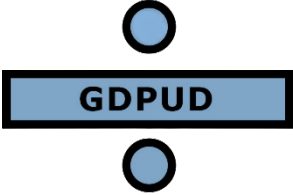


Georgetown Divide Public Utility District POLICY MANUAL



POLICY TITLE: Adoption/Amendment of Policies

POLICY NUMBER: 1010

PURPOSE: Procedure to create/amend/adopt Policy for the District.

1010.1 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director or the General Manager. The proposed adoption or amendment shall be initiated by a Director or the General Manager submitting a written draft of the proposed new or amended policy to the Board Chairperson and the General Manager by way of the District office, and requesting that the item be included for consideration on the agenda of meeting of the Board of Directors.

1010.2 Adoption of a new policy or amendment of an existing policy shall be accomplished at a properly noticed meeting of the Board of Directors by a majority vote.

1010.3 Copies of the proposed new policy shall be included in the agenda information packet for any meeting in which they are scheduled for consideration (listed on the agenda). A copy of the proposed new or amended policy(ices) shall be made available to each Director and the public for review.



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: Basis of Authority

POLICY NUMBER: 1010 **Adopted: June 25, 2013** **Amended: November 14, 2023**

FORMER NUMBER: 4070

Section 1010.01 Purpose

The legal authority for the Georgetown Divide Public Utility District is derived from the California Government Code, Public Utility Code, Public Utility District Act, and related laws.

Section 1010.02

The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority except as specifically authorized. As individuals, Directors may not commit the District to any policy, act, contract, or expenditure.

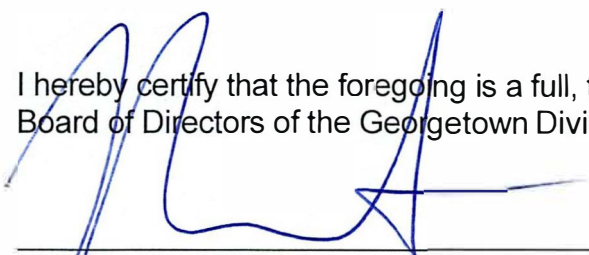
- A. Committee members may not commit the District to any policy, act, contract, or expenditure. All recommendations should go before the Board.

Section 1010.03

Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 1010 amended by the Board of Directors of the Georgetown Divide Public Utility District on November 14, 2023.



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

POLICY TITLE: Conflict of Interest

POLICY NUMBER: 1020

1020.1 Political Reform Act of 1974, Government Code §87300, et seq., requires state and local government agencies to adopt and promulgate conflict of interest code. Reference Resolution no. 2012-16.



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: Legal Counsel and Auditor

POLICY NUMBER: 1045 **Adopted:** June 25, 2013 **Amended:** November 14, 2023

Former Number: 4048

Section 1045.01 Purpose

The purpose of this policy is to establish the procedures governing the Board of Directors of the Georgetown Divide Public Utility District.

Section 1045.03

The Board of Directors shall appoint a Legal Counsel to assist the Board and District in all applicable issues and activities. Legal Counsel shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Legal Counsel.

Section 1045.04

Legal Counsel shall be the legal adviser of the District and shall perform such duties as may be prescribed by the Board of Directors. Legal Counsel is required to review and approve District legal documents, i.e., contracts, agreements, etc. The Legal Counsel shall present and report on all legal issues to the Board President and/or the Board, in both Open and Closed Session. The Legal Counsel shall serve at the pleasure of the Board and shall be compensated for services as determined by the Board. The Board sets the rates per purchasing policy. Legal Counsel may be removed by a 3/5ths vote.

- A. The Legal Counsel reports to the Board as a whole but is available to each director for consultation regarding legal matters affecting or concerning the District. No Board member may request a legal opinion of legal counsel without concurrence by the Board President except as such requests relate to questions regarding that member's participation. The Legal Counsel shall be available to the District General Manager for consultation on applicable issues and activities.

Section 1045.05

The Auditor shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Auditor. Selection of the Auditor shall be done in a noticed public meeting and at least every three years. The Auditor may be removed by a 3/5ths vote.

- A. The Board may appoint a committee to oversee the work of an independent auditor, which will report to the Board, to conduct an annual audit of the District's books, records, and financial affairs in accordance with state law and the Finance Committee Charter which is appointed by the Board for Audit Compliance.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 1045 amended by the Board of Directors of the Georgetown Divide Public Utility District on November 14, 2023.



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2022-51
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
AMENDING ITS CONFLICT OF INTEREST CODE
AND AUTHORIZING THE FILING THEREOF WITH THE
EL DORADO COUNTY CLERK

WHEREAS, the Georgetown Divide Public Utility District (District) adopted a Conflict of Interest Code in El Dorado County; and

WHEREAS, the Political Reform Act, Government Code section 81000 et seq., requires that the District review its conflict of interest code biennially to determine if it is accurate, or alternatively, must be amended; and

WHEREAS, the District has reviewed its current positions, the duties assigned to each position, the current conflict of interest code, including the appendices for its designated employees and disclosure categories, and determined that revisions to the current conflict of interest code are necessary to address newly created staff positions; and

WHEREAS, the conflict of interest code adopted by this resolution more accurately reflects the duties and responsibilities of each current position of the District's employees.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT AS FOLLOWS:

1. Notice of a Public Hearing for the amendment to its Conflict of Interest Code, as of the date of this Resolution, together with its Appendices for the Georgetown Divide Public Utility District, was given by publication in the Georgetown Gazette at the times set forth in the Affidavit of Publication on file with the Secretary attached to this Resolution.

2. All officers and designated employees of the Georgetown Divide Public Utility District affected by the Code and the Appendices have been notified and received copies of the Conflict of Interest Code and Appendices.

3. After the Public Hearing as so noticed, and there being no oral or written comments received, the Board of Directors takes the action by this Resolution hereafter set forth.

4. The Conflict of Interest Code, as amended, for state and local agencies as set forth by the Fair Political Practices Commission is hereby adopted by reference as the Conflict of Interest Code for Georgetown Divide Public Utility District, a copy of which is attached to this Resolution as Exhibit A and made a part hereof.

5. The Appendices for the Georgetown Divide Public Utility District to said Conflict of Interest Code, adopted by this Resolution, setting forth the Disclosure Categories and Designated Employee Positions is attached to said Code and made a part of the Code.

6. The Board of Directors authorizes a certified copy of this Resolution and the Code, including the Appendices, be submitted to the El Dorado County Clerk, Elections Department,

for review and County approval in accordance with the applicable Government Code and Fair Political Practices Commission regulations.

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 9th day of ~~October 2018~~, by the following vote:

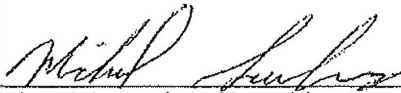
August 2022

AYES: Thornbrough; MacDonald; Stewart; Seaman; Saunders

NOES:

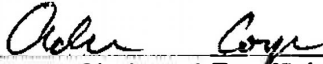
ABSENT/ABSTAIN:


10-10-22



Michael Saunders, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:



Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of Resolution 2022-51 duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 9th day of August 2022.



Adam Coyan, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

POLICY TITLE: Public Documents

POLICY NUMBER: 1050

PURPOSE:

Handling public requests for information to clarify the importance of Public Knowledge of District Activity.

1050.1 All requests shall be provided in writing and filed accordingly. Staff shall date/time stamp requests as received. Emailed requests shall be printed and hard copy filed accordingly.

Individuals requesting copies of public documents shall be charged a reasonable fee based upon the cost to produce the copy (\$.15 per sheet) to defray expense associated with the copying process. The documents shall be submitted electronically when most convenient deterring the cost to the public and district. This is the preferred method of document transfer whenever possible.

1050.2 Copies of the agendas and other writings (except for privileged documents) distributed to majority of the Board of Directors at open Board meeting shall be made available to the public. A limited quantity of such documents (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at no charge. Individuals requesting copies of such documents prior to the Board meeting will be charged \$.15 per sheet. The copy charge may be levied at board meeting for copies of documents if more are needed and/or requested in addition to those normally prepared for the public at Board meetings.

1050.3 All public documents presented for any Board meetings shall be posted on the Districts Website within one (1) day of Boards receipt of documents.

1050.4 All requests must be responded to within 10 days. In the event that the documents will not be within the District's ability to complete the request within the 10 days, a response to the requester with the time frame the documents will be made available.

1050.5 District non-compliance with any public request for information will not be tolerated by the District. Any employee inhibiting in any way, the response of public information shall have formal action taken with a written letter placed in their employee file, documented as non-compliance with District Policies. The General Manager is ultimately responsible for all responses with Public request, delegated or not.



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT Policy Manual

POLICY NAME: PROCUREMENT POLICY AND PROCEDURES

POLICY NUMBER: 2135 Adopted: October 9, 2018 Amended: April 11, 2023

ARTICLE I. GENERAL

Section 1.01 Purpose

The purpose of this policy is to establish the procedures governing purchase requisitions for materials, supplies, and equipment in accordance with the State of California Government Code and contracting for public projects and consulting services in accordance with the State of California Public Contract Code and the Uniform Public Construction Cost Accounting Act.

Section 1.02 Definitions

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

Bidder's List – refers to a list of prospective vendors.

Consultant – refers to a specially trained and experienced individual or firm for which they are qualified to provide expert services or advice related to financial, economic, accounting, architectural, engineering, legal, insurance, data processing, personnel, or other administrative matters,

Board - refers to the Board of Directors of Georgetown Divide Public Utility District.

Contractor's List – refers to a list of contractors qualified to perform the duties required to construct public projects, which should be developed and maintained by the General Manager using the criteria detailed by the California Uniform Construction Cost Accounting Commission.

District – refers to the Georgetown Divide Public Utility District.

Emergency - refers to a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.

Equipment - includes large heavy equipment, vehicles, furniture, and fixtures.

Facility – means any plant, building, structure, ground facility, or utility system, subject to the limitation found in Public Contract Code Section 22002(c)(3), real property, streets, and highways, or other public works improvement.

Force Account – refers to the part of the financial account of a public body resulting from the employment of a labor force usually distinguished from the part resulting from contracting similar services with commercial agencies. The Uniform Public Construction Cost Accounting Act allows for public work in the amount of \$60,000 or less to be performed by

Procurement Policy and Procedures

a public agency's force account using the public agency's own resources, or by negotiated contract, or by purchase order.

General Manager - is the General Manager as appointed by the Board of Directors of Georgetown Divide Public Utility District.

Government Code - refers to the Government Code of the State of California.

Local Business Preference List – refers to a list of vendors located within the District and are qualified to provide supplies, equipment, and services for maintenance and public projects.

Professional Services – shall mean and include professional services of any type or variety, including, but not limited to, services rendered by accountants, appraisers, architects, attorneys, auditors, designers, engineers, inspectors, physicians, surveyors, and other professional and technical callings requiring special licenses or certifications.

Public Contract Code - refers to the Public Contract Code of the State of California.

Public Project - defined in Chapter 2, Section 22002 of the Public Contract Code as:

- (a) Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.
- (b) Painting or repainting of any publicly owned, leased, or operated facility.
- (c) In the case of a publicly owned utility system, a "public project" shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts and higher.
- (d) A public project does not include maintenance work. For purposes of this policy, maintenance work includes all of the following:
 - (1) Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
 - (2) Minor repainting.
 - (3) Resurfacing of streets and highways at less than one inch.
 - (4) Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems.
 - (5) Work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including but not limited to, dams, reservoirs, power plants, and electrical transmission lines of 230,000 volts or higher.

Purchase – refers to the acquisition of property including rental lease or trade.

Purchasing Agent - refers to the appointed positions of the District charged with responsibilities governing procurement of supplies, equipment, and contracts for maintenance and public project services.

Responsible Bidder - refers to a bidder who has demonstrated the specified qualifications and capabilities to satisfy the proposed work requirements and responds appropriately according to the demands of the bidding instructions.

Procurement Policy and Procedures

Supplies - includes materials, small tools and equipment, and other goods or commodities utilized in the daily operational efforts of the District.

Uniform Construction Cost Accounting Act (Act) – the Act is legislation that was enacted in 1983 to help promote uniformity of the cost accounting standards and bidding procedure on construction work performed or contracted by public entities in the “state” (Section 22001). The Act is a voluntary program available to all public entities in the State, but it applies only to those public agencies that have “opted in” to the provisions set forth by the Act using the processes outlined in the Act. The entirety of the Act is found in Sections 22000-22045.

1.03 Purchasing Agents

- (a) The Office Finance Manager, Operations Manager, or General Manager shall act as the Purchasing Agents for procurements up to Five Thousand Dollars (\$5,000). The Operations Manager does not have signature authority on contracts procured pursuant to this policy.
- (b) The General Manager shall act as the Purchasing Agent for procurements with a value of more than Five Thousand Dollars (\$5,000.00) and up to Forty-Five Thousand Dollars (\$45,000.00).
- (c) Procurement limits and contract signing authority are listed in Table 1.03(c), below:

Table 1.03(c) - Procurement Limits and Contract Signing Authority		
Title	Procurement Limit	Contract Authority
General Manager	Up to \$45,000	Up to \$45,000 without Board authorization. Over \$45,000 requires Board authorization.
Operations Manager	Up to \$5,000	None
Office Finance Manager	Up to \$5,000	None

NOTE: This table serves to summarize the provisions of Section 1.03. If this table conflicts with the language of Section 103, the latter shall control.

Section 1.04 Purchasing Agent Duties

The purchasing agent shall have the authority to:

- (a) Purchase or contract for supplies, equipment, maintenance services, or public projects in accordance with the purchasing procedures detailed in this directive; *Exception.* The Operations Manager does not have signature authority on contracts procured pursuant to this policy;
- (b) Procure quality supplies, equipment, and services for maintenance and public projects at the least expense to the District;
- (c) Obtain as full and open competition as possible on all purchases and contracts;
- (d) Keep informed of the current developments in the field of purchasing and contract administration as well as prices, market conditions and new products;

Procurement Policy and Procedures

- (e) Maintain reasonably necessary forms for the administration and operation of adhering to the procedures detailed in this directive;
- (f) Supervise the regular inspection of all supplies and equipment for adequacies in their intended use;
- (g) Obtain chemical and physical results of samples submitted with bids which are necessary to determine their quality and conformance with specifications, where the cost may be covered by the District, or the District may order the cost be covered by the bidder;
- (h) Recommend the transfer of surplus or unused supplies and equipment between departments as needed and the sale of all supplies and equipment that cannot be used by the District;
- (i) Maintain bidders list, contractors list, local business preference list, current vendor list, and other related records required to perform the duties of the purchasing function.

Section 1.05 Purchase Orders

Standardized purchase orders and contracts for supplies, equipment, maintenance services, and public projects are to be submitted to the purchasing agent prior to procurement.

Section 1.06 Encumbrance of Funds

The purchasing agent is only authorized to procure supplies, equipment, and contracts for maintenance or public project services for which there is an unencumbered appropriation available to be charged.

Section 1.07 Staging of Purchases

Staging purchases and contracts into smaller units for the purposes of evading competitive bidding procedures in this directive is explicitly prohibited.

Section 1.08 Exemptions

The purchasing procedures detailed in this policy do not include the following:

- (a) Travel expenses
- (b) Subscriptions
- (c) Advertisement of government-mandated notices
- (d) Reimbursement expenses
- (e) Payroll and personnel-related expenses
- (f) Insurance claims
- (g) Conference fees
- (h) Banking services
- (i) Postage, courier, and delivery service charges
- (j) Dues to approved organizations
- (k) Payments to other government agencies
- (l) Land
- (m) Debt Service

- (n) Claims settlements
- (o) Grants

ARTICLE II. PURCHASING AND CONTRACTING FOR SUPPLIES AND EQUIPMENT

Section 2.01 Purchasing Procedures for Supplies and Equipment

Purchasing procedures for supplies and equipment authorize the purchasing agent to acquire such items within their authorized purchasing threshold, as defined in Section 1.03.

Section 2.02 Purchase Requisition Procedures

Purchase requisitions for the purchase of supplies and equipment are subject to the dollar limits provided in the following Table.

- (a) Purchase orders are required for all purchases over Five Hundred Dollars (\$500).
- (b) Purchases greater than Five Hundred Dollars (\$500) and up to the limit of the Operations Manager’s threshold, as defined in Section 1.03, require a second approval signature by the General Manager.
- (c) Purchases greater than One Thousand Dollars (\$1,000) must include attempts to receive at least three (3) quotes.
- (d) Purchases greater than Three Thousand Dollars (\$3,000) and up to Ten Thousand Dollars (\$10,000.00) every effort to procure three (3) quotes will be attempted, if less than three quotes are received a staff-level recommendation can be made utilizing the quotes submitted.
- (e) Purchases greater than Ten Thousand Dollars (\$10,000) require a formal bidding procedure before the purchase order requisition is issued.
- (f) Purchases up to Forty-Five Thousand Dollars (\$45,000) require a purchase order and Board authorization. Purchases over Sixty Thousand Dollars (\$60,000) require a formal bidding procedure.
- (g) Purchases up to Sixty Thousand Dollars (\$60,000) may be made under a negotiated contract or by purchase order. The procurement limit of this section shall be governed by the most recent edition of Public Code Section 22032.
- (h) Table 2.02(h) provides procurement limits and procedures for supplies and equipment.

Table 2.02(h) – CONTRACTING AND PURCHASING PROCEDURES FOR SUPPLIES AND EQUIPMENT		
Procurement Limits	Purchase Order	Bidding Procedures
<\$500	No purchase order required.	No quotes required.
\$501 - \$5,000	Purchase order required.	No quotes required, unless (g) applies.
\$5,001 - \$10,000	Purchase order required. Second signature by General Manager.	Attempt three (3) quotes, unless (g) applies.
\$10,001 - \$25,000	Purchase order required. Second signature by General Manager	Three (3) quotes required, unless (g) applies.
\$25,001 - \$45,000	Purchase order required. Second signature by General Manager	Three (3) quotes required, unless (g) applies.
>\$45,000	Purchase order required Board Authorization Required	Three (3) quotes required, unless (f) or (g) applies.
<i>NOTE: This table serves to summarize the provisions of Section 2.02. If this table conflicts with the language of Section 2.02, the latter shall control.</i>		

Section 2.03 Types of Purchase Orders

There are two (2) types of purchase orders. The purchasing agent may issue blanket purchase orders and individual purchase order requisitions. Procedures for each are provided below.

- (a) *Blanket Purchase Orders.* Blanket purchase orders are issued by the purchasing agent for the purchase of supplies and equipment from the vendor for which there will be multiple orders or for ongoing monthly purchases. A blanket purchase order is issued to cover all amounts anticipated to be paid to the supplier for the fiscal year or contract term and typically expires at the end of the fiscal year or contract term. Blanket purchase orders are subject to the thresholds of the purchasing agents, as defined in Section 1.03. Once the dollar limit of the blanket purchase order has been met all subsequent purchases must revert to the use of individual purchase order requisitions.
- (b) *Purchase Order Requisitions.* Individual purchase order requisitions are to be submitted to the purchasing agent, as described in Section 1.05, for the purchase of supplies, equipment, and materials from vendors without blanket purchase orders, or from vendors with blanket purchase orders for which the dollar limit has been met.

Section 2.04 Formal Bidding Procedures

The following provisions shall apply in contracting for supplies and equipment:

- (a) *Notices Inviting Bids.* Notices inviting bids shall be prepared describing the bid items in general terms; referencing how to obtain more detailed information about the bid items; stating that the conditions and schedule may be found in the office of the District Clerk; mentioning that the supplies and equipment are to be delivered at such times, in such quantities, and in such a manner as the Board may designate; and stating the time, date, and place for the submission of sealed bids.
- (i) *Sending, Mailing, and Publishing of Notices.* Notices inviting formal bids shall be published, sent, and mailed as follows:
 - 1) Published at least once in a newspaper of general circulation, printed and published in the District, at least Fourteen (14) calendar days before the date of the bid opening; and
 - 2) Other mailings, advertisements, and notifications deemed appropriate by the General Manager.
- (b) *Material Changes to the Bid.* If a material change to the bid specification is issued by the District later than Seventy-Two (72) hours prior to the opening of bids, the date and time shall be extended by no less than Seventy-Two (72) hours. The term "material change" means a change with a substantial cost impact on the total bid as determined by the District.
- (c) *Base Contract.* Bid specifications which include one or more alternative bid schedules shall identify and define the base bid for the purpose of awarding to the lowest responsive and responsible bidder.
- (d) *Bid Opening Procedure.* Sealed bids shall be submitted to the Purchasing Agent and shall be identified as bids on the envelope. Such bids shall be opened in public at the time and place stated in the notice inviting bids, in the presence of all bidders who

attend. A tabulation of all bids received shall be open for public inspection during regular business hours until the award of the contract.

- (e) *Records of Bid Documents.* Bid documents received by the District shall be maintained by the District department issuing the bid in accordance with the District's records retention schedule.
- (f) *Award of Contracts.* Contracts shall be awarded by the District to the responsible bidder that submits the lowest bid.
- (g) *No Bids Received.* In the event no bids are received, the District shall have the option of any of the following:
 - (i) Abandon the purchase; or
 - (ii) Rebid the purchase.
- (h) *Rejection of Bids.* The District may elect to reject all bids. In the event all bids are rejected, the District shall have the option of any of the following:
 - (i) Abandon the purchase or service; or
 - (ii) Rebid the purchase.
- (j) *Tie Bids.* If Two (2) or more bids are received from responsive and responsible bidders for the same total amount or unit price and are the lowest, the District may accept the bid it chooses.
- (k) *Written Contracts.* Written contracts in the form approved by the District Legal Counsel shall be used in the award of bids.
- (l) *Emergencies.* In case of an emergency, the Board shall respond to the emergency pursuant to Section 4.02 of this policy
- (m) *Exceptions.* A separate formal bidding process is not required when purchases are made through a cooperative purchasing agreement or "piggybacking" with another public agency whose procurement process is substantially consistent with the provisions of this article.

Section 2.05 Local Business Preference

The District recognizes that local businesses make significant contributions to the economic health of the District. The District supports local business opportunities, which encourage businesses to move into and stay within the District, promote economic development, and maintain a strong local economic base, which in turn fosters economic growth in the District. Therefore, the Board has determined it is in the District's best interest to establish and provide a preference for local businesses.

- (a) *Competitive Bid Process.* The General Manager is authorized to extend a preference to a responsible and responsive local business in a competitive bid for the procurement of supplies, equipment, and materials not to exceed Five Percent (5%) of the local business's total bid price, or Two Thousand Five Hundred Dollars (\$2,500.00), whichever is lower, for the purpose of determining the lowest bid.
- (b) *Local Preference.* When a non-local business has submitted the lowest responsive and responsible bid, and when one or more local businesses have also bid, the local business's total bid amount will be reduced by Five Percent (5%) for bid comparison purposes. If the net amount is lower than the lowest bid, the bid will be awarded to the local business for the full amount of its bid.

- (c) *Local Business.* For purposes of this policy, "local business" means a vendor or contractor that has an office with at least one employee physically located within the District.
Exemptions. The local business preference does not apply to contracts funded by grants which prohibit the use of preferences.
- (d) *Women and Minority Owned Business Preference.* To help provide a level playing field for women and minority business owners, the District may extend a preference to a responsible and responsive women or minority-owned business in a competitive bid for the procurement of supplies, equipment, and materials not to exceed Five Percent (5%) of the business's total bid price, or Two Thousand Five Hundred Dollars (\$2,500.00), whichever is lower, for the purpose of determining the lowest bid. For purposes of this policy, "women and minority-owned business" means a business comprising of fifty-one percent (51%) or more women or minority owners whose management and daily operations are controlled by one or more of those individuals. A list of certified women and minority-owned businesses is kept by the Supplier Clearinghouse under the supervision of the California Public Utilities Commission.

ARTICLE III. CONTRACTING FOR NEW CONSTRUCTION, ALTERATION, MAINTENANCE, OR REPAIR SERVICES

Section 3.01 Contracting Procedures for New Construction, Alteration, Maintenance, or Repair Services

Procurement procedures for new construction that is not a public project, alteration, maintenance, or repair service, authorize the Purchasing Agent to procure such work within his or her authorized purchasing threshold, as defined in Section 1.03.

Section 3.02 Contracting Procedures

Contracting procedures for new construction that is not a public project, alteration, maintenance, or repair service, are subject to the dollar limits provided in Table 3.02(g).

- (a) Requisition orders are required for all purchases over Five Hundred Dollars (\$500).
- (b) Purchases greater than Five Hundred Dollars (\$500) and up to the limit of the Operations Manager's threshold, as defined in Section 1.03, require a second approval signature by the General Manager.
- (c) Purchases greater than One Thousand Dollars (\$1,000) must include attempts to receive at least Three (3) quotes.
- (d) Purchases greater than Three Thousand Dollars (\$3,000) and up to Ten Thousand Dollars (\$10,000.00) every effort to procure three (3) quotes will be attempted, if less than three quotes are received a staff-level recommendation can be made utilizing the quotes submitted.
- (e) Purchases greater than Ten Thousand Dollars (\$10,000) require a formal bidding procedure before the purchase order requisition is issued.
- (f) Purchases over Forty-Five Thousand Dollars (\$45,000) require a purchase order, Board authorization, and a formal bidding procedure.
- (g) If the purchase of supplies and equipment is for a public project and performed by the employees of the District, purchases up to Sixty Thousand Dollars (\$60,000)

Procurement Policy and Procedures

may be performed by force account, by negotiated contract, or by purchase order. The procurement limit of this section shall be governed by the most recent edition of Public Code Section 22032.

- (h) Table 3.02(h) provides procurement limits and procedures for new construction, alteration, maintenance, or repair services.

Table 3.02(h) – CONTRACTING PROCEDURES FOR NEW CONSTRUCTION, ALTERATION, MAINTENANCE OR REPAIR SERVICES		
Procurement Limits	Purchase Order	Bidding Procedures
<\$500	No purchase order required.	No quotes required.
\$501 - \$5,000	Purchase order required.	No quotes required, unless (g) applies.
\$5,001 - \$10,000	Purchase order required. Second signature by General Manager.	Attempt three (3) quotes, unless (g) applies.
\$10,001 - \$25,000	Purchase order required. Second signature by General Manager	Three (3) quotes required, unless (g) applies.
\$25,001 - \$45,000	Purchase order required. Second signature by General Manager	Formal bidding procedure required, unless (g) applies.
>\$45,000	Purchase order required. Board Authorization Required	Formal bidding procedure required, unless (g) applies.

NOTE: This table serves to summarize the provisions of Section 3.02. If this table conflicts with the language of Section 3.02, the latter shall control.

Section 3.03 Purchase Orders

Purchase orders shall be submitted to the purchasing agent, as described in Section 1.05, for requests for new construction not deemed a public project, alteration, maintenance, or repair service.

Section 3.04 Work by the District

Nothing in this article prohibits the Board from doing or causing to be done directly by the District, and without any contract, any or all work necessary or proper in or about the making of all current and ordinary repairs, upkeep, or maintenance.

Section 3.05 Bonds

Bidders for construction contracts shall give bonds for the faithful performance of the construction contract.

Section 3.06 Formal Bidding Procedures

The provisions in Section 2.04 shall apply to formal bidding procedures for contracting for new construction, alteration, maintenance, or repair services, except for subdivisions (g) and (h), which shall read:

- (i) *No bids received.* In the event no bids are received, the District shall have the option of any of the following:
- (i) Abandon the service; or
 - (ii) Rebid the service.

Procurement Policy and Procedures

- (ii) *Rejection of bids.* The District may elect to reject all bids. In the event all bids are rejected, the District shall have the option of any of the following:
 - (iii) Abandon the service;
 - (ii) Rebid the service; or
 - (iii) Perform the service by employees of the District after the Board passes, by a two-thirds (2/3rd) vote, a resolution declaring that all bids submitted are unsatisfactory or excessive.

ARTICLE IV. PURCHASING AND CONTRACTING FOR PUBLIC PROJECTS

Purchases and contracts for public projects are subject to the Public Contract Code and Uniform Public Construction Cost Accounting Act and shall adhere to the following competitive bidding procedures in the following sections of this article. The estimated value of purchases and contracts shall not include sales tax or freight. It is unlawful to split or separate into smaller work orders or projects for the purpose of evading the purchasing and contracting limits set forth in this section.

Section 4.01 Purchasing and Contracting Procedures for Public Projects

- (a) *Open Market Bidding Procedures.* Purchases and contracts of an estimated value in the amount of Sixty Thousand Dollars (\$60,000.00) or less may be made by force account, negotiated contract, or by purchase order pursuant to the provisions of Section 4.04 of this article, except as otherwise provided in this section, or the amount listed in the most recent Public Contract Code Section.22032.
- (b) *Informal Bidding Procedures.* Purchases and contracts of an estimated value in the amount of Two Hundred Thousand Dollars (\$200,000.00) or less may be made by informal bidding procedures pursuant to the provisions of Sections 4.05 and 4.06 of this policy, except as otherwise provided in this section, or the amount listed in the most recent Public Contract Code Section 22032.
- (c) *Formal Bidding Procedures.* Purchases and contracts of an estimated value in an amount greater than Two Hundred Thousand Dollars (\$200,000.00) shall be made by formal bidding procedures pursuant to the provisions of Sections 4.05 and 4.07 of this policy, except as otherwise provided in this section.
- (d) *Exceptions.* The bidding procedures and force account restrictions set forth in this article shall be dispensed with when bidding would be impossible, impractical, or incongruent; in an emergency; when the price is controlled by law; when the commodity, maintenance service, or project can only be provided or performed by one vendor. For the purposes of this section:
 - (i) "Impossible" shall mean actual impossibility or extreme and unreasonable difficulty or expense.
 - (ii) "Impractical" shall mean incapable of being performed by the bid procedure.
 - (iii) "Incongruous" shall mean not suitable to the bid procedure.
- (e) *Cooperative Agreements.* No provision of this article shall be interpreted or construed to prohibit or prevent the District from purchasing or contracting for supplies, equipment, maintenance services, or public projects by contracts, arrangements, and agreements for cooperative purchasing programs not otherwise prohibited by law with any federal government agency, the state, the county, any other public agencies, or with any cooperative purchasing alliance acting on behalf

Procurement Policy and Procedures

of governmental entities. Any such contract, agreement, or arrangement otherwise subject to open market or informal bidding procedures shall be first approved by the Purchasing Agent and if subject to formal bidding procedures shall be first approved by the Board, or by the General Manager, if the funding for the purchase has already been approved by the Board through the budget process. At the discretion of the appropriate approving authority, the bidding procedures of any agency may be used in such joint contracting arrangements.

- (f) *A Requisition Report* shall be added to the monthly financial reports to inform the Board of procured items of over \$500 that do not require Board authorization; for example, this would include computers, tools, and hardware (non-consumable goods).
- (g) The following procedures shall be followed for the issuance of *Request for Bids (RFB's)*:
 - (i) RFB's shall be posted on the District website in a listing of current and past RFB's;
 - (ii) the Board shall be notified of the date when RFB's are released;
 - (iii) the Board's agenda packet that includes the awarding of a contract or agreement for the Board's approval shall contain the RFB documents and information about all bidders and will be provided to the Board with a minimum of four (4) days for review.
- (h) All contracts cannot exceed more than ten percent (10%) of their original allocated amount. If a contract amount exceeds the \$45,000 of the General Manager's signing authority, it requires Board authorization.

Section 4.02 Emergencies

- (a) *Generally.* In cases of emergency, the Board shall follow the procedures in Public Contract Code Sections 22035 and 22050.
- (b) *Authority to Act.* In cases of emergency, the Board, by a Four-Fifths (4/5ths) vote, may direct the General Manager to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts.
- (c) *Work by Day Labor or Contract.* The work may be done by day labor under the direction of the Board, by contract, or by a combination of the two.
- (d) *Review of Board Actions.* Where the Board orders any action as permitted by Public Contract Code section 22050, the Board shall review the emergency action every Fourteen (14) days thereafter until the action is terminated, to determine, by a Four-fifths (4/5) vote, that there is a need to continue the action.
- (e) *Review of General Manager Actions.* Where the General Manager orders any action as permitted by Public Contract Code section 22050, the Board shall initially review the emergency action at the next regularly scheduled meeting of the Board, not to occur later than fourteen (14) days after the action. The Board shall review the emergency action every Fourteen (14) days thereafter until the action is terminated, to determine, by a Four-Fifths (4/5) vote, that there is a need to continue the action unless the General Manager has terminated that action prior to the Board reviewing the emergency action and making a determination pursuant to this subdivision.
- (f) *Termination of Emergency Action.* When the Board reviews the emergency action, it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

- (g) All regulations not met during the emergency action by the district shall come into compliance within the required amount of time.

Section 4.03 Authorized Signature

- (a) *Board President.* The President shall be authorized to sign on behalf of the District all approved contracts provided for in this article. In the absence of the President, the Vice President shall be so authorized.
- (b) *General Manager.* The General Manager shall be authorized to sign on behalf of the District all contracts provided for in Section 4.06 of this article and such other approved contracts as the Board may specifically direct from time to time.

Section 4.04 Open Market Bidding Procedures

Except as otherwise provided in subsections (d) and (e) of Section 4.01 of this policy, the solicitation of bids and award of contracts for public projects with an estimated value in the amount of Sixty Thousand Dollars (\$60,000) or less may be made by the Purchasing Agent by force account, negotiated contract, or by purchase order. Whenever possible, bids shall be obtained in the open market in accordance with the following procedures:

- (a) *Minimum number of bids.* Open market purchases, whenever possible, shall be based on at least three (3) bids and shall be awarded to the lowest responsive and responsible bidder.
- (b) *Notices inviting bids.* The Purchasing Agent shall solicit bids from prospective vendors by written requests, by telephone, by facsimile or electronic mail, or by other advertising.
- (c) *Written records of bids.* Written records of bids received shall be maintained by the Purchasing Agent in accordance with the District's records retention schedule. Such records, while so kept, shall be open to public inspection and shall include the business name, address, and telephone number of the vendor; vendor representative; description of the bid items, including unit quantities if applicable, unit prices or lump sum amount quoted by the vendor; and the date the bid was received.

Section 4.05 General Provisions for Informal and Formal Bidding Procedures

The following provisions shall apply in contracting for public projects under both informal and formal bidding procedures:

- (a) *Material Changes to the Bid.* If a material change to the bid specification is issued by the District later than Seventy-Two (72) hours prior to the opening of bids, the date and time shall be extended by no less than seventy-two (72) hours. The term "material change" means a change with a substantial cost impact on the total bid as determined by the District.
- (b) *Base Contract.* Bid specifications which include one or more alternative bid schedules shall identify and define the base bid for the purpose of awarding to the lowest responsive and responsible bidder.
- (c) *Bid opening procedure.* Sealed bids shall be submitted to the Purchasing Agent and shall be identified as bids on the envelope. Such bids shall be opened in public at the time and place stated in the notice inviting bids in the presence of all bidders who attend. A tabulation of all bids received shall be open for public inspection during regular business hours until award of the contract.

Procurement Policy and Procedures

- (d) *Records of bid documents.* Bid documents received by the District shall be maintained by the District department issuing the bid in accordance with the District's records retention schedule.
- (e) *Award of contracts.* Contracts shall be awarded by the District to the responsive and responsible bidder that submits the lowest bid.
- (f) *No bids received.* In the event no bids are received, the District shall have the option of any of the following:
 - (i) Abandoning the purchase or project;
 - (ii) Rebidding the purchase or project; or
 - (iii) Perform the work by employees of the District.
- (g) *Rejection of bids.* The District may elect to reject all bids. In the event the District anticipates rejecting all bids, the District shall provide a written notice to an apparent low bidder, pursuant to Public Contract Code section 22038. Furthermore, the District shall have the option of any of the following:
 - (i) Abandon the project;
 - (ii) Rebid the purchase or project using the appropriate bidding procedures; or
 - (iii) Perform the project by force account without further complying with Public Contract Code section 22020 et seq., after the Board passes a resolution by
 - (iv) a four-fifths (4/5th) vote of its governing body declaring that the project can be performed more economically by District employees.
- (h) *Tie bids.* If Two (2) or more bids are received from responsive and responsible bidders for the same total amount or unit price and are the lowest, the District may accept the bid it chooses.
- (i) *Written contracts.* Written contracts in the form approved by the District Legal Counsel shall be used in the award of bids.
- (j) *Bidders' security.* Security will be required in an amount equal to Ten Percent (10%) of the bid quotation as described in the Public Contract Code. Upon an award to the lowest bidder, the security of an unsuccessful bidder shall be returned in a reasonable period of time, but in no event shall that security be held by the district beyond sixty (60) days from the time the award is made.
- (k) *Bonds.* Bidders for construction contracts shall give bonds for the faithful performance of the construction contract.

Section 4.06 Informal Bidding Procedures

Except as otherwise provided in subsections (a), (d), and (e) of Section 4.01 and in Section 4.02 of this article, the solicitation of bids may be authorized by the Purchasing Agent and the award of contracts for public projects up to an estimated value in the amount of Two Hundred Thousand Dollars (\$200,000.00) or the amount listed in the most recent Public Contract Code Section 22032, may be made by the General Manager in accordance with the requirements of the Public Contract Code section 22032, et seq., and the following informal bidding procedures:

- (a) *Budgetary Authorization.* The bid items shall have been authorized as a part of an approved budget of the District, and the purchase or contract shall not exceed the amount so authorized.

Procurement Policy and Procedures

- (b) *Contractor's List.* A list of contractors shall be developed and maintained in accordance with the provisions of section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.
- (c) *Notices Inviting Bids.* Notices inviting bids shall be prepared describing the bid items in general terms; referencing how to obtain more detailed information about the bid items; and stating the time, date, and place for the submission of sealed bids.
- (d) *Mailing of Notices.* Notices inviting informal bids shall be mailed at least ten (10) calendar days before the due date of the submission of bids as follows:
 - (i) Mailed to all firms on the bidders list or contractors list for the category of work being bid;
 - (ii) For bid items defined as public projects, mailed to all construction trade journals designated by the California Uniform Construction Cost Accounting Commission; and
 - (iii) Other mailings, advertisements, and notifications as deemed appropriate by the purchasing agent.
- (e) *Bids Received in Excess of Two Hundred Thousand Dollars (\$200,000.00).* If all bids received are in excess of Two Hundred Thousand Dollars (\$200,000.00), the Board may award the contract to the lowest responsive and responsible bidder by the adoption of a resolution by a Four-Fifths (4/5ths) vote if the Purchasing Agent determines the cost estimate was reasonable and the low bid does not exceed Two Hundred Twelve Thousand Five Hundred Dollars (\$212,500.00).

Section 4.07 Formal Bidding Procedures

Except as provided in subsections (d) and (e) of Section 4.01 of this article, the solicitation of bids and award of contracts for public projects with an estimated value in excess of Two Hundred Thousand Dollars (\$200,000.00) shall be made in accordance with the requirements of the Public Contract Code section 22031 et seq., and the following formal bidding procedures:

- (a) *Plans and Specifications.* The Board shall adopt any plans, specifications, and working details as appropriate for the bid items prior to a solicitation for formal bids. Any person may examine the plans, specifications, or working details, or all of these, adopted by the District for any project.
- (b) *Notices.* Notices inviting formal bids shall state the time and place for the receiving and opening of sealed bids and distinctly describe the project. The notice shall be published at least Fourteen (14) calendar days prior to the opening of bids in a newspaper of general circulation, printed and published in the jurisdiction of the District; or if there is no newspaper that is circulated within the jurisdiction for the District, publication shall be by posting the notice in at least three places within the jurisdiction of the District as have been designated by ordinance or regulation of the District as places for the postings.
- (c) *Sending, mailing, and publishing of notices.* Notices inviting formal bids shall be published, sent, and mailed as follows:
 - (i) For bid items defined as public projects, sent electronically, by either facsimile or electronic mail and mailed to all construction trade journals designated by the California Uniform Construction Cost Accounting

Procurement Policy and Procedures

- Commission at least Fifteen (15) calendar days before the date of the bid opening;
 - (ii) Sent electronically, by facsimile or electronic mail, or mailed to all firms on the bidders list at least Fifteen (15) calendar days before the date of the bid opening;
 - (iii) Published at least once in a newspaper of general circulation, printed and published in the District, at least Fourteen (14) calendar days before the date of the bid opening, or in a manner as authorized by Public Contract Code section 22037 if there is no newspaper of general circulation; and
 - (iv) Other mailings, advertisements, and notifications deemed appropriate by the department head of the requesting agency.
- (d) The following procedures shall be followed for *Request for Bids (RFB's)*:
- (i) RFB's shall be posted on the District website to the listing of current and past RFB's;
 - (ii) the Board shall be notified of the date when RFB's are released;
 - (iii) the Board's agenda packet that includes the awarding of a contract or agreement for Board approval shall contain the RFB documents and information about all bidders and shall be provided to the Board with a minimum of four (4) days for review.

Section 4.08 Local Business Preference

The District recognizes that local businesses make significant contributions to the economic health of the District. The District supports local business opportunities, which encourage businesses to move into and stay within the District, promote economic development and maintain a strong local economic base, which in turn foster economic growth in the District. Therefore, the Board has determined it is in the District's best interest to establish and provide a preference for local businesses.

- (a) *Competitive bid process.* The General Manager is authorized to extend a preference to a responsible and responsive local business in a competitive bid for a public project not to exceed five percent (5%) of the local business's total bid price, or Two Thousand Five Hundred Dollars (\$2,500.00), whichever is lower, for the purpose of determining the lowest bid.
- (b) *Local preference.* When a non-local business has submitted the lowest responsive and responsible bid, and when one or more local businesses have also bid, the local business's total bid amount will be reduced by five percent (5%) for bid comparison purposes. If the net amount is lower than the lowest bid, the bid will be awarded to the local business for the full amount of its bid.
- (c) *Local business.* For purposes of this chapter, "local business" means a vendor or contractor that has an office with at least one (1) employee physically located within the District.
- (e) *Women and Minority Owned Business Preference.* To help provide a level playing field for women and minority business owners, the District may extend a preference to a responsible and responsive women or minority-owned business in a competitive bid for the procurement of supplies, equipment, and materials not to exceed Five Percent (5%) of the business's total bid price, or Two Thousand Five

Procurement Policy and Procedures

Hundred Dollars (\$2,500.00), whichever is lower, for the purpose of determining the lowest bid. For purposes of this policy, “women and minority-owned business” means a business comprising of fifty-one percent (51%) or more women or minority owners whose management and daily operations are controlled by one or more of those individuals. A list of certified women and minority-owned businesses is kept by the Supplier Clearinghouse under the supervision of the California Public Utilities Commission.

- (d) *Exemptions.* The local, women, and minority-owned business preferences do not apply to the following:
 - (i) Contracts funded by grants which prohibit the use of preferences, and
 - (ii) Contracts for services.

ARTICLE V. CONTRACTS FOR PROFESSIONAL AND CONSULTING SERVICES

Section 5.01 Contracting Procedures

Contracts for consultant/professional services shall be made pursuant to the provisions of this policy.

Section 5.02 Architectural, Landscape Architectural, Professional Engineering, Environmental, Land Surveying, and Construction Management Services

- (a) Procurements for architectural, landscape architectural, professional engineering, environmental, land surveying, and construction management services contracts shall comply with this section and Section 5.03.

Selection. Contracts for architectural, landscape architectural, engineering, environmental, land surveying, and construction management services are subject to the provisions of this article and shall be awarded in accordance with California Government Code section 4525 et seq. Selection process will be designed to select the most qualified firm to provide the desired services at a reasonable price. Selection will not be solely based on price; however, price may be a factor in selecting a firm. If the price will be a factor, it will be discussed in the RFP, along with the method used to consider price.

- (b) *Maximum Participation of Small Business Firms.*
 - (i) Definition of Small Business. “Small business,” as used in this section, shall have the same definition in Government Code section 14837(d)(1).
 - (ii) Quotes. The District shall attempt to obtain at least two (2) quotes or proposals from a small business, where this article requires quotes or RFPs under Section 5.03.
- (c) *Prohibition of Unlawful Activity.* The District specifically prohibits practices that might result in unlawful activity, including but not limited to rebates, kickbacks, or other unlawful considerations. The District also prohibits its employees from participating in the selection process when those employees have a financial interest with an individual or business entity seeking a contract under this Section and would be subject to the prohibition of Government Code section 87100.

Section 5.03 Procurement

- (a) Procurement of Professional and Consultant Services: \$45,000.00 or Less.

Procurement Policy and Procedures

- (i) *Informal Request for Proposal Procedure (RFP)*. Except as set forth herein, the procurement of consultant or professional services with a value of Forty-Five Thousand Dollars (\$45,000.00) or less shall be made following the procedure prescribed below:
 - (1) *Solicitation of Proposals*. The General Manager may solicit proposals by written (including e-mail) or verbal request to prospective consultants. Informal requests for proposals shall attempt, whenever feasible, to obtain at least three (3) proposals.
 - (2) *Award of Contracts*. The General Manager shall award contracts pursuant to this subdivision to the best qualified and most responsible proposer, which may not necessarily be the lowest priced proposal. The dollar amount of the proposal shall be considered but the award need not be made to the lowest dollar proposal.
 - (3) *Signature Authority*. The General Manager shall have the authority to execute a contract granted pursuant to this section. Such contracts shall be formal written agreements executed by the General Manager on behalf of the District.
- (ii) *Exceptions*. The General Manager may dispense with the informal RFP procedure, whether the informal RFP procedure has been initiated or not, for the reasons set forth below:
 - (1) In an emergency;
 - (2) When the services can be obtained from only one (1) source which has been reviewed and approved in writing by the General Manager;
 - (3) When, in the judgment of the General Manager, compliance with the procedure is not in the best interest of the District; or
 - (4) When processed through a cooperative purchasing agreement with another public agency, whose procurement process is substantially consistent with the provisions of this article.
- (b) *Procurement of Professional and Consultant Services: More than \$45,000.00*.
 - (i) *Formal Request for Proposal Procedure*. Except as set forth herein, the procurement of consultant or professional services with a value of more than Forty-Five Thousand Dollars (\$45,000.00) shall be made following the procedure prescribed below:
 - (1) *Solicitation of Proposals*. The General Manager shall solicit proposals by written (including e-mail) or verbal request to prospective consultants.
 - (2) Informal requests for proposals shall, whenever feasible, be based on at least three (3) proposals.
 - (3) *Award of Contracts*. The Board shall award contracts pursuant to this subsection to the best qualified and most responsible proposer, which may not necessarily be the lowest-priced proposal. The dollar amount of the proposal shall be considered but the award need not be made to the lowest dollar proposal.
 - (4) *Signature Authority*. The Board President, or General Manager with the Board's approval, shall have the authority to execute a contract granted pursuant to this section. Such contracts shall be formal written agreements executed by the Board President, or General Manager on behalf of the District.

Procurement Policy and Procedures

- (ii) *Exceptions.* The Board may dispense with the informal RFP procedure, whether the informal RFP procedure has been initiated or not, for the reasons set forth above under subdivision (a)(ii).
- (iii) The following procedures shall be followed for *Request for Proposals (RFP's)*:
 - a. RFP's shall be posted on the District website in a listing of current and past RFP's;
 - b. the Board shall be notified of the date when RFP's are released;
 - c. the Board's agenda packet that includes the awarding of a professional services agreement shall contain the RFP documents and information about all proposers and shall be provided to the Board with a minimum of four (4) days for review.

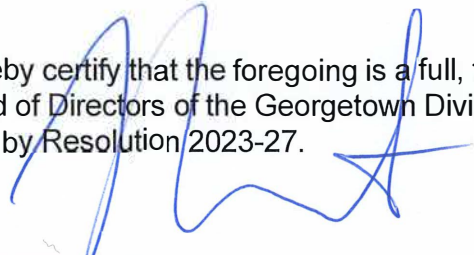
ARTICLE VI. PURCHASING AND CONTRACTING FOR FEDERAL AND STATE GRANTS

Section 6.01 State and Federal Requirements

The District will follow all guidance and purchasing regulations as laid out within the specific grant program. Additionally, all environmental regulations shall be followed pursuant to the grant guidelines.

Certification

I hereby certify that the foregoing is a full, true and correct copy of Policy 2135 amended by the Board of Directors of the Georgetown Divide Public Utility District on the eleventh day of April 2023 by Resolution 2023-27.



Nicholas Schneider, Clerk and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

POLICY TITLE: Debt Management Policy

POLICY NUMBER: 2140

This Debt Policy is intended to comply with Government Code Section 8855(i), and shall govern all debt issued by the District. The District hereby recognizes that a fiscally prudent debt policy is required to:

- a) Maintain the District's sound financial position.
- b) Ensure the District has the flexibility to respond to changes in future service priorities, revenues, and operating expenses.
- c) Protect the District's credit-worthiness.
- d) Ensure that all debt is structured to protect current and future taxpayers, ratepayers and constituents of the District.
- e) Ensure that the District's debt is consistent with the District's planning goals and objectives and capital improvement program or budget, as applicable.

2140.1 Purposes for Which Debt May Be Issued

2140.1.1 Long-Term Debt. Long-term debt may be issued to finance the construction, acquisition, and rehabilitation of capital improvements and facilities, equipment and land to be owned and operated by the District. Long-term debt financings are appropriate:

- a) When a project to be financed is necessary to provide District services.
- b) When the project to be financed will benefit constituents over several years.
- c) When total debt does not constitute an unreasonable burden to the District and its taxpayers or ratepayers.
- d) When the debt is used to refinance outstanding debt to reduce the total cost of the debt or to realize other benefits of a debt restructuring, such as increased flexibility in the use of cash and reserves.

2140.1.1.2 Long-term debt financings will not generally be considered appropriate for current operating expenses and routine maintenance expenses. The District may use long-term debt financings subject to the following conditions:

- a) The project to be financed must be approved by the District Board.
- b) The weighted average maturity of the debt (or the portion of the debt allocated to the project) will not exceed the average useful life of the project to be financed by more than 20%.
- c) The District estimates that sufficient revenues will be available to service the debt through its maturity.
- d) The District determines that the issuance of the debt will comply with the applicable state and federal law.

2140.1.2 Short-term debt. Short-term debt may be issued to provide financing for the District's operational cash flows to maintain a steady and even cash flow balance as in anticipation

of periodic receipts of property taxes and other revenues. Short-term debt may also be used to finance short-lived capital projects; for example, the District may undertake lease-purchase financing for equipment consistently with debt limit requirements of article XVI of the California Constitution, article XVI, § 18.

2140.1.3 Financings on Behalf of Other Entities. The District may also find it beneficial to issue debt on behalf of other governmental agencies or private third parties to further the public purposes of District. In such cases, the District shall take reasonable steps to confirm the financial feasibility of the project to be financed and the financial solvency of any borrower and that the issuance of such debt is consistent with this policy.

2140.2 Types of Debt – The following types of debt are allowable under the Debt Policy

- a) General obligation bonds (GO Bonds)
- b) Bond or grant anticipation notes (BANs)
- c) Lease revenue bonds, certificates of participation (COPs) and lease-purchase transactions
- d) Other revenue bonds and COPs
- e) Tax and other revenue anticipation notes (TRANs)
- f) Land-secured financings, such as special tax revenue bonds issued under the Mello-Roos Community Facilities Act of 1982, as amended, and limited obligation bonds issued under applicable assessment statutes
- g) Tax increment financing to the extent permitted under State law
- h) Refunding Obligations
- i) State Revolving Loan Funds
- j) Lines of Credit

2140.2.1 The District Board may from time to time find that other forms of debt would be beneficial to further its public purposes and may approve such debt without an amendment of this Debt Policy. Debt shall be issued as fixed rate debt unless the District makes a specific determination as to why a variable rate issue would be beneficial to the District in a specific circumstance.

2140.3. Relationship of Debt to Capital Improvement Program and Budget

2140.3.1 The District is committed to long-term capital planning. The District intends to issue debt for the purposes stated in this Debt Policy and to implement policy decisions incorporated in the District’s capital budget and capital improvement plan.

2140.3.2 The District shall strive to fund the upkeep and maintenance of its infrastructure and facilities due to normal wear and tear through the expenditure of available operating revenues (“pay as you go”). The District shall seek to avoid the use of debt to fund infrastructure and facilities improvements that are the result of normal wear and tear.

2140.3.3 The District shall integrate its debt issuances with the goals of its capital improvement program by timing the issuance of debt to ensure that projects are available when needed in furtherance of the District's public purposes.

2140.4. Policy Goals Related to Planning Goals and Objectives

2140.4.1 The District is committed to long-term financial planning, maintaining appropriate reserves and employing prudent practices in governance, management and budget administration. The District intends to issue debt for the purposes stated in this Debt Policy and to implement policy decisions incorporated in the District's annual operations budgets.

2140.4.2 It is a policy goal of the District to protect taxpayers, ratepayers and constituents by using conservative financing methods and techniques so as to obtain the highest practical credit ratings (if applicable) and the lowest practical total borrowing costs.

2140.4.3 The District will comply with applicable state and federal law as it pertains to the maximum term of debt and the procedures for levying and imposing any related taxes, assessments, rates and charges.

2140.4.4 When refinancing debt, it shall be the policy goal of the District to realize, whenever possible, and subject to any overriding non-financial policy considerations, (i) minimum net present value debt service savings approximately 3.0% of the refunded principal amount, and (ii) present value debt service savings equal to or greater than any escrow fund negative arbitrage. The cost of refinancing will always be less than the savings.

2140.4.5 The District shall seek to avoid the use of debt to fund infrastructure and facilities improvements in circumstances when the sole purpose of such debt financing is to temporarily reduce annual budgetary expenditures. Capital investments intended to reduce District operating costs indefinitely, as by improving the efficiency of its operations, are appropriate for long-term debt.

2140.4.6 The District shall seek to time debt issues to avoid need for unplanned general fund expenditures for capital improvements or equipment.

2140.5. Internal Control Procedures

2140.5.1 When issuing debt, in addition to complying with the terms of this Debt Policy, the District shall comply with any other applicable policies regarding initial bond disclosure, continuing disclosure, post-issuance compliance, and investment of bond proceeds. Without limiting the foregoing, the District will periodically review the requirements of and will remain in compliance with the following:

- a) Any continuing disclosure undertakings entered into by the District in accordance with SEC Rule 15c2-12.
- b) Any federal tax compliance requirements, including, without limitation, arbitrage and rebate compliance.
- c) The District's investment policies as they relate to the use and investment of bond proceeds.

2140.5.2 Proceeds of debt will be held either (a) by a third-party trustee or fiscal agent, which will disburse such proceeds to or upon the order of the District upon the submission of one or more written requisitions by the Finance Director of the District (or his or her written designee), or (b) by the District, to be held and accounted for in a separate fund or account to ensure debt proceeds are expended only for the purposes for which the debt was issued, the expenditure of which will be carefully documented by the District in records compliance with current accounting standards and subject to the District's annual audit.



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

Policy Title: LEAKAGE CONSIDERATION POLICY

Policy Number: 2170

Date Approved: April 11, 2023

References: This policy replaces Policy 1118 adopted on (date) and amended on 11/12/2019 by Resolution 2019-62.

2170.1 — Policy:

Customers of the Georgetown Divide Public Utility District could experience a significant increase in their monthly water bill from a water leak on their side of the meter from a broken pipe/fitting or other water devices. This policy provides for a process for applying for a leak consideration adjustment to their water bills when eligibility criteria outlined in this policy are met, including enrollment in the WaterSmart customer online portal.

In compliance with water conservation legislation and through its Urban Water Management Plan, the District's residential water conservation efforts are regularly monitored and evaluated by comparing usage from month to month. Customers are responsible for monitoring their own water usage. The District provides customers with the option of enrolling in the WaterSmart customer online portal to receive leak alerts and unusual use notifications by email, text, or voice mail. Customers can enroll in this service by clicking on the following link:

<https://gdpud.watersmart.com/index.php/home>.

2170.2 – Definitions

Applicant – shall refer to a customer who is the legal owner of the property applying for leak consideration adjustment to their water bill.

Board – shall refer to the Board of Directors of the Georgetown Divide Public Utility District.

District – shall refer to the Georgetown Divide Public Utility District.

Usual Consumption – shall be based on a review of the customer's usage history.

WaterSmart Customer Online Portal – shall refer to the modern digital portal to access detailed information about household water use. The free online service is part of the District's commitment to providing customers with the best tools to manage water use, avoid costly water leaks and potential water damage, and receive critical notifications from the District.

2170.3 — Eligibility Criteria

To apply for a bill adjustment due to leakage considerations under this policy, all of the following criteria must be met:

- 1) The applicant must be the legal homeowner of the property (renters paying water bills must contact the owner to apply for the adjustment).
- 2) The applicant must be a residential treated water customer.
- 3) The loss of water cannot be due to irrigation, pool failures, indoor leaking faucets or running toilets.
- 4) The customer's account must be in good standing during the time of application.

- 5) The customer must have repaired the leak within ten (10) calendar days of notification or when the leak was discovered.

2170.4 – Calculation of Adjustment

The adjustment for leak consideration is calculated by staff using the following provisions:

- 1) The District shall determine the amount of water loss during the identified leakage occurrence by comparing the average measured quantity delivered during the same billing period in the preceding year. Staff shall use the immediate past year but may, at the staff's discretion, consider other years if necessary to determine usual usage.
- 2) The customer shall receive a sixty percent (60%) credit for the calculated water loss and will be responsible to pay for forty percent (40%) of the water usage. Water consumption not subject to the water loss calculation shall be billed at the appropriate rate.
- 3) Adjustments are limited to the water usage portion of the bill only.

2170.5 – Number of Adjustments

The following are the provisions for the number of times a customer may apply for a bill adjustment due to a leak consideration:

- 1) One adjustment in one billing cycle is granted for every three years of an active account status. If a leak persists over more than one billing cycle, the customer shall only receive relief for excess water usage that occurred during one billing cycle.
- 2) The leakage consideration may be extended to two billing cycles at the discretion of the General Manager, or a designee if it can be documented that the leak started within the last ten (10) calendar days of the billing cycle.
- 3) If a property transfers ownership, considerations requested by the previous owner do not apply.

2170.6 – Adjustment Decisions and Appeal Process

The following provisions shall apply to the adjustment decision-making process:

- 1) The General Manager and/or designee shall render the bill adjustment decision to the customer in writing detailing the adjusted amount of the bill or denying the request.
- 2) The General Manager's decision may be appealed to the Board of Directors within ten (10) business days from the date of the decision.
- 3) The customer's written appeal must describe in detail the basis for the appeal and explain why the adjustment should be granted.
- 4) The General Manager shall post the appeal on the agenda of a regular meeting of the Board of Directors within forty (40) calendar days from the date the written appeal is received.

2170.7 – Adjustment Application Procedures

To apply for a leak consideration adjustment, the customer must submit a written request letter or complete a leak consideration form within thirty (30) days from the billing date on which the loss

GDPUD POLICIES AND PROCEDURES

occurred. (For example, if the leak occurred in the billing cycle for service months July/August, the billing date would be September 1, and the deadline for submittal of adjustment request would be September 30.)

- 1) **Required Information.** The request must include the following information:
 - (a) The customer's name, account number, daytime phone number, and email for follow-up by District staff;
 - (b) How and when the leak occurred;
 - (c) When and how the leak was brought to the customer's attention;
 - (d) Whether the customer was enrolled in the WaterSmart online portal;
 - (e) Proof of how the repair was completed to include before and after photos and/or plumber's bill, and parts receipt; and a letter of explanation;
 - (f) If the customer or others made the repairs with parts on hand and have no receipts, this must be explained in the written request letter or form.

- 2) **Written Request.** The written request for an adjustment must be addressed to the General Manager at the District Office and delivered by email to gm@gd-pud.org, or sent by U.S. Mail or hand-delivered to:

General Manager
Georgetown Divide Public Utility District
6425 Main Street
Georgetown, CA 95634

Note: If the request is delivered by mail, the postmark shall serve as the official date the request is received by the District.

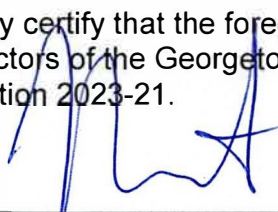
- 3) **Leak Consideration Form.** This form is attached to this policy as Exhibit A and is available at the District Office located at 6425 Main Street, Georgetown, CA 95634 or online at the following link: [Leakage Consideration Application - Georgetown Divide Public Utility District \(gd-pud.org\)](#)

ATTACHMENT:

Exhibit A – Leakage Consideration Form

CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of Policy 2170 adopted by the Board of Directors of the Georgetown Divide Public Utility District on the eleventh day of April 2023 by Resolution 2023-21.



Nicholas Schneider, Clerk and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT Policy and Procedures Manual

POLICY TITLE: Board Compensation, Expense Reimbursements
and Travel Allowance

POLICY NUMBER: 2195 **Adopted:** 06/25/2013 **Amended:** 06/13/2023

SECTION 2195.01 PURPOSE

The purpose of this policy is to establish the procedures governing the payment of monthly compensation and expense reimbursement for members of the Board of Directors of the Georgetown Divide Public Utility District pursuant to Public Utilities Code Section 16002(a) and Ordinance 2011-01.

SECTION 2195.02 DEFINITIONS AND REFERENCES

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this policy are defined as follows:

Internal Revenue Service Publication 463 shall reference the explanation contained in this IRS tax document that explains what records are needed to prove expenses incurred.

Internal Revenue Service Publication 535 shall reference the mileage rate that is provided in this IRS tax document.

SECTION 2195.03 DIRECTOR'S COMPENSATION

Members of the Board of Directors shall receive monthly compensation, the amount of which shall be established annually by the Board at its regular meeting in July and be consistent with applicable state law and GDPUD Ordinance 2011-01.

Section 2195.03.01 Ordinance 2011-01

Ordinance 2011-0, adopted by the Board of Directors on February 8, 2011, sets forth the compensation and benefits to be provided to the District's Board of Directors.

Section 2 of this Ordinance establishes a monthly stipend of Four Hundred Dollars (\$400.00) for an annual amount not to exceed Four Thousand Eight Hundred Dollars (\$4,800.00), pursuant to Public Utility Code Section 16002(a). A Director must attend the regular meeting of the Board to receive the monthly stipend.

Section 2195.03.02 Public Utilities Code Section 16002

A compensation for Directors is established pursuant to Public Utilities Code § 16002, which states: Each member of the Board may receive the compensation that the Board by Ordinance provides, not exceeding four thousand eight hundred dollars (\$4,800) a year.

SECTION 2195.04 ANNUAL ALLOWANCE FOR DISTRICT-RELATED TRAVEL EXPENSES

The Board of Directors shall include an annual travel allowance for each Director, based on the approved District budget, while on official District business as described in Public Utilities Code § 16002(b)(2), which states: Representation of the District at a public event, if that representation has been previously approved at a meeting of the Board and the member delivers a written report regarding the member's representation to the Board at the Board meeting immediately following the public event.

Official District business shall include federal, state, regional, and local meetings, and training sessions, conferences, and events. The annual allowance shall cover the following travel expenses which are subject to the requirements of Government Code §§ 53232.2 and 53232.3, as well as the requirements of Ordinance 2011-01.

The District shall calculate the reimbursement amount according to the following provisions:

Section 2195.04.01 Mileage

Mileage incurred by Directors in their own vehicle shall be set at the rate of reimbursement allowed under Publication 535 of the Internal Revenue Service. Mileage shall not be reimbursed for attendance at regular or special board meetings held at the District office or other similar locations within the District.

Section 2195.04.02 Lodging, Travel by Public Transportation

Expenses for lodging, travel by public transportation, and incidental expenses incurred for attendance at meetings or conferences outside of the County are subject to prior approval by the Board of Directors. However, the Board in its discretion may approve reimbursement after a Director has attended the meeting or conference in circumstances where the meeting schedule of the Board did not permit prior approval of the request.

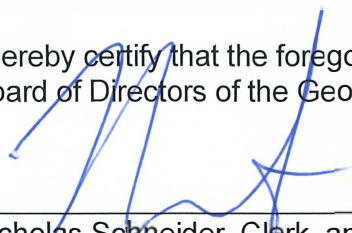
- A. The State per diem rate, based on per diem rates established annually by the Administration of General Services, will be used for expense limitations. This rate chart is included with this policy as Appendix A.
- B. **Internal Revenue Rates** – IRS Publication 463 shall be followed and the use of California per diem rates shall be used as stated in this publication for travel, lodging, and other actual and necessary expenses.
- C. **Meals and Incidentals** – Expenses for meals and incidentals shall be based on the California State per diem rate.

SECTION 2190.05 CONFERENCE AND TRAINING REGISTRATION FEES, AND TRAVEL EXPENSES

Upon Board approval of a Director's attendance of meetings, conferences, and training sessions, the District shall make registration payments for lodging, and travel expenses. The District shall make efforts to obtain reduced rates through early registration or other opportunities for rate reductions.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 2195 amended by the Board of Directors of the Georgetown Divide Public Utility District on June 13, 2023.



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: VEHICLE REPLACEMENT POLICY

POLICY NUMBER: 2216

Adopted: November 14, 2023

Section 2216.01 Purpose

The purpose of this policy is to establish a cost-effective vehicle replacement program that allows the Georgetown Divide Public Utility District ("District") to keep costs low, extend the life cycle of vehicles, and control safety standards. This policy serves as a guide and is intended to be used for budgetary and strategic planning purposes.

The factors that must be assessed to determine the timing of a vehicle replacement include, but are not limited to the vehicle's purpose, age, mileage, and cost of ownership to create a benchmark for relinquishment. This assessment is based on vehicle maintenance data collected through the District's Operations Management System (OMS) to develop a vehicle replacement rating (VRR). The OMS is the foundation of the District's asset management program.

Section 2216.02 Definitions

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this policy are defined as follows:

Operations Management System (OMS)-shall refer to the current asset management software in use.

Vehicle Replacement Rating- refers to a specially designed points system that helps determine when a vehicle needs to be replaced. The District uses the Government Services Agency (GSA) as a baseline for determining when a vehicle needs to be replaced.

Section 2216.03 Operations Management System (OMS)

The operations and administrative staff are trained as users of the District's OMS software.

A. Equipment Information

Information about each piece of equipment on the District's inventory is provided in the OMS, including, but not limited to an ID#, manufacturer, model, year, equipment classification, meter type, description, and vehicle identification number (VIN).

B. Tasks

Tasks (such as inspection, maintenance, and repair), related to each equipment unit are recorded in the OMS software, along with its status (projected, planned, in progress, completed, or canceled), with the related costs.

C. Equipment Logs

- (1) Usage- equipment operators are responsible for maintaining a usage log that provides the date, identifies the task/activity, length of time, and the related costs.
- (2) Fuel- operators and accounting staff maintain a record of each vehicle's fuel purchases, including an odometer reading, quantity, and cost. This information calculates the current MPG (miles per gallon), the average MPG, the current cost per mile, and the average cost per mile.

D. Vehicle Replacement Rating

Regular equipment inspections are conducted to establish the vehicle replacement rating. The rating values listed below are based on a scale of 0-5, 0 being good:

- (1) Age – age of the vehicle.
- (2) Usage – distance driven, or time used.
- (3) Maintenance and Repair Costs – total life M&R costs, not including accident damage repairs.
- (4) Reliability – frequency the vehicle is in the shop for repairs.
- (5) Type of Service – the type of service the vehicle receives.
- (6) Condition – mechanical inspections, accidental damage repairs and estimated conditions.

The Vehicle Replacement Rating (VRR) is the average of all the values.

Section 2216.05 Budgetary and Strategic Planning

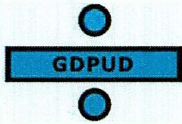
The vehicle replacement rating and other important information gathered through the OMS software serve as budgetary and strategic planning tools. During the budget review process, the Operations Manager will assess the VRR rating of vehicles and use this information to prepare an Equipment Replacement Matrix for approval by the General Manager. Appendix A is the matrix that was included in the board-approved FY 2023-2024 Operating Budget. This appendix will be updated with the adoption by the Board of the Operating Budget.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 2216 adopted by the Board of Directors of the Georgetown Divide Public Utility District on November 14, 2023.

Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

DISTRIBUTION:
Operations Manager



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: TEMPORARY WATER USE POLICY

POLICY NUMBER: 2220

Adopted: July 11, 2023

Amended:

Section 2220.01 Purpose

The purpose of this policy is to establish the requirements and procedures governing the granting of permission to temporarily use water from a Georgetown Divide Public Utility District (GDPUD or District) connection (fire hydrant, blow-off valve, etc.) through the issuance of a permit for temporary water use. Such temporary water use may become necessary during new construction or major renovation.

Section 2220.02 Definitions

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this policy are defined as follows:

Hydrant Wrench – shall refer to the specific tool used to operate a fire hydrant.

Jumper Pipe - shall refer to fittings/connections/pipe utilized for connection between existing facilities.

Meter Assembly - shall refer to equipment supplied by the District equipped with metering device, couplings, and valve(s).

Permit – shall refer to the official document that authorizes an individual to temporarily use water from a District connection.

Permittee - shall refer to the holder of the permit authorizing temporary use of District water.

Section 2220.03 Temporary Water Use Policy and Procedures

Persons shall be granted revocable, personal permission to temporarily use water from the GDPUD connection (i.e., fire hydrant) subject to the terms and conditions of a temporary water use permit and all other applicable rules and regulations of GDPUD.

Section 2220.03.01 Terms and Conditions of Temporary Water Use Permit

The terms and conditions of a temporary water use permit shall include the following:

- A. The permit may not be transferred or assigned in whole or in part to anyone else without the express written consent of GDPUD, which may be withheld in its sole discretion. Any attempt to transfer or assign this permit without such consent of GDPUD shall be null and void. This permit is valid for a maximum term of one year from the date of issuance. The District reserves the right in its sole discretion to accept or reject any application for a permit for use of temporary water and/or to suspend, revoke or modify any such permit at any time after issuance.
- B. The permittee must make this permit available for inspection by the District, any local, state, or federal environmental health agency, the fire department, and/or law

enforcement at all times while the permit is in effect.

- C. The permittee shall cease using temporary water under this permit immediately upon receipt of verbal or written notice from GDPUD, which may be issued at any time at GDPUD's sole discretion. If the permittee ceases to address the verbal or written notice the District reserves the right to remove the meter at any time.
- D. The meter assembly and/or backflow prevention assembly will hereinafter be referred to as GDPUD hardware. The meter assembly includes both the meter and the backflow prevention device. GDPUD hardware will be installed and removed only by GDPUD personnel. The configuration of this hardware shall not be changed or modified. The hardware shall not be bypassed or jumped under revocation of permit.
- E. GDPUD valves shall not be opened or closed by the permittee. Only the meter gate valve can be used to control the flow of water. This does not apply to jumper pipe installations. Hydrants can be operated, but only opened by a hydrant wrench. Flows are required to be regulated by a gate valve attached to the District hardware. Operational valves cannot be operated.
- F. The permittee shall, to the fullest extent permitted by law, indemnify, defend and hold harmless GDPUD, and its officials, employees, agents, and representatives, from and against any and all claims, damages, loss, and/or liabilities for injury to any person(s) (including death) or damage to any property (real or personal) arising out of or related to, directly or indirectly, any activity of the permittee under this permit, including without limitation any damage, loss or theft of any GDPUD hardware or GDPUD connection used hereunder. The obligations under this paragraph shall survive expiration or termination of this permit.
- G. The permittee shall, at all times, maintain District-approved backflow protection through the required method as directed by a GDPUD Inspector during installation. Failure to maintain strict adherence to District requirements including, but not limited to, unauthorized modification, removal or bypass of approved backflow protection will result in immediate termination of permit and seizure of District hardware. Such actions may be subject to a revocation of the permit and the inability to rent a water meter for up to two years.
- H. The permittee shall notify GDPUD of any missing, broken, damaged or otherwise malfunctioning GDPUD hardware immediately upon discovery. Broken, damaged or otherwise malfunctioning GDPUD hardware shall not be used to take any water.
- I. Without in any way limiting the permittee's obligations under paragraph F above, prior to issuance of any GDPUD hardware hereunder, the permittee shall submit a deposit to the District in the amount then required to cover the cost of repair or replacement of the GDPUD hardware or any damage to GDPUD facilities caused by permittee's activities under or in violation of this permit. GDPUD personnel will recover the GDPUD hardware immediately upon expiration or termination of this permit. The deposit may be refunded in whole or in part within 60 days of inspection and repair or replacement (if needed) of the returned GDPUD hardware or any damaged GDPUD facilities.
- J. The permittee shall comply with all terms and conditions of this permit and all applicable rules and regulations of GDPUD at all times hereunder, including without limitation all fees and charges for issuance of this permit and use of water hereunder.
- K. For jumper pipe installations GDPUD will provide a meter, which will be installed by the permittee. GDPUD personnel will deliver the meter to the project site upon approval of permit. For all jumper pipe installations permittee shall be responsible for providing and

installing a USC-approved reduced pressure principle backflow prevention assembly (RP) downstream of meter. The permittee shall not operate GDPUD hardware until the jumper pipe has been activated and successfully tested by GDPUD personnel.

- L. For jumper pipe installations not associated with hydrant connections the permittee shall be responsible for any damage or loss of GDPUD hardware and shall take all appropriate measures to secure GDPUD hardware as necessary to guard against such damage or loss.
- M. Charges are subject to change. The permittee is responsible for paying the charges in effect at the time of use.
- N. If connected to a blow-off, the customer must provide the necessary fittings to install District hardware 18"-30" above finished grade.

Section 2220.04 Temporary Water Use Permit Application

To apply for a temporary water use permit, the applicant must complete the Temporary Water Use Permit Application Form (Appendix A). This form is available at the GDPUD District Office. The completed Temporary Water Use Permit application should be submitted by email to info@gd-pud.org.

Section 2220.05 Temporary Water Use Fees and Charge

Permittee shall pay all fees and charges for the issuance of this permit and use of water as authorized:

- A. Hardware/Invoice Deposit.** Applicants for a temporary water use permit shall be required to pay a hardware and invoice deposit of Three Thousand Dollars (\$3,000.00) as security should the hardware be lost, stolen, or damaged.
- B. Damage/Repair Costs.** District hardware is inspected upon return. The permittee will be charged for parts and labor to repair any damage found to return the hardware to fully operational condition or to replace the hardware if it cannot be repaired. The costs of such repairs shall not exceed the amount of the hardware deposit.
- C. Permit Fee.** A permit fee of Forty Dollars (\$40.00) is assessed to offset the cost of processing and conducting the cross-connection inspection.
- D. Daily Rental Fee.** A daily rental fee of Four Dollars (\$4) per day is assessed to cover the costs of initial testing, depreciation, replacement of parts, and loss coverage for the hardware.
- E. Commodity Charge.** A commodity charge of Five Cents (\$0.05) per cubic foot is assessed for the amount of water used. A meter read is required to be submitted to the District Office on the third week of February, April, June, August, October, and December. A photo of the meter read, company name, and permit number can be submitted by email to accountspayable@gd-pud.org, texted to (530) 317-8069, or delivered to the District Office.

Section 2220.06 Cross-Connection Inspection of Receiving Vessels

The District requires an inspection of the applicant's receiving vessels at the District Office by the Cross-Connection Control Specialist prior to the issuance of a permit.

Section 2220.07 Approved Hydrant Locations

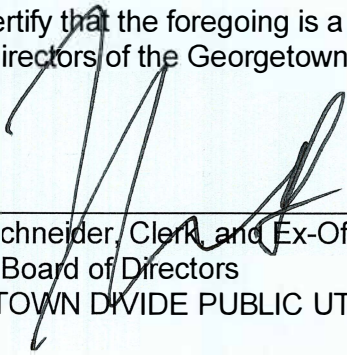
Permit applicants will be provided with a list of approved hydrant locations for temporary water use.

Section 2220.08 Safety and Security of District Facilities

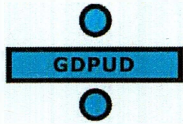
Permit applicants must take the greatest care when utilizing the temporary hardware provided by the District. This includes contamination to the system, vandalism to the system, and unintentional damage to the system. It is recommended by the District that the meter be removed after every fill of the applicant's tank and only an approved hydrant wrench shall be used and not left on the hydrant unattended. All efforts will be utilized to minimize erosion around or near the hydrant and debris from entering the road.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 2220 amended by the Board of Directors of the Georgetown Divide Public Utility District on July 11, 2023.



Nicholas Schneider, Clerk and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: HARASSMENT, DISCRIMINATION AND RETALIATION PREVENTION POLICY

POLICY NUMBER: 2320

Adopted: August 8, 2023

Amended:

Section 2320.01 Purpose

The purpose of this policy is to inform District employees, Members of the Board of Directors, and the public of state and federal laws that prohibit harassment, discrimination, and retaliation in the workplace. Furthermore, this policy establishes the procedures for filing a complaint, and the process for handling complaints of harassment, discrimination, and retaliation complaints.

No Tolerance Policy. The District does not tolerate unlawful discrimination, harassment, and retaliation in the workplace or in a work-related situation. Unlawful discrimination and harassment are violations of these guidelines and may result in disciplinary action up to and including termination.

Section 2320.02 Definitions

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this policy are defined as follows:

California Civil Rights Department (CRD) shall refer to the state agency charged with enforcing the state's civil rights laws. The mission of the CRD is to protect people from unlawful discrimination in employment, housing, businesses, and state-funded programs, and from bias-motivated violence and human trafficking.

Section 2320.03 Harassment, Discrimination, and Retaliation in the Workplace is Prohibited by Law

Harassment and discrimination in the workplace (including against District employees, Board members, applicants, independent contractors, volunteers, and interns) on the basis of their actual or perceived sex and gender (including pregnancy, childbirth, lactation and related medical conditions), race, color, creed, national origin, ancestry, citizenship, religion, age, physical or mental disability, medical condition, sexual orientation, sexual stereotype, gender identity or gender expression (including transgender individuals who are transitioning, have transitioned, or are perceived to be transitioning to the gender with which they identify), reproductive health decisions, military and veteran status, marital status, registered domestic partner status, genetic information, or any other protected basis protected by federal and state law (collectively referred to as "protected classes") is prohibited by this policy.

Employees are encouraged to be respectful in their words and actions in the workplace and to be conscious of and sensitive to others' membership in one of the protected classes listed above when on the job.

A. Unlawful Harassment

Unwelcome conduct directed at someone because of the individual's membership in a protected class, which has the purpose or effect of unreasonably interfering with an individual's work

performance or creating an intimidating, hostile, offensive work environment is unlawful harassment. Harassment in the workplace may take many different forms. Some examples include, but are not limited to:

1. Verbal conduct such as epithets, derogatory comments, slurs, gossiping, hazing, or unwanted comments and jokes;
2. Visual conduct such as derogatory photographs, posters, cartoons, drawings, or gestures;
3. Physical conduct such as blocking normal movement, restraining, touching, or otherwise physically interfering with work of another individual;
4. Threatening or demanding that an individual submit to certain conduct or to perform certain actions in order to keep or get a job, to avoid some other loss, or as a condition of job benefits, security, or promotion; and
5. Retaliation by any of the above means for having reported harassment or discrimination or having assisted another individual to report harassment or discrimination.

B. Sexual Harassment

1. Under state and federal law, sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance creating an intimidating, hostile, threatening or offensive working environment; or adversely affecting the employee's performance, appraisal, assigned duties, or any other condition of employment or career development; or
 - d) Such conduct is offered in order to receive special treatment or in exchange for or in consideration of any personal action.
2. Sexual harassment also includes any act of retaliation against an employee for reports of violation of this policy or participating in the investigation of a sexual harassment complaint. Other examples of sexual harassment include, but are not limited to:
 - a) unwelcome sexual flirtations or propositions;
 - b) verbal abuse of a sexual nature;
 - c) graphic verbal comments about an individual's body; sexually degrading words used to describe an individual;
 - d) e-mails that may be inappropriate, offensive, harassing, or creating a hostile work environment; and
 - e) the display in the work environment of sexually suggestive objects or pictures, posters, jokes, cartoons, or calendar illustrations.
3. Sexual harassment conduct does not need to be motivated by sexual desire.

C. Retaliation

1. Retaliation against any individual for making a report or for participating in an investigation under this policy is strictly prohibited. Individuals are protected by law and by District policy from retaliation for opposing unlawful discriminatory practices, for filing an internal complaint under this policy or for filing a complaint with the California Civil Rights Department or Equal Employment Opportunity Commission, or for otherwise participating in any proceedings conducted by the District under this policy or by either of these agencies.

2. As used in this policy, retaliation is defined as any adverse employment action taken against an employee because the employee engaged in activity protected under this policy. Protected activities may include, but are not limited to, reporting or assisting in reported suspected violations of this policy and/or cooperating in investigations or proceedings arising out of a violation of this policy.
3. An adverse employment action is conduct or 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.
4. 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.

Section 2320.04 Complaint Procedure

A. Internal Complaint Procedure

Any individual who believes that he or she is the object of harassment or discrimination on any prohibited basis, or who has observed such conduct, or who believes he or she has been subjected to retaliation, should immediately contact his or her manager, any other manager, or Human Resources to file a complaint.

B. Agency Complaint Procedure

Both the state and federal governments have agencies whose purpose is to address unlawful discrimination, harassment and retaliation in the workplace. If an employee or other individual who provides services to the District believes he or she has been harmed by unlawful workplace discrimination, harassment, or retaliation, and is not satisfied with the District's response to the problem, he or she may file a written complaint with these agencies. For the State of California, the agency is called the California Civil Rights Department. The California Civil Rights Department (CRD) can be reached at its website: <https://calcivilrights.ca.gov> Employees will be provided with periodic training on preventing harassment, bullying, and abusive conduct in the workplace. While the District will provide employees with the training program to complete, employees can also access training materials on CRD's website, found at: <https://calcivilrights.ca.gov/shpt/>

C. Chain of Command

1. Organizational Chart. The Georgetown Divide Public Utility District endeavors to ensure that employee concerns or complaints are addressed in a timely and appropriate manner and advanced to those within the employee's chain of command when necessary for proper resolution. Employees shall be familiar with the Organizational Chart and understand where their position is within the organization. Employees and officials at all levels of the District shall follow the chain of command as set out in this policy. It is expected that all

employees will communicate their concerns and requests in a manner consistent with the chain of command and those in the chain of command will act within the bounds of their authority. If an employee's complaint pertains to their immediate supervisor, then the employee can report their concerns to any supervisor or the Human Resources (unless their complaint concerns the General Manager, in which case the employee can report concerns directly to a Board Director).

Open-Door Policy. All supervisors and managers have an open-door policy. Employees shall use the chain of command when they have issues or questions about day-to-day dealings of the District and take the matter to their direct supervisor per the Organizational Chart.

2. Collective Bargaining Units. Employees who are members of collective bargaining units are encouraged to contact their union representatives, union Board members or shop stewards for issues related to matters within their Memorandum of Understanding (MOU). While employees are in no way obligated to contact their union regarding problems or questions, the union can be a valuable resource for employees to get information and guidance. Contacting the Union Representative is not a violation of the Chain of Command policy.

D. Working with the Public

Working with the public can be challenging and sometimes contentious. While District employees are expected to interface with the public as their duties dictate, sometimes in difficult or even volatile situations, employees are not expected to endure actual harassment or discrimination by members of the public. If an employee feels that he or she is being subjected to harassment or discrimination by a member of the public, the employee should report such harassment to his or her supervisor, Human Resources, or the General Manager for investigation and appropriate action. Employees will not be penalized for refusing to tolerate harassment from a member of the public.

Section 2320.05 Annual Review of Policy 2320 by Board of Directors

This policy shall be scheduled for an annual review by the Board of Directors during a duly posted regular meeting of the Board. This review shall be added to the Board's Annual Calendar.

Section 2320.06 Training Certification Requirements

A. Training/Certification for All Employees

California Law requires that all employers of five or more employees must receive sexual harassment and abuse conduct prevention training within six months and every two years.

Human Resources shall be responsible for managing employee training requirements and records.

B. Supervisory Employees (Management)

Management position staff are required to receive two (2) hours of sexual harassment and abusive conduct prevention training within six months of their assumption of a management position, and every two years.

C. Non-Supervisory Employees

At least one hour of sexual harassment and abusive conduct prevention training to all non-supervisory employees within six months of their assumption of hire.

D. Seasonal Employees

Seasonal employees, temporary employees not hired through a temp agency, and employees who will work for less than six months must be trained within 30 calendar days of hire, or within 100 hours worked, whichever comes first.

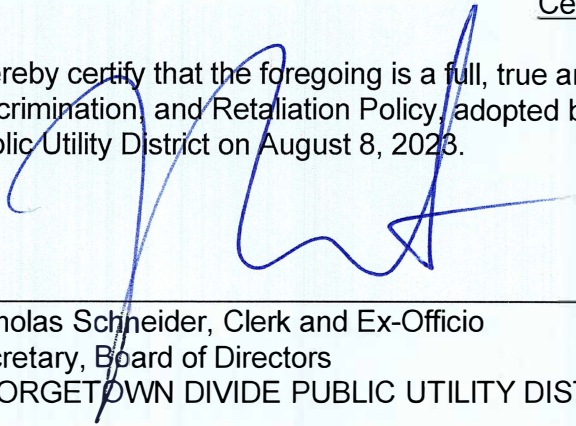
E. Board of Directors

Pursuant to California Law, members of the Board of Directors are required to receive Sexual Harassment and Abusive Conduct Prevention Training within six months of election or appointment and then every two years.

1. The Human Resources Director will assist newly elected board members to receive the required training.
2. Reference Policy XXX for other training and certification requirements for members of the Board.

Certification

I hereby certify that the foregoing is a full, true and correct copy of Policy 2320, Harassment, Discrimination, and Retaliation Policy, adopted by the Board of Directors of the Georgetown Divide Public Utility District on August 8, 2023.



Nicholas Schneider, Clerk and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: Social Media Use Policy

POLICY NUMBER: 2415 **Adopted:** August 8, 2023 **Amended:**

Section 2415.01 Purpose

This policy provides guidelines for the establishment and use of social media by District staff, consultants, its elected and appointed District officials, and any other authorized District representatives (collectively, "Officials"). The policy outlines the protocol and procedures for use of social media to publicize or convey information concerning District-related services, activities, and events. In addition, this policy addresses the responsibilities of Officials with regard to social media and the use of District resources (time/equipment).

The District has an overriding interest and expectation in deciding what is spoken on behalf of the District through the use of social media sites. For purposes of this policy, comments include information, articles, pictures, videos or any other form of communicative or symbolic content posted on the District's social media site.

Nothing in this policy shall be applied to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor laws or other applicable laws. Notwithstanding the foregoing, the District's social media sites are limited public forums intended to provide and disseminate information about District events and activities and are subject to the policies and restrictions herein.

Section 2415.02 Definitions

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this policy are defined as follows:

"Posts" or "postings" shall refer to information, articles, pictures, videos, tagging, or any other form of communication posted on the District or other social media sites.

Social Media shall refer to the content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Content may include various forms of discussions and information-sharing, including social networks, blogs, video sharing, podcasts, message boards, and online forums. The District will be using a District Facebook, Instagram, and other social-media platforms, that may be added from time-to-time.

Section 2415.03

No district social media site may be created or used without the approval of the General Manager or his or her designee. All District social media sites created on behalf of the District, by its employees on District time, or using other District resources are the property of the District and shall be administered and regularly monitored by the General Manager or his/her designee. These social media sites shall be used only to inform the public about District business, services, and events. The District's website, www.gd-pud.org, will remain the location for content regarding District business, services, and events. Whenever possible, links within social media formats should direct users to the

services, and events. Whenever possible, links within social media formats should direct users to the District website for more information, forms, documents, or online services necessary to conduct business with the District. District social media sites shall clearly state that such sites are maintained by the District and that the sites comply with this Social Media Policy. This policy must be displayed to users or made available by hyperlink on the District's social media sites so the public can be informed of the guidelines, requirements, and restrictions.

Section 2415.04 Confidential Information

District Officials shall not disclose information about confidential District business on the District's social media sites, personal social media sites, or otherwise.

Section 2415.05 Posting/Commenting Guidelines

- A. All postings made by the District to social media sites will contain information and content that has already been published by the District. All official social media postings by the District will be done solely on the District's social media sites or in response to postings made on the District's social media sites.
- B. The District will only post photos for which it has copyright or the owner's permission.
- C. District social media platforms are subject to the California Public Records Act.
- D. Links to all social media networks to which the District belongs will be listed on the District's website. Interested parties wishing to interact with these sites will be directed to visit the District's website for more information on how to participate.
- E. The District reserves the right to terminate any District social media site without notice or to suspend access temporarily or permanently to District social media as to some or all persons at any time. The District reserves the right to implement or remove any functionality of its social media platforms, in the discretion of the General Manager or his or her designee. This includes but is not limited to, information, articles, pictures, videos, or any other form of communication that can be posted on a District social media platform.
- F. District employees may post to District social media platforms only during working hours. After-hours or weekend postings may only be made with prior approval of the General Manager or his or her designee.
- G. Any person authorized to post items on any of the District's social media platforms shall review, be familiar with, and comply with this Policy and each social media platform's terms and conditions of use.
- H. Any person authorized to post items on behalf of the District to any of the District's social media platforms shall not express personal views or concerns through such postings. Instead, postings on any of the District's social media platforms on behalf of the District shall only reflect the views of the District.
- I. Posts by the District or comments by the public may NOT contain any personal information, except for the names of persons available for contact by the public as representatives of the District. Posts/comments to District social media sites shall NOT contain any of the following:
 1. Comments that are not topically related to the information commented upon;
 2. Comments in support of, or opposition to, political campaigns, candidates or ballot measures;
 3. Profane or obscene language or content;
 4. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance,

national origin, physical or mental disability or sexual orientation, or any other category protected by federal, state, or local law;

5. Sexual content or links to sexual content;
6. Content that defames, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, or any other category protected by federal, state, or local law;
7. Solicitations of commerce;
8. Posts or comments that contact any external links;
9. Content or encouragement of illegal activity;
10. Topics or issues not related to the jurisdictional purview of the District;
11. Information that may tend to compromise the safety or security of the public or public systems; or
12. Content that violates the legal ownership interest of any other party.

Section 2415.6 Procedures

- A. The General Manager or his designee will be responsible for responding to comments and messages as appropriate. The District will direct users to the District's website for more information, forms, documents or online services necessary to conduct business with the District.
- B. District social media accounts shall be managed consistent with the Ralph M. Brown Act, California Government Code 54950 et seq. Board Members of the District, or members of commissions or committees of the District, as a matter of free speech, may establish their own social media accounts, but are required to make clear that the content posted on social media sites is not the official position of the District.
- C. Members of the Board, and/or appointed members of committees, may engage in separate conversations or communications on any social media platforms to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the District, provided that such member shall not respond directly to any communication on any social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of that respective body.

Section 2015.7 Responsibilities

- A. It is the responsibility of employees, and appointed and elected officials or consultants to understand the procedures as outlined in this policy.
- B. Officials representing the District on any social media site must conduct themselves at all times as a representative of the District and in accordance with all District policies. Employees representing the District in their capacity shall not comment or engage in debate on social media platforms that are not established as official District social media accounts.
- C. The General Manager will determine if a requested use of District social media sites or other District resources is appropriate and complies with this policy. The District reserves the right to respond to any posting and restrict or remove any content that is deemed in violation of the

District's Social Media Policy or any applicable law. The District is not able to monitor all content at all times, and therefore, the District reserves the right to remove any such content at any time, and the failure to do so in one instance shall not be construed as a waiver of a similar or same content in another instance.

- D. District Officials shall not engage, comment or post using their personal accounts and claim or otherwise indicate or tend to mislead they are communicating officially on behalf of the District or representing the District with their comments on their personal accounts

Section 2015.8 Third-Party Sources for Social Media Services

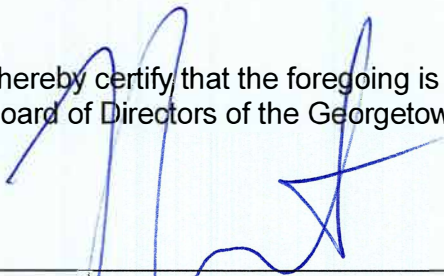
All social media-based services to be developed designed, managed by, or purchased from any third-party source for District use requires appropriate budget authority and approval from the Board of Directors.

Section 2415.9 Reply to Call Outs

Where appropriate, the District can choose to reply to callouts or social media engagement where the District's social media site does not enable hosting of the conversation (for example, Twitter).

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 2415 amended by the Board of Directors of the Georgetown Divide Public Utility District on August 8, 2023.



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

DISTRIBUTION: All Staff

POLICY TITLE: **Attendance at Meetings**

POLICY NUMBER: **4020**

4020.1 Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence. Board members shall respond to all meetings with acknowledgement of receipt of meeting notice and attendance availability.

POLICY TITLE: **Directors' Insurance**

POLICY NUMBER: **4035**

4035.1 Members of the Board of Directors of the Georgetown Divide Public Utility District shall be covered under the District's Worker's Compensation Policy.

4035.2 Members of the Board of Directors of the Georgetown Public Utility District shall be covered with errors and omissions liability insurance.



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT Policy and Procedures Manual

POLICY TITLE: Duties of the Board Treasurer

POLICY NUMBER: 4112 **Adopted:** 06/25/2013 **Amended:** 10/10/2023

REFERENCES:

Section 4112.01 Purpose

The purpose of this policy is to define the role of the Treasurer of the Board of Directors.

Section 4112.02

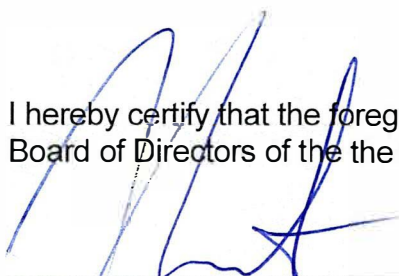
If for any reason the President and Vice-President resign or are absent, disqualified, or disabled, the Treasurer may perform the President's duties until the position of President is filled.

Section 4112.03 Duties of the Treasurer

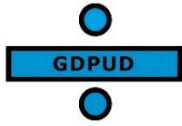
The Treasurer of the Governing Board shall have the following duties: 1. Shall be responsible for signing and reviewing approved accounts payable documents. 2. Perform any other duties assigned by the Board.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 4112 amended by Board of Directors of the the Georgetown Divide Public Utility District on October 10, 2023.



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: Duties of the Board President

POLICY NUMBER: 4115

Adopted: 06/25/2013

Amended: 10/10/2023

REFERENCES:

Section 4115.01 Purpose

The purpose of this policy is to establish the procedures governing the President of the Board of Directors of the Georgetown Divide Public Utility District.

SECTION 4115.2

The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions, and ordinances, and any discussion of questions that follow said actions.

4115.2.1

If for any reason the President and Vice-President resign or are absent, disqualified, or disabled, the Treasurer may perform the President's duties until the position of President is filled.

Section 4115.3 Duties and Responsibilities Regarding Meetings of the Board

The president shall preside over and conduct all meetings of the Board of Directors and shall carry out the resolution and orders of the Board of Directors and shall exercise such other powers and perform such other duties as the Board of Directors. The president shall have all the rights to discuss and vote on any issues before the Board, but not to move or second any motion. If the president wishes to move or second a motion, he/she must pass the gavel to the Vice-President and step down as the presiding officer for that particular agenda item. Responsibilities of the President include:

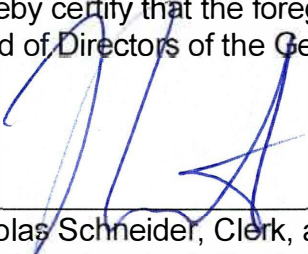
1. Call the meeting to order at the appointed time;
2. Announce the business to come before the Board in its proper order;
3. Enforce the Board's policies in relation to the order of business and the conduct of meetings;
4. Recognize persons who desire to speak, and prevent any interruptions;
5. Explain what the effect of a motion would be if it is not clear to every member;
6. Restrict discussion to the question when a motion is before the Board;
7. Rule on parliamentary procedure; and
8. Put motions to a vote, and state clearly the results of the vote.
9. Sign all instruments, act, resolutions and carry out stated requirements and the will of the Board;
10. Create, appoint, and disband all committees, subject to Board ratification;

Duties of the Board President

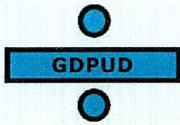
11. Call such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law;
12. Coordinate the preparation of meeting agendas with the General Manager;
13. Confer with the General Manager or designee on crucial matters which may occur between Board of Directors meetings;
14. Be responsible for the orderly conduct of all Board meetings;
15. Be the Spokesperson to speak on behalf of the Board; and or provide a designee to speak
16. Perform other duties as authorized by the Board.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 4115 amended by the Board of Directors of the Georgetown Divide Public Utility District on October 10, 2023.



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: Board Compensation, Expense Reimbursements and Travel Allowance

POLICY NUMBER: 4030 **Adopted:** 06/25/2013 **Amended:** 06/13/2023

SECTION 4030.01 PURPOSE

The purpose of this policy is to establish the procedures governing the payment of monthly compensation and expense reimbursement for members of the Board of Directors of the Georgetown Divide Public Utility District pursuant to Public Utilities Code Section 16002(a) and Ordinance 2011-01.

SECTION 4030.02 DEFINITIONS AND REFERENCES

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this policy are defined as follows:

Internal Revenue Service Publication 463 shall reference the explanation contained in this IRS tax document that explains what records are needed to prove expenses incurred.

Internal Revenue Service Publication 535 shall reference the mileage rate that is provided in this IRS tax document.

SECTION 4030.03 DIRECTOR'S COMPENSATION

Members of the Board of Directors shall receive monthly compensation, the amount of which shall be established annually by the Board at its regular meeting in July and be consistent with applicable state law and GDPUD Ordinance 2011-01.

Section 4030.03.01 Ordinance 2011-01

Ordinance 2011-0, adopted by the Board of Directors on February 8, 2011, sets forth the compensation and benefits to be provided to the District's Board of Directors.

Section 2 of this Ordinance establishes a monthly stipend of Four Hundred Dollars (\$400.00) for an annual amount not to exceed Four Thousand Eight Hundred Dollars (\$4,800.00), pursuant to Public Utility Code Section 16002(a). A Director must attend the regular meeting of the Board to receive the monthly stipend.

Section 4030.03.02 Public Utilities Code Section 16002

A compensation for Directors is established pursuant to Public Utilities Code § 16002, which states: Each member of the Board may receive the compensation that the Board by Ordinance provides, not exceeding four thousand eight hundred dollars (\$4,800) a year.

SECTION 4030.04 ANNUAL ALLOWANCE FOR DISTRICT-RELATED TRAVEL EXPENSES

The Board of Directors shall include an annual travel allowance for each Director, based on the approved District budget, while on official District business as described in Public Utilities Code § 16002(b)(2), which states: Representation of the District at a public event, if that representation has been previously approved at a meeting of the Board and the member delivers a written report regarding the member's representation to the Board at the Board meeting immediately following the public event.

Official District business shall include federal, state, regional, and local meetings, and training sessions, conferences, and events. The annual allowance shall cover the following travel expenses which are subject to the requirements of Government Code §§ 53232.2 and 53232.3, as well as the requirements of Ordinance 2011-01.

The District shall calculate the reimbursement amount according to the following provisions:

Section 4030.04.01 Mileage

Mileage incurred by Directors in their own vehicle shall be set at the rate of reimbursement allowed under Publication 535 of the Internal Revenue Service. Mileage shall not be reimbursed for attendance at regular or special board meetings held at the District office or other similar locations within the District.

Section 4030.04.02 Lodging, Travel by Public Transportation

Expenses for lodging, travel by public transportation, and incidental expenses incurred for attendance at meetings or conferences outside of the County are subject to prior approval by the Board of Directors. However, the Board in its discretion may approve reimbursement after a Director has attended the meeting or conference in circumstances where the meeting schedule of the Board did not permit prior approval of the request.

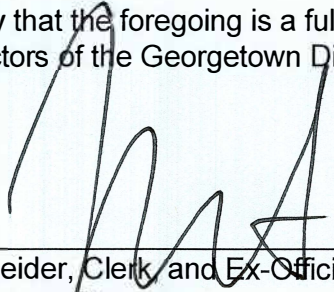
- A. The State per diem rate, based on per diem rates established annually by the Administration of General Services, will be used for expense limitations. This rate chart is included with this policy as Appendix A.
- B. **Internal Revenue Rates** – IRS Publication 463 shall be followed and the use of California per diem rates shall be used as stated in this publication for travel, lodging, and other actual and necessary expenses.
- C. **Meals and Incidentals** – Expenses for meals and incidentals shall be based on the California State per diem rate.

SECTION 4030.05 CONFERENCE AND TRAINING REGISTRATION FEES, AND TRAVEL EXPENSES

Upon Board approval of a Director's attendance of meetings, conferences, and training sessions, the District shall make registration payments for lodging, and travel expenses. The District shall make efforts to obtain reduced rates through early registration or other opportunities for rate reductions.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 4030 amended by the Board of Directors of the Georgetown Divide Public Utility District on June 13, 2023.



Nicholas Schneider, Clerk and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

POLICY TITLE: **Training, Education and Conferences**

POLICY NUMBER: **4090**

4090.1 Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

4090.1.1 "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted except for personal reasons, and are not reimbursable expenses.

4090.2 It is the policy of the District to encourage Board development and excellence of performance by reimbursing actual expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted.

4090.2.1 The Clerk of the Board is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the Clerk of the Board, together with validated receipts in accordance with State law.

4090.2.2 Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.

4090.2.3 Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the Clerk of the Board and by:

4090.2.3.1 Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates unless there are less expensive accommodations in close proximity available.

4090.2.3.2 Directors traveling together whenever feasible and economically beneficial. Provided the quorum is not involved.

4090.2.3.3 Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.

4090.3 A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after the District has announced his/her pending resignation, or if it

occurs after an election in which it has been determined that the Director will not retain his/her seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

4090.4 Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.

POLICY TITLE: Filling of Vacancy(s) on the Board of Directors

POLICY NUMBER: 4097

4097.1 The District Board of Directors are elected (or appointed) in accordance with the Principal Act of the District. From time to time a vacancy may occur on the Board for a variety of reasons. This policy is established to provide general guidelines and procedures for filling a vacancy on the Board. The District has a total of sixty (60) days in which to take action.

4097.2 The Board of Directors shall be informed immediately of the resignation or death of a member of the Board of Directors. The Board of Directors shall consider whether to act to fill the vacancy, either by appointment or by calling a special election.

4097.3 The District shall notify the county elections official of the vacancy no later than fifteen (15) days after the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later.

4097.4 In cases where the Board determines to appoint a replacement to the Board, the District may publish a public notice of a vacancy and the process for considering candidates in a local newspaper of general circulation. The Board may establish an application and interview process including requiring a resume or application form detailing qualifications and experience of the candidates.

4097.4.1 The District shall post a notice of vacancy in at least three conspicuous places in the District at least fifteen (15) days before the Board makes an appointment. If the Board makes an appointment, the District shall notify the county elections official within fifteen (15) days of making the appointment.

4097.5 The Board may review and invite those candidates that a majority of the Board determine are the most qualified or all of the candidates for an interview before the Board at a public noticed meeting. The Board may then consider the interviewed candidates and vote to determine if a majority of the Board can agree on a selected replacement candidate. The resigning Director will be allowed to vote for a replacement candidate if that Director is available and in still in attendance at Board meeting.

4097.6 If the Board of Directors chooses to call an election, the Board must do so within sixty (60) days of notification of the vacancy or the effective date of the vacancy, whichever is later.

4097.7 All costs for any election shall be identified for consideration by the Board for the decision of appointment or election.

4097.8 A selected replacement Director shall serve out the balance of the term of the position and be subject to reelection under the Principal Act of the District.

4097.9 If the Board fails to take action in the sixty (60) day period, the Board of Supervisors may appoint a successor to fill the vacancy.



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: Members of the Board of Directors

POLICY NUMBER: 4100 **Adopted:** June 25, 2013 **Amended:** November 14, 2023

FORMER NUMBER: 4050

REFERENCES: 1020 Conflict of Interest Code

Section 4100.01 Purpose

The purpose of this policy is to establish guidelines for the behavior of the individual members of the Board of Directors.

Section 4100.02

Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings.

- A. Information exchanged before meetings shall be distributed through the General Manager or designee, and all Directors will receive all information being distributed.
- B. Copies of information exchanged before meetings shall be available at the meeting for members of the public in attendance, and shall also be provided to anyone not present upon their request as stated in policy 1050.

Section 4100.03

Directors shall at all times conduct themselves with courtesy to all in attendance.

SECTION 4100.04

Directors shall defer to the president for conduct of meetings of the Board but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

SECTION 4100.05

Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

SECTION 4100.06

Directors shall refrain from participating in consideration on any item involving a personal or financial conflict of interest. Where recusal is required, announcing there is a conflict, and not being present to listen to any of the deliberations or vote, only allowed to return after the matter has concluded. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.

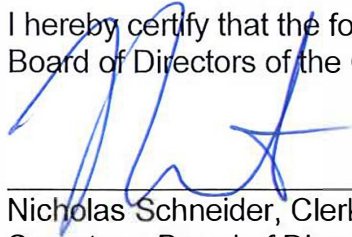
SECTION 4100.07

Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

Members of the Board of Directors

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 4100 amended by the Board of Directors of the Georgetown Divide Public Utility District on November 14, 2023.



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

Policy Title: DEVELOPING DISTRICT POSITION ON PROPOSED LEGISLATION

Policy Number: 4125

Date Approved: April 11, 2023

References: This policy replaces Policy 3230 adopted on 6/25/2013 and amended on 7/11/2019 by Resolution 2019-45.

4125.1 — Policy:

The purpose of this policy is to guide the District officials and the staff of the Georgetown Divide Public Utility District in considering legislative or regulatory proposals. This policy allows for the timely response to legislative issues important to the District, including letters from the Board President to the State Legislature and/or Congress, consistent with this policy.

The Board of Directors recognizes the need to protect the District's interests and local legislative authority and to identify various avenues to implement its strategic goals. It is the policy of the District to proactively monitor and advocate for legislation as directed by the Guiding Principles and by the specific direction of the Board of Directors.

This policy includes the Board of Directors' Guiding Principles and procedures for adopting and communicating official District positions on legislation, regulations, candidates for public office, or grant applications by or to other government bodies and for maintaining positive intergovernmental relations.

4125.1 – Definitions

Board – shall refer to the Board of Directors of the Georgetown Divide Public Utility District.

District – shall refer to the Georgetown Divide Public Utility District.

4125.3 — Guiding Principles

A. Preserve Local Control

Preserve and protect the District's powers, duties, and prerogatives to enact legislation and policy direction concerning local affairs, and oppose legislation that preempts local authority. Local agencies should preserve and enhance authority and accountability for revenues raised and services provided.

B. Promote Fiscal Stability

- (1) Support measures that promote fiscal stability, predictability, and financial independence. Support measures that preserve the District's revenue base and local control over local government budgeting, recognizing that economic cost is a determinant in considering the merits and/or impacts of any proposed legislation or regulation.
- (2) Oppose measures that make the District more dependent on the County, State, or Federal Governments for financial stability, such as mandated costs with no guarantee of local reimbursement or offsetting benefits.

C. Support Funding Opportunities

- (1) Support opportunities that allow the District to compete for its fair share of regional, state, and federal funding, that maintain funding streams.
- (2) Opportunities may include competitive grants and funding programs.
- (3) Opportunities could also include dedicated funding streams at the regional, state, and federal levels that allow the District to maximize local revenues, offset and leverage capital expenditures, and maintain District goals and standards.

4125.3 -- Advocacy Process and Procedures

It is the District's policy to proactively monitor and advocate for legislation as directed by the Guiding Principles and by the specific direction of the Board.

A. Interaction with Other Governmental Entities

This process involves interaction with federal, state, and local governmental entities both regarding specific items of legislation and to promote positive ongoing intergovernmental relationships. Such ongoing positive relationships are fostered by ongoing participation and involvement by the Board of Directors and District staff in national, state, and regional organizations and through ongoing communications and cooperation with local legislators. Therefore, to the extent practical, involvement in such organizations or efforts is encouraged and supported by the District.

B. Monitoring Legislation

Monitoring legislation is also a shared function of the Board of Directors and District staff. Board Members can request consideration of legislative positions to be placed on the Board Meeting Agenda. District staff is responsible for providing periodic updates on legislative proposals and recommendations for official District positions. In providing the necessary information to the Board of Directors, staff shall include the following:

- 1) A basic summary of the legislation;
- 2) How the legislation may impact the District, including potential fiscal impacts;
- 3) Share the positions taken by other bodies, including the California Special Districts Association (CSDA), Association of California Water Agencies (ACWA), Mountain Counties Water Resources Association (MCWRA), other districts or local agencies, and/or other relevant professional or nonprofit organizations; and
- 4) The status of the legislation.

C. Official District Position

Whenever possible, the full Board of Directors should be given the opportunity to consider and adopt official positions formally before communication through letters or other means are prepared. The President is authorized to sign letters on behalf of the Board of Directors once an official position is taken. Such communication should be in the form of letters unless other forms have been requested by a legislator or a body to which the District is a member, such as the ACWA.

D. Communicating the District's Position

- 1) For legislation, positions will generally be communicated initially to the author, the representative(s) of the District to the legislative body, and advocacy organizations to which the District belongs, such as the ACWA.
- 2) As legislation progresses, further correspondence may be sent to pertinent legislative committee members, other legislators, or to the Governor or President without additional action by the Board of Directors. Staff is responsible for providing periodic updates relating to the item once a position has been adopted by the Board of Directors.
- 3) In cases where urgent action is required, or when a Board of Directors meeting will not be held in time for the communication to be effective, communication on behalf of the District may still be sent if the following criteria are met:
 - (a) Timing does not allow for full consideration by the Board of Directors;
 - (b) The position is consistent with the Guiding Principles adopted as a part of this policy;
 - (c) The position is consistent with that of organizations for which the District is a member, such as ACWA;
 - (d) The position and correspondence sent are communicated to the Board of Directors as soon as possible; and
 - (e) The position and correspondence has been reviewed and approved by the General Manager and the Board designated legislative liaison

E. Individual Positions

- 1) In addition to official District positions on legislation, regulations or grant applications, individual District Board Members, the General Manager, and members of the District's Management Team may take a position on such items and communicate regarding those positions so long as they clearly indicate that the letter reflects their individual position and is not the position of the Georgetown Divide Public Utility District.
- 2) In no case should a member of District staff, in the course of their professional role, take or communicate a position that is contrary to an official position of the District.
- 3) Copies of any communication from an individual Board Member or District staff member shall be provided to the full Board of Directors for information.

4125.4 – Board Designated Legislative Liaison

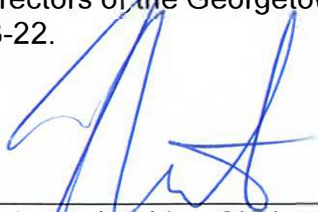
The Board shall appoint one Director to serve as their Board Legislative Liaison. The role of the Board Legislative Liaison shall be to review and approve District position and correspondence that is prepared by Staff in response to calls to action that require urgent response as described above.

4125.5 -- Candidates for Public Office

It is the policy of the District not to participate in, directly or indirectly, or to intervene in (including by means of the publishing or distributing of statements) any political campaign on behalf of, or in opposition to, any candidate for public office. Notwithstanding these limitations, the District recognizes that individual Board Members and staff may wish to participate in the political process. Therefore, individual Board Members and staff may take a position on behalf of, or in opposition to, any candidate for public office and communicate regarding those positions so long as they clearly indicate that the position reflects their individual position and is not the position of the Georgetown Divide Public Utility District.

CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of Policy 4125 adopted by the Board of Directors of the Georgetown Divide Public Utility District on the eleventh of April 2023 by Resolution 2023-22.



Nicholas Schneider, Clerk and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy Manual

POLICY TITLE: STANDARDS OF CONDUCT DURING BOARD MEETINGS

POLICY NUMBER: 4210 **Adopted:** August 13, 2019 **Amended:** May 9, 2023

REFERENCES: Policy 4210 replaces Policy 5030, adopted August 13, 2019, and is retitled, Standards of Conduct During Board Meetings to provide greater clarity on the intent of this policy.

Section 4210.01 Purpose

The Georgetown Divide Public Utility District is committed to conducting open and fair meetings for all participants. The purpose of this policy is to establish the standards of conduct by the Directors, District staff, and the public during all meetings of the Board of Directors, and to provide guidelines for how disruptive behavior should be handled.

Section 4210.02 Definitions

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this policy are defined as follows:

Designee – shall refer to an authorized representative designated by the Board President to handle extreme disruptive behavior during meetings of the Board and shall include law enforcement representatives.

Raise-your-Hand Feature – shall refer to the ability to display the raised hand icon on the teleconference screen to indicate a desire by a meeting participant participating in teleconference to make a public comment.

Section 4210.03 - Rules of Order

Meetings of the Board of Directors shall be conducted by the Board President in a manner consistent with the policies of the District. Policy No. 4215, “Rules of Order for Board and Committee Meetings,” provides meeting protocol.

Section 4210.04 - Agenda and Meeting Time

All Board meetings shall commence at the time stated on the agenda and shall be guided by the same. The placement of an item on the agenda shall not be deemed a requirement that the items proceed in any particular order. The Board President, with concurrence of a majority of the Board, may alter the order in which agenda items shall be considered for discussion and/or action by the Board.

Section 4210.05 - Standards of Conduct

1. The meetings shall be conducted in an open and fair manner.
2. The public shall be given ample opportunity to participate in the meetings.
3. Due process principles shall apply to quasi-judicial proceedings, or as otherwise required by law.

Standards of Conduct During Board Meetings

4. The meetings shall proceed in a manner that enables the Board to consider problems to be solved and make wise decisions intended to solve the problems.
5. The Board may receive, consider, and take any necessary action with respect to reports of accomplishment by District operations.
6. Noticed public hearings shall be conducted in an orderly fashion, with the Board President establishing the order of the proceedings.
7. The Board may weigh and determine the credibility of evidence and public comment.

Section 4210.06 – Public Comments

The following standard of conduct shall be followed by those wishing to make public comments during meetings of the Board of Directors. These guidelines shall appear on the agenda of each meeting of the Board of Directors as a reminder. The Board President shall ensure meeting participants adhere to the following standards:

1. Public members desiring to provide comments must raise their hand and wait to be recognized by the Board President, speak from the podium, and begin by stating their name.
2. If participating via teleconference, speakers shall utilize the raise-your-hand feature. The speaker will be called upon by the President addressing the speaker by name or inviting the speaker to identify themselves when only a phone number is displayed on the teleconference screen.
3. Comments must be directed only to the Board.
4. Disruptive conduct shall not be permitted at any Board meeting. Persistence in disruptive conduct shall be grounds for summary termination of the privilege to address the Board of Directors.
5. There is a three (3) minute time limit per speaker and/or fifteen (15) minutes in total for each subject matter. Should more than five people wish to comment on the same subject matter, the Board reserves the right to limit per speaker time and it may be reduced.
6. The Board is not permitted to take action on items addressed under the Public Forum.

Section 4210.07 – Disruption of Meetings

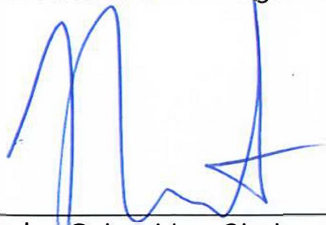
Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is willful disruption of any meeting of the Board, the President may do the following:

- (1) The Board President, or designee, shall notify the disrupting parties to immediately stop the conduct and issue a warning that the disruptive parties will be asked to leave the meeting if the behavior continues.
- (2) If the behavior continues after the warning, the Board President, or designee, shall order the disrupting parties to leave if they do not promptly cease their disruptive behavior, and the Board's business will be conducted without their presence.
- (3) In cases of extreme disruption, the Board President, or designee, may clear the room of all members of the public; and the Board's business will be conducted without their presence.
- (4) Duly accredited representatives of the news media shall be permitted to remain in the meeting if the Board President has deemed, they have not participated in the disruption.

Standards of Conduct During Board Meetings

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 4210 adopted by the Board of Directors of the Georgetown Divide Public Utility District on May 16, 2023, by Resolution 2023-29.



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: Rules of Order for Conducting Board and Committee Meetings

POLICY NUMBER: 4215 **Adopted:** 09/10/2019

Amended: 10/10/2023

REFERENCES:

Section 4215.01 Purpose

The purpose of this policy is to establish the procedures governing the meetings of the Board of Directors and Committees of the Georgetown Divide Public Utility District.

Section 4215.02 General

4215.3.1 Action items shall be brought before and considered by the Board by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Board prefers a flexible form of meeting and, therefore, does not conduct its meetings under formalized rules - Robert's Rules of Order.

4215.2.1.1 If a Director believes order is not being maintained or procedures are not adequate, then he/she should raise a point of order - not requiring a second - to the President. If the ruling of the President is not satisfactory to the Director, then it may be appealed to the Board. A majority of the Board will govern and determine the point of order.

Section 4215.03 Obtaining the Floor

4215.2.1 Any Director desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.

Section 4215.04 Motions

4215.5.1 Any Director, excluding the President, may make or second a motion. A motion shall be brought and considered as follows:

4215.4.1.1 The Board President opens discussion of the matter, the matter is then discussed and debated by the Board, the public is provided an opportunity to comment, then a Director makes a motion; another Director seconds the motion; and the President states the motion.

4215.4.2 Once the motion has been stated by the President, it is open to further clarification by the Board members, the President will then call for the vote.

4215.4.2.1 If the public in attendance has had an opportunity to comment on the proposed action, any Director may move to immediately bring the question being debated to a vote, suspending any further debate. The motion must be made, seconded, and approved by a majority vote of the Board.

Section 4215.5 Secondary Motions

Ordinarily, only one motion can be considered at a time and a motion must be disposed of before any other motions or business are considered. There are a few exceptions to this general rule, though, where a secondary motion concerning the main motion may be made and considered before voting on the main motion.

4215.5.1 Motion to Amend:

A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded or by a new motion and second.

4215.5.2 Motion to Table:

A main motion may be indefinitely tabled before it is voted on by motion made to table, which is then seconded and approved by a majority vote of the Board.

4215.5.3 Motion to Postpone:

A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.

4215.5.4 Motion to Refer to Committee:

A main motion may be referred to a Board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.

4215.5.5 Motion to Close Debate and Vote Immediately:

As provided above, any Director may move to close debate and immediately vote on a main motion, which moves to close is then seconded and approved by a majority vote of the Board.

4215.5.6 Motion to Adjourn:

A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

Section 4215.6 Decorum

4215.6.1

The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may eject any person or persons disrupting the meeting or hearing as referenced in Policy 4210 Standards of Conduct During Board Meetings Section 4210.07.

4215.6.2

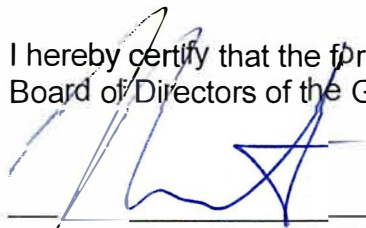
The President may also declare a short recess during any meeting.

Section 4215.7 Amendment of Rules of Order

4215.7.1 By motion made, seconded, and approved by 4/5ths, the Board may, at its discretion and at any meeting: a) temporarily suspend these rules in whole or in part; b) amend these rules in whole or in part; or, c) both.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 4215 amended by the Board of Directors of the Georgetown Divide Public Utility District on October 10, 2023



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

Policy Title: BOARD MEMBER TELECONFERENCING POLICY

Policy Number: 4240

Date Approved: March 14, 2023

4240.1 — Policy:

Pursuant to Section 54953 of the California Government Code requiring that all meetings of a legislative body shall be open and public, this policy shall govern the use of teleconferencing for the attendance of meetings by the members of the Georgetown Divide Public Utility District Board of Directors.

Code Section 54953 was amended with the passage of Assembly Bill 2449 during the 2022 Legislative Session to provide alternative teleconferencing procedures to allow members of a legislative body to participate in meetings remotely under special circumstances or emergency situations. This law became effective January 1, 2023, and will remain in effect through January 1, 2026.

The new provisions of AB 2449 are in addition to those provisions allowed in AB 361 (during a state of emergency) and those allowed by traditional teleconferencing rules. Provisions of AB 361 remain in effect through January 1, 2024.

4240.2 — Definitions:

Unless otherwise defined herein, the following definitions shall apply to this policy:

Board – shall refer to the Board of Directors of the Georgetown Divide Public Utility District and have the same meaning as provided by Government Code section 54952, which sets forth a definition of “legislative body” as a commission, committee, board, or other body of a local agency, decision making or advisory, created by charter, ordinance, resolution, or formal action by a legislative body.

Brown Act / Ralph M. Brown Act – shall refer to a California law that guarantees the public’s right to attend and participate in meetings of local legislative bodies, pursuant to California Code Section 54950.

Director – shall refer to a member of the Board of Directors of the Georgetown Divide Public Utility District.

District – shall refer to the Georgetown Divide Public Utility District.

Meeting — any congregation of a majority of the members of a legislative body at the same time and location.

State – shall mean the State of California.

State of Emergency – shall mean a state of emergency proclaimed by the California Governor or such others as may be empowered pursuant to Section 8625 of the California Emergency Services Act, as set forth in Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2 of the California Government Code.

GDPUD POLICIES AND PROCEDURES

Teleconferencing – meeting attendance from different locations other than the physical location of a meeting, by way of an audio device, whether it be telephone, audio-only internet connection, or otherwise.

Videoconferencing – meeting attendance from different locations other than the physical location of a meeting, by way of a dual audio and visual device, whereby participants can be both seen and heard. For purposes of this policy, videoconferencing may include attendance by way of a single device or software package, or attendance via an audio device with synced camera or webcasting.

4240.3 — Open and Public Meetings; Teleconferencing

At the discretion of the Board of Directors and/or the General Manager, any employee, consultant, vendor, or individual presenting or attending a meeting of the Board of Directors, other than a member of the Board, shall be permitted to attend via teleconference or videoconference without compliance with the rules or conditions set forth herein. Members of the Board of Directors, inclusive of the governing board members and other committees or bodies required to comply with the Brown Act, may only participate via teleconference or videoconference as permitted by the foregoing policies.

To the extent a Director desires to attend a meeting via teleconference or videoconference, the Director shall generally be required to comply with the foregoing “Standard Teleconferencing Procedures” (Article IV) unless the circumstances exist to justify the use of the “Expanded Special Circumstances Teleconferencing Procedures” (Article V) or “Emergency Teleconferencing Procedures” (Article VI).

A Director not in compliance with any such procedures, as applicable, shall not be permitted to attend a meeting via teleconference or videoconference for any purpose, whether to participate in or listen to such meeting.

In all instances in which a Director is attending a meeting via teleconference or videoconference, the Board of Directors shall:

1. Take all votes by roll call;
2. Conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and public appearing before the Board;
3. Provide notice and post agendas as otherwise required by the Brown Act;
4. Permit members of the public access to the meeting and an opportunity to address the Board as required by the Brown Act.

4240.5 — Expanded Special Circumstances Teleconferencing Procedures (AB 2449)

A Director may attend a meeting via videoconference only (teleconference will not be permitted under these procedures), without the need to comply with the Standard Teleconferencing Procedure requirements to notice and post at the agenda locations or make such locations accessible to the public, if the following conditions are satisfied:

1. At least a quorum of the members of the Board participate in person from a single physical location accessible to the public, which is within the boundaries of the agency and clearly identified in the posted agenda;

GDPUD POLICIES AND PROCEDURES

2. The public is permitted to attend the meeting either by teleconference or videoconference in a manner such that the public can remotely attend and offer real-time comments during the meeting;
3. Notice of the means by which the public can remotely attend the meeting via teleconference or videoconference and offer comments during the meeting is included within the posted agenda;
4. The Director(s) attending remotely have either “just cause” or an “emergency circumstance” that justifies their attendance via videoconference.
 - a. A Director shall only have “just cause” for remote attendance if such participation is for one of the following reasons:
 - i. To provide childcare or caregiving needs to a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, with such terms having the same meaning as those terms are defined in Government Code section 12945.2, Unpaid Family Care and Medical Leave;
 - ii. Due to a contagious illness that prevents the Director from attending in person;
 - iii. Due to a need related to a physical or mental disability, as defined in Government Code Sections 12926 and 12926.1, not otherwise accommodated; and
 - iv. Due to travel while on official business of the Board of Directors or another state or local agency
 - b. A Director shall have an “emergency circumstance” if such participation is due to a physical or family medical emergency that prevents the Director from attending in person.
5. The Director(s) has/have not attended a meeting remotely on the basis of “just cause” for more than two meetings in the current calendar year; and
6. The Director(s) has/have not attended a meeting remotely on the basis of “just cause” or “emergency circumstance” for more than three consecutive months or more than three times in a calendar year.
7. The Board of Directors has implemented, a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the Board shall also give notice of the procedure for receiving and resolving requests for accommodation.

In order to utilize the Expanded Special Circumstances Teleconference Procedures, a Director shall:

1. For a “just cause” circumstance, notify the Board at the earliest opportunity, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstance relating to their need to appear remotely at the given meeting;

GDPUD POLICIES AND PROCEDURES

2. For an “emergency circumstance,” request to participate at a meeting due to an “emergency circumstance” as soon as possible, preferably before the posting of the agenda but up to the start of the meeting, with such request including a general description of the circumstances relating to their need to appear remotely at the given meeting, though any description for emergency circumstances need not exceed 20 words and need not include any medical diagnosis or disability or personal medical information exempt from disclosure by law;
3. The Director 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 Director, and the general nature of the Director’s relationship with such individuals;
4. Participate through videoconferencing, with both audio and visual technology.

Upon receipt of a request from a Director to utilize the Expanded Special Circumstances Teleconference Procedures, the Board shall take action by majority vote on a request to participate remotely due to an “emergency circumstance” at its earliest opportunity, which may be taken as a noticed agenda item or as an added item if sufficient time was not provided to place the proposed action on the agenda.

4240.6 — Emergency Teleconferencing Procedures (AB 361):

Notwithstanding the Standard Teleconferencing Procedures, the Board may elect to use these “Emergency Teleconferencing Procedures” to allow teleconferencing if any of the following circumstances apply:

1. The Board holds a meeting during a proclaimed State of Emergency and state, or local officials have imposed or recommended measures to promote social distancing;
2. The Board holds a meeting during a proclaimed State of Emergency for the purpose of determining, by a majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
3. The Board holds a meeting during a proclaimed State of Emergency and the Board has determined, by majority vote, that as a result of the emergency, meeting in person would present imminent risks to the health and safety of attendees.

If utilizing the Emergency Teleconferencing Procedures, the Board shall:

1. Give notice in the agenda for such meeting of the means by which members of the public may access the meeting and offer public comment via a teleconferencing or videoconferencing option, which shall include an opportunity for public comment in real-time;
2. In the event of a disruption that prevents the broadcast of the meeting to members of the public, or in the event of a disruption within the District’s control that prevents members of the public from offering public comment using the teleconferencing or videoconferencing options, take no further action during a meeting until such access is restored.
3. All of the following requirements of the Brown Act shall be suspended:
 - (a) Each teleconference location from which a Director will be participating in a public meeting or proceeding shall be identified in the notice and agenda of the public meeting proceeding.

GDPUD POLICIES AND PROCEDURES

- (b) Each teleconference location must be accessible to the public.
 - (c) Members of the public may address the Board at each teleconference location.
 - (d) The agenda shall be posted at all teleconference locations.
 - (e) At least one member of the Board shall be physically present at the location specified in the notice of the meeting.
4. Allow a reasonable amount of time per agenda item to allow members of the public the opportunity to provide public comment, including time for members of the public to register to comment or otherwise be recognized for the purpose of providing public comment.

The Board may continue the use of the Emergency Teleconferencing Procedures for as long as the State of Emergency remains active, provided that, not later than 30 days after teleconferencing for the first time, and every 30 days thereafter, the Board finds by majority vote that:

- 1. The Board has reconsidered the circumstance of the State of Emergency; and
- 2. Any of the following circumstances exist:
 - a. The State of Emergency continues to directly impact the ability of the Directors to meet safely in person; or
 - b. State or local officials continue to impose or recommend measures to promote social distancing.

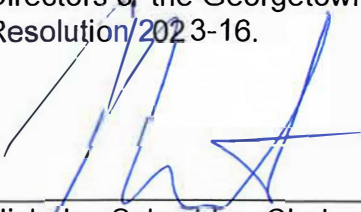
In the event of the use of these Emergency Teleconferencing Procedures, it shall not be necessary for the District to provide a physical location on which the public may attend or comment.

4240.7 — Miscellaneous Provisions:

With respect to the Standard Teleconferencing Procedures, Expanded Teleconferencing Procedures, and Emergency Teleconferencing Procedures set forth herein, such are intended to comply with Government Code sections 54953(b), (f), and (e), respectively, and, as such, in the event of a conflict between this policy and such statutory provisions, the statutory provisions shall control and be implemented as if set forth in full in this policy.

CERTIFICATION

I hereby certify the foregoing is a full, true, and correct copy of Policy 4240 adopted by the Board of Directors of the Georgetown Divide Public Utility District on the Fourteenth of March 2023 by Resolution 2023-16.



Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

POLICY TITLE: Brown Act Compliance – Open Meeting Requirements

POLICY NUMBER: 5000

5000.1 The Brown Act. The Legislature adopted the Brown Act, commonly referred to as California’s “Open Meetings Laws” in 1964. The Brown Act is contained in Government Code section 54950 et seq. The Brown Act is broadly construed, and compliance is constitutionally mandated.

5000.2 Compliance with Brown Act. All meetings of the Board of Directors shall comply with the Brown Act.

5000.2.1 Meetings occur whenever the majority of the Board of Directors meets to discuss District business.

5000.2.2 Member of the Board includes newly elected and appointed officials prior to assuming office.

5000.2.3 All Board meetings shall be open and freely accessible to the public, including those with disabilities.

5000.2.4 Meetings through the use of intermediaries, serial communications, or emails are prohibited.

5000.2.5 The Board shall only take action during a properly noticed meeting.

5000.3 Committees. Committees created by formal action of the Board shall comply with the Brown Act

POLICY TITLE: Board Meetings

POLICY NUMBER: 5010

5010.1 Unless otherwise specified, regular meetings of the Board of Directors shall be held on the second Tuesday of each calendar month at 9:00 a.m. in the District Office located at 6425 Main Street, Georgetown, CA. The date, time and place of regular Board meetings may be reconsidered from time to time at the annual organizational meeting of the Board. Meetings which involve budget actions may be held at 6 pm in order to allow for a majority of public attendance, as noticed by the District.

5010.2 Special meetings of the Board of Directors may be called by the Board President or by a majority of the Board.

5010.2.1 All Directors shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be delivered personally or by any other means, and shall be received by them at least 24 hours prior to the meeting pursuant to Government Code Section 54956.

5010.2.2 Newspapers of general circulation in the District, radio stations and television stations, organizations, and individuals who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by a mailing and/or email, unless the special meeting is called less than one week in advance, in which case notice, including business to be transacted, will be given by email and/or telephone during business hours as soon after the meeting is scheduled as practicable.

5010.2.3 An agenda shall be prepared as specified for regular Board meetings in Policy #5020 and shall be delivered with the notice of the special meeting to those specified above.

5010.2.4 Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

5010.3 Emergency Meetings. In the event of an emergency situation as defined in Government Code Section 54956.5, the Board of Directors may hold an emergency special meeting without complying with the 24-hour notice required in 5010.21, above.

5010.3.1 Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by at least one hour prior to the emergency meeting. In the event that telephone services are not functioning, the notice requirement of one hour is waived, but the Board, or its designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of

the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible.

5010.3.2 No closed session may be held during an emergency meeting, and all other rules governing special meetings shall be observed with the exception of the 24-hour notice. The minutes of the emergency meeting, a list of persons the Board or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten days in the District office as soon after the meeting as possible.

5010.4 Adjourned Meetings. A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified in 5010.2.2 above.

5010.5 Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in January. At this meeting the Board will elect a President, Vice President, and Treasury/Secretary from among its members to serve during the coming calendar year. The Board Clerk position may be appointed by the Board.

5010.6 The President of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

5010.7 The President and the General Manager shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

POLICY TITLE: Board Meeting Agenda

POLICY NUMBER: 5020

5020.1 The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors in accordance with the Ralph M. Brown Act (California Government Code Section 54950]. Any Director may contact the General Manager and request any item to be placed on the agenda no later than Twelve (12) days prior to the next meeting date.

5020.2 Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

5020.2.1 The request must be in writing and be submitted to the General Manager together with supporting documents and information, if any, at least seven business days prior to the date of the meeting;

5020.2.2 The General Manager shall confer with the Board President on whether the public request is or is not a "matter directly related to District business." If the matter is determined by both not to be a matter directly related to District business, the public member requesting the agenda item may appeal the decision at the next regular meeting of the Board of Directors. Any Director may request that the item be placed on the agenda of the Board's next regular meeting.

5020.2.3 The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

5020.3 This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

5020.4 At least 72 hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted in a place that is freely accessible to members of the public (California Government Code 54954.2 and emailed to those who have requested to receive the agenda via email.. If the District maintains a website, the agenda shall be posted on the website for public information at the same time. All information made available to the Board of Directors (except confidential information allowed by State law per legal counsel authority) shall be available for public review prior to the board meeting.

wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

5020.4 At least 72 hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted in a place that is freely accessible to members of the public (California Government Code 54954.2 and emailed to those who have requested to receive the agenda via email.. If the District maintains a website, the agenda shall be posted on the website for public information at the same time. All information made available to the Board of Directors (except confidential information allowed by State law per legal counsel authority) shall be available for public review prior to the board meeting.

5020.4.1 The agenda for a special meeting shall be posted at least 24 hours before the meeting in the same location as for Regular Meeting agendas (California Government Code Section 54956).

5020.5 The District Agenda for Regular meetings shall generally follow the following format. The General Manager, in cooperation with the Board President, may reorganize the template on a case-by-case basis if a variation in the normal order of business is appropriate. Director names and titles shall be included on the agenda.

5020.5.1 CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

5020.5.2 ADOPTION OF AGENDA

5020.5.3 PUBLIC FORUM

Members of the public wishing to address the Board on a matter that is not on the agenda and within the jurisdictional authority of the District may do so during Public Forum. The Board is not permitted to take action on items addressed in Public Forum.

5020.5.4 PROCLAMATIONS AND PRESENTATIONS

Proclamations made by the Board, and Presentations provided by outside organizations. Examples of Board Proclamations include recognizing employees for their service and supporting outreach efforts that align with the District's mission; such as Water Professionals Appreciation Week or other water related events.

5020.5.5 CONSENT CALENDAR

The Consent Calendar consists of those items which are routine and non-controversial. Following is a non-exclusive list of items that would typically appear on the Consent Calendar:

- Minutes
- Statement of Cash Balances
- Month-End Cash Disbursement Report
- Acceptance of Routine Projects without Fiscal Impact

POLICY TITLE: **Review of Administrative Decisions**

POLICY NUMBER: **5050**

5050.1 The provisions of §1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of §1094.5 of said code.

5050.2 This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

5050.3 The purpose of this policy is to ensure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

POLICY TITLE: Minutes of Board Meetings

POLICY NUMBER: 5060

5060.1 The Board Clerk or Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

5060.1.1 Copies of a meeting's minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept in a fire-resistant, locked cabinet.

5060.1.2 Unless directed otherwise, an audio tape recording of regular and special meetings of the Board of Directors will be made. The device upon which the recording is stored shall be kept in a fire-resistant, locked cabinet. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available at the District or the District's website.

5060.1.3 Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:

Date, place and type of each meeting;
Directors present and absent by name;
Administrative staff present by name;
Call to order;
Time and name of late arriving Directors;
Time and name of early departing Directors;
Names of Directors absent during any agenda item upon which action was taken;
Summary record of staff reports;
Summary record of public comment regarding matters not on the agenda, including names of commentators;
Approval of the minutes or modified minutes of preceding meetings;
Approval of financial reports; including month beginning balance and month ending balance;
Record by number (a sequential range is acceptable) of all warrants approved for payment;
Complete information as to each subject of the Board's deliberation;
Record of the vote of each Director on every action item for which the vote was not unanimous;

Resolutions and ordinances described as to their substantive content and sequential numbering;
Record of all contracts and agreements, and their amendment, approved by the Board;
Approval of the annual budget;
Approval of all polices, rules and/or regulations;
Approval of all dispositions of District assets;
Approval of all purchases of District assets; and,
Time of any adjournment for break, start and finish;
Time of adjournment to closed session
Time of continuance to open session
Time of meeting's adjournment.

5060.1.4 All items requested by the Directors at a regular Board meeting to be added to the next regular meeting shall have:

- All supporting documentation addressed by the General Manager for full report on the item including all necessary documentation to address the requested item. Unless requested otherwise by Director.
- Item will be listed in accordance with the Ralph Brown Act.
- If the Director requests their name added to this item it shall be only upon request of the Director.
- Any item requested after the regular board meeting to be address at the next regular board meeting shall have documentation provided by Director making request unless the information is under the control of the General Manager.

5060.1.5 Agenda Items need not be limited to 20 words and it is encouraged to give an accurate description of the item for public review and historical knowledge.

RESOLUTION 2018-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
ESTABLISHING A POLICY FOR THE ELECTION OF OFFICERS
AND THE ELECTION OF OFFICERS OF THE 2018 CALENDAR YEAR

WHEREAS, the Georgetown Divide Public Utility District has historically conducted an election of officers in December or January for the upcoming calendar year; and

WHEREAS, the District desires to formalize a policy for electing Officers of the Board of Directors on an annual basis; and

WHEREAS, since District Board elections are held during even years in November requiring a reorganization of the Board in December, the election of officers during even years shall be conducted in December to coincide with the installation of newly elected Directors;

WHEREAS, the election of officers during odd years shall be conducted during the January regular meeting of the Board;

WHEREAS, the nominations were received from the floor during the Board's regular Board meeting of January 9, 2018, and the following Directors elected to serve for the 2018 calendar year:

President:

Londres Uso

Vice President:

Jesse Hanschild

Treasurer:

David Halpin

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT, El Dorado County, California, that the election of officers shall be conducted annually and the slate of officers elected are confirmed to serve for the 2018 calendar year.

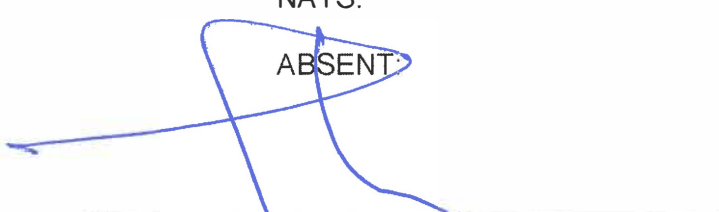
PASSED AND ADOPTED at a regularly held meeting of the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT on the 9th day of January 2018, by the following vote:

AYES:

Halpin, Hanschild, Souza, Uso, Waddle

NAYS:

ABSENT:

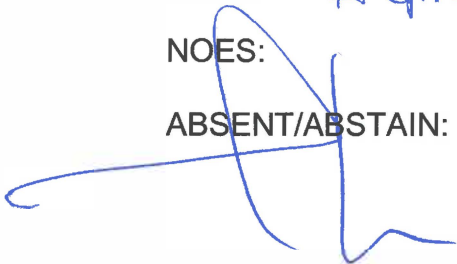


Londres Uso, President
Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

AYES: Halpin, Hanschild, Souza, Uso, Wadle

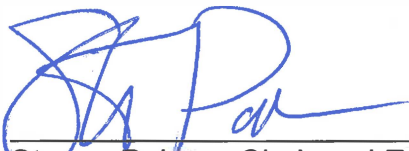
NOES:

ABSENT/ABSTAIN:



Londres Uso, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:



Steven Palmer, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2018-46 duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 9th day of October 2018.



Steven Palmer, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

RESOLUTION NO. 2018-53

**OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT
APPROVING AN UPDATED RESERVE POLICY**

WHEREAS, the District established a Financial Reserve Policy on May 10, 2005 by Resolution #2005-05; and

WHEREAS, the contents of that policy were supported by a reserve study conducted by Fieldman Rolapp; and

WHEREAS, the industry standard is to review and revise policies and procedures as deemed appropriate on an annual basis; and

WHEREAS, no record of review or revisions to the Financial Reserve Policy are recorded since the adoption of the Financial Reserve Policy in 2005; and

WHEREAS, the District considered recommendations from current Reserve Policy industry standards, as well as current analysis of reserve requirements; and

WHEREAS, the District discussed a draft reserve policy at the public Finance Committee meeting on October 31, 2018 and considered feedback and public comment.

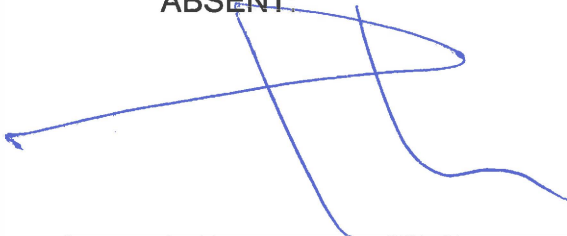
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT THAT the Reserve Policy attached hereto as Exhibit A is approved.

PASSED AND ADOPTED by the Board of Directors of the Georgetown Divide Public Utility District at a meeting of said Board held on the 13th day of November 2018, by the following vote:

AYES: *Halpin, Henschel, Souza, Uso, Wadle*

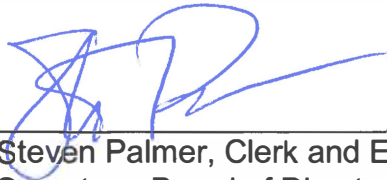
NOES:

ABSENT:



Londres Uso, President, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Attest:



Steven Palmer, Clerk and Ex officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

CERTIFICATION

I hereby certify that the foregoing is a full, true and correct copy of Resolution 2018-53, duly and regularly adopted by the Board of Directors of the Georgetown Divide Public Utility District, County of El Dorado, State of California, on this 13th day of November 2018.



Steven Palmer, Clerk and Ex officio
Secretary, Board of Directors
~~GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT~~

POLICY TITLE: **Attendance at Meetings**

POLICY NUMBER: **4020**

4020.1 Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence. Board members shall respond to all meetings with acknowledgement of receipt of meeting notice and attendance availability.

POLICY TITLE: **Directors' Insurance**

POLICY NUMBER: **4035**

4035.1 Members of the Board of Directors of the Georgetown Divide Public Utility District shall be covered under the District's Worker's Compensation Policy.

4035.2 Members of the Board of Directors of the Georgetown Public Utility District shall be covered with errors and omissions liability insurance.



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

POLICY TITLE: Ethics Training for Elected Board Members

POLICY NUMBER: 4060 **Adopted: June 25, 2013** **Amended: November 14, 2023**
FORMER NUMBER: 4095

Section 4060.01 Purpose

The purpose of this policy is to establish the procedures governing the Board of Directors of the Georgetown Divide Public Utility District.

Section 4060.02

All directors and designated executive staff of Georgetown Divide Public Utility District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2. The GDPUD General Manager is a designated executive staff required to receive this training.

Section 4060.03

This policy shall also apply to all staff members that the board of directors designates and to members of all commissions, committees, and other bodies that are subject to the Ralph M. Brown Act.

Section 4060.4

All ethics training shall comply with Government Code Section 53235, and/or be provided by entities whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.

Section 4060.5

Directors shall obtain proof of participation after completing the ethics training. Applicable costs for attending the training will be reimbursed by the District.

- A. District staff shall maintain records indicating both the dates that directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after directors receive the training.

Ethics Training

Section 4060.6

District staff shall provide the General Manager and Board of Directors with information on available training that meets the requirements of this policy at least once every year.

Section 4060.7

Ethics training may consist of either a training course or a set of self-study materials with tests and may be taken at home, in person, or online.

Section 4060.8

Any director of GDPUD who serves on the board of another agency is only required to take the training once every two years.

Certification

I hereby certify that the foregoing is a full, true, and correct copy of Policy 4060 amended by the Board of Directors of the Georgetown Divide Public Utility District on November 14, 2023.

Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

POLICY TITLE: **Training, Education, and Conferences**

POLICY NUMBER: **4090**

4090.1 Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

4090.1.1 "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted except for personal reasons, and are not reimbursable expenses.

4090.2 It is the policy of the District to encourage Board development and excellence of performance by reimbursing actual expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted.

4090.2.1 The Clerk of the Board is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the Clerk of the Board, together with validated receipts in accordance with State law.

4090.2.2 Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.

4090.2.3 Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the Clerk of the Board and by:

4090.2.3.1 Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates unless there are less expensive accommodations in close proximity available.

4090.2.3.2 Directors traveling together whenever feasible and economically beneficial. Provided the quorum is not involved.

4090.2.3.3 Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.

4090.3 A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after the District has announced his/her pending resignation, or if it

POLICY TITLE: Filling of Vacancy(s) on the Board of Directors

POLICY NUMBER: 4097

4097.1 The District Board of Directors are elected (or appointed) in accordance with the Principal Act of the District. From time to time a vacancy may occur on the Board for a variety of reasons. This policy is established to provide general guidelines and procedures for filling a vacancy on the Board. The District has a total of sixty (60) days in which to take action.

4097.2 The Board of Directors shall be informed immediately of the resignation or death of a member of the Board of Directors. The Board of Directors shall consider whether to act to fill the vacancy, either by appointment or by calling a special election.

4097.3 The District shall notify the county elections official of the vacancy no later than fifteen (15) days after the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later.

4097.4 In cases where the Board determines to appoint a replacement to the Board, the District may publish a public notice of a vacancy and the process for considering candidates in a local newspaper of general circulation. The Board may establish an application and interview process including requiring a resume or application form detailing qualifications and experience of the candidates.

4097.4.1 The District shall post a notice of vacancy in at least three conspicuous places in the District at least fifteen (15) days before the Board makes an appointment. If the Board makes an appointment, the District shall notify the county elections official within fifteen (15) days of making the appointment.

4097.5 The Board may review and invite those candidates that a majority of the Board determine are the most qualified or all of the candidates for an interview before the Board at a public noticed meeting. The Board may then consider the interviewed candidates and vote to determine if a majority of the Board can agree on a selected replacement candidate. The resigning Director will be allowed to vote for a replacement candidate if that Director is available and in still in attendance at Board meeting.

4097.6 If the Board of Directors chooses to call an election, the Board must do so within sixty (60) days of notification of the vacancy or the effective date of the vacancy, whichever is later.

4097.7 All costs for any election shall be identified for consideration by the Board for the decision of appointment or election.

4097.8 A selected replacement Director shall serve out the balance of the term of the position and be subject to reelection under the Principal Act of the District.

4097.9 If the Board fails to take action in the sixty (60) day period, the Board of Supervisors may appoint a successor to fill the vacancy.

POLICY TITLE: Brown Act Compliance – Open Meeting Requirements

POLICY NUMBER: 5000

5000.1 The Brown Act. The Legislature adopted the Brown Act, commonly referred to as California’s “Open Meetings Laws” in 1964. The Brown Act is contained in Government Code section 54950 et seq. The Brown Act is broadly construed, and compliance is constitutionally mandated.

5000.2 Compliance with Brown Act. All meetings of the Board of Directors shall comply with the Brown Act.

5000.2.1 Meetings occur whenever the majority of the Board of Directors meets to discuss District business.

5000.2.2 Member of the Board includes newly elected and appointed officials prior to assuming office.

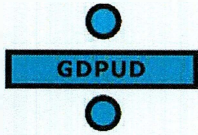
5000.2.3 All Board meetings shall be open and freely accessible to the public, including those with disabilities.

5000.2.4 Meetings through the use of intermediaries, serial communications, or emails are prohibited.

5000.2.5 The Board shall only take action during a properly noticed meeting.

5000.3 Committees. Committees created by formal action of the Board shall comply with the Brown Act

5020.4.1 The agenda for a special meeting shall be posted at least 24 hours before the meeting in the same location as for Regular Meeting agendas (California Government Code Section 54956).



GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

Policy and Procedures Manual

Policy Title: WATER TRANSFER POLICY

Policy Number: 5030

Date Approved: July 11, 2023

5030.01 — PURPOSE:

The Georgetown Divide Public Utility District Board of Directors seeks to voluntarily transfer water to interested buyers when such opportunities to transfer water occur in a manner that appropriately protects customers and other fiduciary responsibilities of the District (see Attachment for more information). This policy provides guidance for evaluating when to pursue water transfer opportunities.

5030.02 – DEFINITIONS

For the purposes of this policy, unless otherwise apparent from the context, certain words and phrases used in this policy are defined as follows:

Buyer – shall refer to the legal entity purchasing the Transfer Water.

Normal Water Availability – shall refer to the annual declaration of the projected water season based on the District's supply and demand assessment.

Point of Transfer – refers to the location where Seller delivers the Transfer Water to the Buyers.

Purchase Agreement – means the agreement signed by both Seller and Buyers for the purchase of Transfer Water.

Reclamation – means the United States Department of the Interior Bureau of Reclamation.

Reservoir Refill Agreement – means the agreement signed by the Seller, Reclamation, and Department of Water Resources defining the refill criteria and refill impacts accounting procedure that pertains to full refill of the Vacated Storage in a Stumpy Meadows storage-based transfer when the Transfer Water is derived from water stored in Stumpy Meadows.

Seller – shall refer to the Georgetown Divide Public Utility District.

Transfer Amount – means the total maximum amount of Transfer Water provided before any losses.

Transfer Period – shall mean when Seller will make Transfer Water available to Buyers at the Point of Transfer.

Transfer Water – shall refer to water provided to a Buyer pursuant to a Purchase Agreement between the Buyer and the District whereby the water provided is derived from water rights or water supply entitlements the District controls.

Vacated Storage – means the reduction in water storage of Stumpy Meadows Reservoir resulting from making Transfer Water available in a storage-based transfer.

5030.03 — GUIDING PRINCIPLES

Guiding principles to support the District's evaluation and implementation of water transfer opportunities are as follows:

- 1) **Protect Customer Water Supply:** assure a water transfer does not increase customer water shortage risks.
- 2) **Optimize Water Resources:** utilize water resources assets to benefit the District and the community.
- 3) **Facilitate Economic Stability:** optimize economic benefits of water transfers to the district.
- 4) **Strive for Certainty:** support long-term planning and business decisions by minimizing the potential for significant changes to policies and procedures.
- 5) **Allow for Adaptability:** allow for periodic adjustments to reflect changing conditions and improved understanding, while minimizing disruptions to certainty.
- 6) **Target Simplicity:** create policies that are easy to understand and implement.
- 7) **Assure Transparency:** provide a full and straightforward accounting of all facts, information, and context to the Board and customers to ensure an informed and equitable decision-making process.
- 8) **Encourage Engagement:** Support and encourage interested participants working together with ongoing discussions where differences are explored, and a shared vision of water transfers can emerge.

5030.04 – WATER TRANSFER DETERMINATION PROCESS

When considering a Water Transfer, the first priority for the District is to ensure adequate water availability for the customers. The following additional provisions apply:

- 1) Prior to January 31 of each potential water transfer year, file with the State Water Resources Control Board a notice of Potential Temporary Transfer pursuant to Water Code Section 1727.
- 2) At the January Board meeting, Board decides whether to direct General Manager to hold initial discussions that water might be available.
- 3) At the March Board meeting the General Manager and staff shall:
 - a) Present information regarding the risk to customer shortfalls at various potential Transfer Water quantities based upon current and projected supply conditions, including Stumpy Meadows storage forecast, and projected customer demand by customer classification.
 - b) Update the Board regarding any discussions with potential buyers.
- 4) At the April Board meeting:
 - a) The General Manger and staff shall present information to allow the Board to decide whether to transfer water that year. Information could include a draft Purchase Agreement, a petition to the State Water Resources Control Board for temporary transfer, and a draft Reservoir Refill Agreement with Reclamation.
 - b) If it is determined that water will seek to be transferred through the normal water availability process held by the District, schedule a public workshop targeted to occur during April. The objective of the workshop is to inform the public of the possible water transfer and be available to communicate the water transfer process with the public.

GDPUD POLICIES AND PROCEDURES

- c) Direct General Manager to pay the required State Water Resources Control Board Water Transfer processing fee and the California Fish and Wildlife fee.
 - d) Authorize the General Manager to execute a final Purchase Agreement when such is finalized.
- 5) The General Manager will provide an update on the Water Transfer at all future meetings until the Water Transfer is complete including any Reservoir Refill Agreement criteria that might exist.

5030.05 – ENVIRONMENTAL PROTECTION

The District shall comply with all applicable laws and regulations including but not limited to the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), and the federal and state endangered and threatened species guidelines. The District shall secure any required consents, permits, reports, and orders prior to transferring water under this Policy.

5030.06 – REVENUE RECEIVED

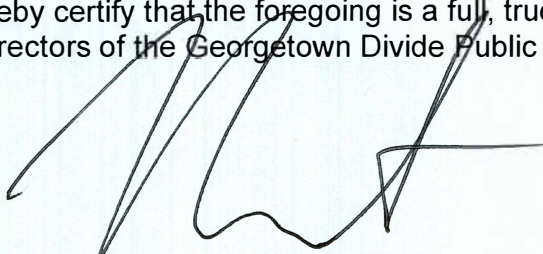
Revenue received from the Water Transfer will be directed by the Board to best serve the needs of the District in meeting operating and maintenance expenses. This could include providing funding for the District's capital improvement program or other District expenses helping water rate stabilization.

5030.07 – VOLUNTARY SETTLEMENT AGREEMENT (VSA):

Voluntary Settlement Agreements (VSA) are agreements that the State Water Resources Control Board (SWRCB) could consider in its Water Quality Control Plan update for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary and Watershed in lieu of its "unimpaired flow" approach to achieve multiple water quality, water supply, and sustainable water management objectives. The District is currently in VSA discussions that could include modification to the Stumpy Meadows operation. The District will assure that all VSA terms protect the District's water supply availability and do not interfere with this Water Transfer Policy.

CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of Policy 5030 adopted by the Board of Directors of the Georgetown Divide Public Utility District on the July 11th, 2023,



Nicholas Schneider, Clerk, and Ex-Officio
Secretary Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT

ATTACHMENT

Water Transfer Year Types:

Water transfers can occur in all hydrologic year types, with the ability to transfer water more available during wetter years. Year types are based on the forecasted runoff into Stumpy Meadows Reservoir. Generally, anticipated water transfers for different water year types are as follows:

Critically Dry Years: A Water Transfer is unlikely to occur during a critically dry year as the District water supply is needed to meet its water supply demands. This is especially the case if the critical year includes a Reservoir Refill requirement from a previous year's Water Transfer.

Dry Years: A Water Transfer could occur in a dry year type if water is available in an amount greater than that required to meet District water demands. This would be unlikely if the dry year includes a Reservoir Refill requirement from a previous year's Water Transfer.

Below Normal, Above Normal Year: A Water Transfer could occur in below normal and above normal year types. In these water year types; the District likely has a water supply greater than needed to meet its water supply requirements. This may be the case even if the year includes a Reservoir Refill requirement from a previous year's Water Transfer.

Wet Years: A Water Transfer could occur as the District has plenty of water supply. However, there may be a limited transfer market during wet years not allowing for a Water Transfer.