. Prohibited Discrimination. As used in this policy, discrimination is defined as the unequal treatment of an employee or applicant in any aspect of employment, including discrimination based solely, or in part, on the employee’s, or applicant’s protected category. Discrimination also includes unequal treatment based upon the employee or applicant’s association with a member of these protected categories. Discrimination may include, but is not necessarily limited to:

1. hostile or demeaning behavior towards applicants or employees because of their protected category;
2. allowing the applicant's or employee's protected category to be a factor in hiring, promotion, compensation or other employment-related decisions unless otherwise permitted by applicable law; and
3. providing unwarranted assistance or withholding work-related assistance, cooperation, and/or information to applicants or employees because of their protected category.

B. Prohibited Harassment. As used in this policy, harassment is defined as disrespectful or unprofessional conduct, including disrespectful or unprofessional conduct based on any of the protected categories listed above. Harassment in employment may take many different forms including:

1. Verbal conduct such as epithets, derogatory comments, threats, gestures, teasing, slurs or unwanted jokes or comments.
2. Visual conduct such as the posting or distribution of offensive posters, symbols, cartoons, drawings, photographs, or emails.
3. Physical conduct such as physically threatening another person, assault, offensive touching, impeding or blocking movement, restraint, or physical interference with normal work or movement.

C. Sexual Harassment. As used in this policy, sexual harassment is defined as harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, and gender expression, or conduct of a sexual nature. It may include any of the actions described as harassment above, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

Sexual harassment is generally categorized into two types:

1. Quid Pro Quo Sexual Harassment ("this for that")
 - a) Submission to sexual conduct is made either explicitly or implicitly as a term or a condition of an individual's employment.
 - b) Submission to or rejection of such conduct is used as the basis for employment decisions affecting the individual.

2. Hostile Work Environment Sexual Harassment

a) Conduct of a sexual nature or on the basis of sex by any person in the workplace that unreasonably interferes with an employee's work performance and/or creates an intimidating, hostile or otherwise offensive working environment.

Examples of such conduct include:

- Unwelcome sexual advances, flirtation, teasing, sexually suggestive or obscene letters, invitations, notes, emails, voicemails or gifts.
- Sex, gender or sexual orientation-related comments, slurs, jokes, remarks or epithets.
- Leering, obscene or vulgar gestures or making sexual gestures.
- Displaying or distributing sexually suggestive or derogatory objects pictures, cartoons, or posters or any such items.
- Impeding or blocking movement, unwelcome touching or assaulting others.
- Any sexual advances that are unwelcome as well as reprisals or threats after a negative response to sexual advances.
- Conduct or comments consistently targeted at one gender, even if the content is not sexual.

D. No Retaliation: Employees should feel free to report valid claims of unlawful harassment without fear of retaliation of any kind. The District will not retaliate against or tolerate retaliation against employees for making any complaint of unlawful harassment in good faith, or against any employee for cooperating in an investigation.

1. As used in this policy, "retaliation" is defined as any adverse employment action taken against an employee because the employee engaged in any protected activity, as defined above.
2. "Adverse employment action" is conduct or an action that materially affects the terms and conditions of the employee's employment status or is reasonably likely to deter the employee from engaging in protected activity. Even actions that do not result in a direct loss of compensation may be regarded as an adverse employment action when considered in the totality of the circumstances.
3. Examples of retaliation under this policy include but are not limited to: demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusing to promote or consider for promotion because of reporting a violation of this policy; harassing another

employee for filing a complaint; denying employment opportunities because of making a complaint or for cooperating in an investigation; changing someone's work assignments for identifying harassment or other forms of discrimination in the workplace; treating people differently such as denying an accommodation; or not talking to an employee when otherwise required by job duties, or otherwise excluding the employee from job-related activities because of engagement in activities protected under this policy.

- E. Harassment and Abusive Conduct Prevention Training. All District employees are required to participate in sexual harassment and abusive conduct prevention training. The training will also cover other types of prohibited harassment, such as harassment based on gender identity, gender expression, and sexual orientation. Supervisory employees are required to take two hours of training under this section every two years. Non-supervisory employees are required to take one hour of training every two years. The District will make this training available to employees during regular working hours at no cost to the employee. Records of these training activities will be maintained in District files.
- F. Employee Response. Any employee who believes he or she has been unlawfully harassed or discriminated against should promptly report it orally or in writing to the employee's supervisor or the District Manager. An employee is not required to complain first to a supervisor if that person is the individual who is harassing and/or engaging in discriminatory action against the employee. Instead, the employee may report the harassment/discrimination to the District Manager. If the District Manager is the harassing and/or discriminating actor, the employee may report the harassment/discrimination to the President of the Board of Directors. When notified of a potential violation of the DHP Policy, the President of the Board of Directors will consult with District Counsel.
- G. Supervisor Duty to Report. All managers and supervisors are required to promptly report conduct that they believe violates the District's DHP Policy so that the District has an opportunity to address and resolve any concerns. The District is committed to responding to alleged violations of this policy in a timely and fair manner and to take appropriate action aimed at ending the prohibited conduct.
- H. Complaint & Investigation Procedure: The District will take an affirmative role to protect its employees from discrimination, harassment, and retaliation. Any employee or applicant who experiences or witnesses behavior that they believe violates this policy is encouraged to:

1. Identify the offensive behavior to the offending employee or other person and request that the behavior cease.
 2. Report the offensive behavior either orally or in writing to the employee's supervisor or manager or the District Manager. Any manager or supervisor who receives a complaint of harassment or discrimination must immediately report the complaint to the District Manager. If the District Manager is the subject of the complaint of harassment or discrimination, the manager or supervisor must report the complaint to the President of the Board of Directors.
 3. The District Manager or his/her designee will promptly look into the facts and circumstances of any alleged violation, as appropriate. As provided above, the President of the Board of Directors will perform this duty if the District Manager is the subject of the complaint.
 4. The District shall initiate an investigation where it has reason to believe that conduct in violation of this DHP policy has occurred. All investigations will be timely, thorough, fair, and completed by qualified personnel.
 - i. To the extent possible, the District will endeavor to keep the reporting of the applicant or employee's concerns confidential; however, complete confidentiality cannot be guaranteed when it interferes with the District's ability to fulfill its obligations under this policy.
 - ii. All employees are required to cooperate fully with any investigation.
 5. Upon completion of the investigation, if the misconduct is substantiated, the District will take appropriate remedial action, as provided below, to prevent and correct misconduct and unlawful behavior, up to and including formal discipline where warranted.
- I. Filing External Complaints: Employees and applicants may file formal complaints of discrimination, harassment, or retaliation with the agencies listed below. Individuals who wish to pursue filing with these agencies should contact them directly to obtain further information about their processes and time limits.

California Department of Fair Employment and Housing

2218 Kausen Drive, Suite 100 Elk Grove, CA 95758

800-884-1684 (voice), 800-700-2320 (TTY) or California's Relay Service at

711 contact.center@dfeh.ca.gov

<https://www.dfeh.ca.gov>

U.S. Equal Employment Opportunity Commission

450 Golden Gate Avenue 5 West,

P.O. Box 36025

San Francisco, CA 94102-3661
1-800-669-4000 or 510-735-8909 (Deaf/hard-of-hearing callers only)
<http://www.eeoc.gov/employees>

J. Remedial Action:

1. If harassment or discrimination is found to have occurred in violation of District policy, the District shall take action to ensure or confirm that the harassment or discrimination is stopped. The District shall take whatever measures are reasonably necessary to ensure its workplaces remain free from unlawful discrimination or harassment.
2. The District shall maintain a complaint procedure to provide an avenue for complaints, investigations, and appropriate remediation. Employees are encouraged to utilize the complaint process described in subsection (H) above if they experience unlawful discrimination or harassment. The complaint process shall be available and disseminated to all District employees.
3. Employees found to have engaged in discrimination or harassment covered by this DHP Policy may be subject to disciplinary action, up to and including termination of employment.
4. Employees found to have been dishonest or uncooperative during an investigation into allegations of discrimination or harassment may be subject to disciplinary action, up to and including termination of employment.
5. This DHP Policy shall not be construed to create a private or independent right of action against the District, or any of its employees or officials. The District reserves the right to interpret and apply this policy to provide greater protection than what is afforded under existing federal and state law.

K. Obligation of Employees. Employees are responsible for knowing the District's policy on anti-discrimination and anti-harassment; refraining from discriminatory behavior, including harassment; reporting incidents of discrimination in a timely fashion; cooperating with any investigation concerning allegations of discrimination; and maintaining confidentiality concerning any such investigation.

(Resolution No. 2144-0820 – Amended Personnel Policy)

SECTION 19

DISTRICT ELECTIONS POLICY

The Stege Sanitary District Board of Directors is comprised of five (5) Directors elected at large and serving staggered four (4) year terms with elections being held on even-numbered years.

California Elections Code Section 10505 requires a general district election be held in each special district to choose a successor for each elective officer whose term will expire on the first Friday in December following the election to be held on the first Tuesday after the first Monday in November in each even-numbered year.

As allowed in California Elections Code Section 10400, District elections shall be consolidated with the statewide general elections to reduce costs and achieve greater voter participation.

As set forth in California Elections Code Section 10520, the District shall reimburse the county for the actual costs incurred by the county elections official in conducting the election for the District.

As set forth in California Elections Code Section 13307, before a nominating period opens, the District Board must determine whether a charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; determine the number of words, may estimate the cost; and determine whether the estimate must be paid in advance.

As set forth in California Elections Code Section 12112, the election official of the principal county shall publish a notice of the election once in a newspaper of general circulation in the District.

After the election, upon receipt of the statement of the election official declaring the elected candidate(s), the Board Secretary shall immediately notify each winning candidate.

At the first Board Meeting, which shall occur after the county elections official declares the elected candidate or elected candidates, the District Board of Directors shall adopt a Resolution certifying the election results. The Resolution shall direct the Secretary of the Stege Sanitary District to enter on the official records of the Stege Sanitary District, the Resolution certifying the results of the election, showing: 1) the whole number of ballots cast in the Stege Sanitary District; 2) the names of the persons voted for; 3) for what office each person was voted for; 4) the number of votes given at each precinct to each person and 5) the total number of votes given to each person. The Resolution shall also direct the Secretary of the Stege Sanitary District to

deliver to each of the persons so elected a certified copy of the Resolution signed by the Secretary and authenticated.

Pursuant to California Elections Code Section 10554, elected candidates take office at noon on the first Friday in December following the District election. Each elective officer shall take the official oath and execute any bond required prior to taking office. All Directors elected shall be inducted into the respective office after taking the Oath of Office.

SECTION 20

CHECK APPROVAL POLICY

All Stege payments shall be reviewed and approved by the Board. All checks shall be signed by the District Manager and the Board President (or his/her designee). Time critical payments, where there is not time for Board review and approval, shall be reviewed and approved by the Board President (or his/her designee).

SECTION 21

POLICY PROHIBITING DISCUSSION WITH BIDDERS

Directors shall not discuss District projects or bids with any potential bidders. Any inquiries regarding District projects or procurements shall be referred to the District Manager or staff, with the District Manager's permission, for appropriate handling and response.

SECTION 22

LEGISLATIVE ADVOCACY POLICY

Although the expenditure of public funds for the purpose of supporting or opposing a ballot measure or candidate is prohibited, the expenditure of public funds is allowed to advocate for or against proposed legislation or regulatory actions which will affect the public agency expending the funds.

It is the policy of the District to proactively monitor and advocate for legislation affecting the District. Monitoring legislation is a shared function of the Board of Directors and District Manager or designated staff. This process involves interaction with local, state, and federal government entities both in regard to specific items of legislation and to promote positive intergovernmental relationships. Accordingly, involvement and participation in local, regional, state, and national organizations such as the California Special Districts Association (CSDA) and the California Association of Sanitation Agencies (CASA) is encouraged and supported by the District. Generally, the District will not address matters that are not pertinent to the District's mission statement, such as social issues or international relations issues.

Legislative issues affecting the District shall be added to a board meeting agenda for formal direction from the Board of Directors. Legislative position letters shall typically state whether the District is in the position of "support", "support if amended", "oppose", or "oppose unless amended", and shall include justification for the recommended action. If possible, the letter shall include examples of how the bill would specifically affect the District, e.g. "the funding the District will lose due to this bill could pay for X capital improvements." The District may also choose to provide a letter of concern or interest regarding a legislative issue without taking a formal position.

SECTION 23

BOARD HANDBOOK (Under Separate Cover)

SECTION 24

DISTRICT ORDINANCE CODE (Under Separate Cover)

DRAFT LONG RANGE PLANNING AGENDA

ISSUE:

The Board shall consider the draft long range planning agenda.

FISCAL IMPACT:

The fiscal impact to review the agenda is minimal.

STRATEGIC PLAN:

GOAL 2: Maintain and Improve Infrastructure

GOAL 3: Ensure Financial Stability and Efficiency

BACKGROUND:

The Board has a Long Range Planning Workshop scheduled for March 6, 2021. The draft agenda for the workshop is ready for review and input from the Board.

RECOMMENDATION:

Review the agenda and suggest any changes or additions.

ALTERNATIVES:

1. Cancel the Long Range Planning Workshop.

ATTACHMENTS:

Draft Long Range Planning Agenda

Stege Sanitary District
DRAFT Long Range Planning Workshop Agenda
 Saturday, March 6, 2021 @9:00am

TIME	TOPIC
9:00 AM	<i>Review of Agenda & Last Action Plan</i>
9:15 AM	Past 5 Years Expenditures Review [0.5 hr.]
9:30 AM	The Board will review and discuss trends from the past 5 years.
9:45 AM	Salary Survey [0.75 hr.]
10:00 AM	The Board will review and consider implementing the salary survey information.
10:15 AM	
10:30 AM	<i>Break</i>
10:45 AM	Strategic Plan [0.75 hr.]
11:00 AM	The Board will review and discuss the plan.
11:15 AM	
11:30 AM	Self Assessment Of Governance - Review & Discussion [0.75 hr.]
11:45 AM	
12:00 PM	
12:15 PM	<i>Lunch</i>
12:30 PM	
12:45 PM	San Pablo Avenue Specific Plan Area (SPASPA) Progress and Planning [1.0 hr.]
1:00 PM	The Board will review and discuss the progress
1:15 PM	and planning of the San Pablo Avenue Specific Plan Area.
1:30 PM	
1:45 PM	USEPA Consent Decree Progress and Planning [0.75 hr.]
2:00 PM	The Board will review and discuss the progress
2:15 PM	and planning of the USEPA Consent Decree.
2:30 PM	<i>Break</i>
2:45 PM	
3:00 PM	Future Funding Considerations [1.0 hr.]
3:15 PM	The Board will review and discuss future funding considerations.
3:30 PM	
3:45 PM	<i>Wrap Up, Review, Action Items</i>

STEGE SANITARY DISTRICT BOARD OF DIRECTORS MEETING AGENDA CALENDAR

JANUARY 2021	FEBRUARY 2021	MARCH 2021	APRIL 2021	MAY 2021	JUNE 2021
1/1 & 1/18 HOLIDAY CASA Winter Conf. Jan 27-28, Virtual Event	2/15 HOLIDAY CASA Policy Forum Feb ???, Wash, DC	AB 1234 Training (even years)		5/31 HOLIDAY AB 1661 Training (odd years)	6/9 Safety and Recognition Awards Luncheon
1/7/2021 – 7:00 P.M.	2/11/2021 – 7:00 P.M.	3/6/2021 – 9:00 A.M.	4/1/2021 – 7:00 P.M.	5/6/2021 – 7:00 P.M.	6/3/2021 – 7:00 P.M.
<ul style="list-style-type: none"> • Board Governance Manual Review • Long Range Planning Workshop Agenda • Service Rate Discussion • District of Distinction (even years) • Board Training Summ. • Director’s Contact Info • CASA Conference 	<ul style="list-style-type: none"> • Actuarial Analysis of Retiree Health Benefits Report (even years) • Long Range Planning Workshop Agenda • Service Rate Discussion • Board Training Summ. • CASA Conf. + Attendee Reports • Form 700 	<u>9AM Meeting Time</u> <ul style="list-style-type: none"> • Long Range Planning Workshop <ul style="list-style-type: none"> – Past 5 yrs. Expenditures Review – Self-Assessment of Governance – Strategic Plan Review 	<ul style="list-style-type: none"> • Service Rate Discussion/ Approval (& 30-day Notice) • Board Training Summ. 	<ul style="list-style-type: none"> • Draft Budget • Board Training Summ. • July 4th Fair Discussion • Review of Comparable Agencies 	<ul style="list-style-type: none"> • Draft Budget • Review Directors’ Meeting Compensation • District Working Capital and Reserve Policy • Approve Project Plans and Specs (+CEQA) • July 4th Fair Discussion • CASA Conference
1/21/2021 – 7:00 P.M.			3/18/2021 – 7:00 P.M.	4/15/2021 – 7:00 P.M.	5/20/2021 – 7:00 P.M.
<ul style="list-style-type: none"> • CLOSED SESSION <ul style="list-style-type: none"> – Quarterly Claims Rpt – Manager Perf. Eval. (+ appoint labor negotiator) • Board Governance Manual Approval • Resolution for Disposal of Surplus Property • Quarterly Financial Statements • Long Range Planning Workshop Agenda • Service Rate Discussion • CASA Conference • SPASPA Status Report 		<ul style="list-style-type: none"> • Auditor – RFP • California Employer’s Retiree Benefit Trust (CERBT) • Consent Decree Quarterly Report • Service Rate Discussion • Board Training Summ. • Form 700 	<ul style="list-style-type: none"> • CLOSED SESSION <ul style="list-style-type: none"> – Quarterly Claims Rpt • Employee Benefit Package • Quarterly Financial Statements • Draft Budget • Service Rate Discussion/Approval (+ 30-day Notice) • July 4th Fair Discussion • SPASPA Status Report 	<ul style="list-style-type: none"> • CLOSED SESSION <ul style="list-style-type: none"> – Manager Perf. Eval. – Conf. Labor Negot.. • Resolution Ordering Board Election (even years) • Connection Charge • Draft Budget • July 4th Fair Discussion • Service Rate Discussion/Approval (+ 30-day Notice) 	<ul style="list-style-type: none"> • CLOSED SESSION <ul style="list-style-type: none"> – Counsel Perf. Eval. • Resolution Approve/Adopt Budget • Resolution Salary of District Manager • Resolution Employee Salary Ranges • Review and Approve Incentive Award • Adopt Incentive Award Goals & Objectives • July 4th Fair Discussion • CD Quarterly Report • CASA Conference

STEGE SANITARY DISTRICT

BOARD OF DIRECTORS MEETING AGENDA CALENDAR

JULY 2021	AUGUST 2021	SEPTEMBER 2021	OCTOBER 2021	NOVEMBER 2021	DECEMBER 2021
7/5 HOLIDAY 4 th of July Fair Booth	CASA Annual Conf. Aug 11-13, San Diego CSDA Annual Conf. Aug 30-Sep 1, Monterey	9/6 HOLIDAY		11/25-26 HOLIDAY	12/9 HOLIDAY LUNCHEON 12/24 & 12/31 HOLIDAY
7/8/2021 – 7:00 P.M.	8/19/2021 – 7:00 P.M.	9/9/2021 – 7:00 P.M.	10/7/2021 – 7:00 P.M.	11/11/2021 – 7:00 P.M.	12/9/2021 – 2:00 P.M.
<ul style="list-style-type: none"> • July 4th Fair Debrief • CASA Conference • CSDA Conference • Form 470 	<ul style="list-style-type: none"> • Select Actuary for Analysis of Retiree Health Benefits (odd years) • Quarterly (FY End) Financial Statements 	<ul style="list-style-type: none"> • CSDA Conference – Attendee Reports 	<ul style="list-style-type: none"> • Regional PSL Program Update • Regional FOG Program Update 	<ul style="list-style-type: none"> • Proposed Meeting Calendar • Board Officer Succession Plan • CASA Conference 	<u>2PM Meeting Time</u> <ul style="list-style-type: none"> • Fiscal Year Financial Audit • Resolution Certifying Election Results (even years) • Emergency Contact Update • Meeting Calendar • Consent Decree Quarterly Report • CASA Conference • Pension + OPEB UAL Reports • Nomination & Election of Officers
7/29/2021 – 7:00 P.M.	8/19/2021 – 7:00 P.M.	9/23/2021 – 7:00 P.M.	10/21/2021 – 7:00 P.M.		
<ul style="list-style-type: none"> • CLOSED SESSION – Quarterly Claims Rpt • Hearing +Res./Ord. – Establish and Collect Sewer Service Charges – Director Meeting Compensation • Resolution Filing Notice of Completion • District Investment Policy • Reimb. Report per Gov. Code 53065.5 • Quarterly Financial Statements • Candidate filing period (even years) • SPASPA Status Report • CASA Conference • CSDA Conference • Form 470 	<ul style="list-style-type: none"> • Conn. Charge Report per Gov. Code 66013 • CASA Conference – Attendee Reports • CSDA Conference 	<ul style="list-style-type: none"> • Health Care Premiums Review • Consent Decree Quarterly Report 	<ul style="list-style-type: none"> • CLOSED SESSION – Quarterly Claims Rpt • SPASPA Status Report • Quarterly Financial Statements 		