

NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

Draft Minutes of Special Meeting of June 27, 2023, at 5 P.M.

The meeting was called to order by President Unger at 5:19 P. M.

Pledge of Allegiance was led by Director Roberts.

Present were: Directors Deel, Matson, Roberts, Springer, and Unger

Motion to approve the Agenda as presented;

Motion by Director Roberts; 2nd by Director Matson

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, and Unger

Noes 0

Entered Closed Session at 5:13 P.M.

Agenda Items- Discussion/Possible Action

Closed Session - Status of CSD Re-Staffing - Discussion/Possible Action,
Proposed by Directors Unger and Deel

Public Employee Appointment (If necessary)
Government Code Section 54957 Title General Manager

Review of resumes received/Interview of candidates.

Report from Closed Session: 2 applicants out of town and we will have a Special Meeting on July 12 at 4pm to consider the other applicants.

Motion to adjourn; Motion by Director Springer 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, and Unger

Noes 0

Meeting adjourned at 6:07 P.M.

President Jack Unger

Acting Secretary Paula Deel

NEWBERRY COMMUNITY SERVICES DISTRICT

Established 1958

Draft REGULAR MEETING MINUTES OF June 27, 2023

After an invocation by Director Unger, the meeting was called to order at 6:12 P.M. by President Unger. Pledge of Allegiance was led by Director Roberts.

Roll Call: Present were Directors Deel, Matson, Roberts, Springer, and Unger

Approval of Agenda

Remove 2nd line of item 5. Moved to accept agenda as amended.

Motion by Director Matson; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

Approval of Minutes

Minutes of Regular Board Meeting on 5/23/2023. Note: Director Springer has completed all the training items in N & O.

Motion to approve as amended by Director Matson; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

Minutes of Special Meeting on 6/5/2023

Motion by Director Roberts; 2nd by Director Matson

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger
Noes 1 Director Springer

Public Comments: Anyone wishing to address any matter pertaining to District business listed on the agenda or not, may do so at this time. However, the Board of Directors may not take action on items that are not on the agenda. The public comment period may be limited to three (3) minutes per person. Any member may speak on any agenda item at the time the agenda item is discussed by the Board of Directors.

a. General Public

Robert Whipple, Board President, Daggett CSD returned Public Records Request to Director Unger and requested that Newberry keep its business out of Daggett.

Rose Beardshear spoke of Chamber Installation, Dinner (BBQ by J&S Specialties) on July 13. Tickets \$20 – fundraiser for NSSA. Swap Meet July 1, 8am-2pm

b. Community Reports-

(1) County Supervisor-Elaine Villareal I talked to Elaine about not being able to attend meetings. She shared that in addition to the night blindness issue, she is a part time employee of the County whereas Kimberly Messen is a full time employee and able to attend meetings. Elaine is always available by email or phone. I have her card if you want her email and will leave it with Daphne.

(2) Sheriff Captain Ron Markegard – Gave report. Their system still not operating at 100%.

(3) CHP - None

3. Reports

A. Temporary CSD Administrator - Attached

B. Fire Department - Chief Lanier - Attached

C. Financial Reports – Temporary CSD Administrator - Attached

Ted S. questioned Attorney Expense.

D. Air Quality Monitors - Director Unger

4. Agenda Items- Discussion/Possible Action

A. **Scoreboard Installation Discussion/Possible Action Directors Matson, & Unger**

The Board and the Community took a walk in the park to visualize the proposed scoreboard installation and the Sports Park Plans.

Motion to accept C&M Fencing estimate presented to board and Public for \$7,740 to make scoreboard portable, assemble Scoreboard and installation of sleeves at two locations.

Motion by Director Matson; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger

Noes 0

Unanimous

B. **Newberry CSD and Chamber of Commerce Collaboration for July 3; Discussion/Possible Action, Update from Chamber**

Supervisor Rowe will be at our Park 2:30-3:30pm to present a check for our Fire House refurbishment. All Directors should be there as well as our Volunteer Fire Department.

Rose gave an update on progress.

C. **Sign for Fitness Park, Discussion/Possible Action, Director Matson and Temp. CSD Admin Lanier**

Update – Still cannot find Grant Information. Director Deel to contact Kimberly Cox to see if she has any contact information.

D. **Support the Transformative Climate Communities Program for the Newberry CSD Building and Park for Planning or Project Development Funds. Discussion/Possible Action: Directors Matson and Roberts Report from Committee : Application due in August.**

As part of the grant requirements, the attached resolution needs to be approved at a CSD meeting. Resolution #2024-001

Motion to accept Resolution #2024-001 the Transformative Climate Communities Program Resolution; motion by Director Matson; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger

Noes 0

Unanimous

E. Proposed General Manager Training Program Discussion/Possible Action Director Unger

The Board will discuss a proposed training program for the incoming General Manager.

Director Unger will put together a list of Webinars etc. from CSDA's website as soon as it comes back online.

F. Replacing Wood Chips with Rubber Pellets in Fitness Park and Playground. Discussion/Possible Action Temp. CSD Admin Lanier

The wind has blown away much of the wood chips in the Fitness Park and we need to replace them before July 3rd.

There are enough wood chips left to cover the ground. Fire Department will spray the wood chips.

After the 4th, we can decide to replace wood chips with rubber pellets and select color.

G. Update Policy 5020 - Board Meeting Agenda, Discussion/Possible Action, Proposed by Director Deel

a. This update requires written reports from all reporting to the board and Agenda Items.

Motion to adopt Policy 5020 Revisions by Director Springer; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

H. David Whitford's Engagement Letter for Year Ended June 30, 2023 Discussion/Possible Action Temp. CSD Admin Lanier

Letter is agreement for David Whitford to audit our Financial Records for this year – Year ending June 30, 2023. Audit for Year ending June 30, 2022 is complete and awaiting our signature(s).

Move to sign engagement letter for Year Ending 2023 if after checking the law the maximum law limit has not been exceeded.

Motion by Director Deel; 2nd by Director Springer

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

I. Budget Review for FY 2023-24, Discussion/Possible Action, Temp. CSD Admin Lanier

We have not been able to find the FY 2023-24 budget updated at the workshop on the GM's computer. We will start over and produce a budget for FY 2023-24. Temp. CSD Admin Lanier and Director Deel will work on this; is there another Director who would like to work on the FY 2023-24 Budget?

We did find a copy from the Workshop, thank you Director Matson. I move that the Budget Committee Meet Wednesday; Special Board Meeting Thursday (or Friday) to adjust & approve 2023/2024 Budget. That way we can spend money in July.

Temporary CSD Admin Lanier, Director Roberts, and Director Deel will meet Wednesday to

update the 2023/24 Budget and Board will meet Thursday or Friday in a Special Meeting to approve.

J. Reserve Funds Transfer from Park and Recreation to Fire Department, Discussion Only, Director Matson

Movement of Funds from the Park and Recreation Reserve Budget to the Fire Department Budget to allow pursuing the purchase of a new (used) fire engine.

Discussion and will place on the Special Meeting agenda.

5. Approve Bills Paid and Presented Discussion/Possible Action

Motion to approve bills paid and presented.

Motion by Director Deel; 2nd by Director Matson

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

6. Old and New Business

Temporary CSD Administrator would like the Board of Directors to have NCSD shirts

7. Directors Comments (1 min.)

Director Deel: I would like to remind Directors that Agenda Items with explanation and backup are due on the Wednesday before the Meeting. Email them to Daphne and she will forward them to me.

There are 3 Webinars coming up that look very good. And they are Free!

We were told awhile back that it is "illegal" to request speaker's cards. Since I know other CSDs and the County use them I was curious. I posted the question on the CSDA's Open Forum and their attorney responded that they are not illegal to request them; it is illegal to require them. And that prompted my thinking that the same people who tell us we can't ask for names have no problem giving their names at the County Board of Supervisors and I have attended the same meetings and witnessed this.

8. Closed Session

8.1 CONFERENCE WITH LEGAL COUNSEL
Potential/Threatened/Anticipated Litigation
Significant Exposure to Litigation Pursuant to Government Code Section
54956.9(b) (One (1) Matter)

8. Report out from Closed Session at 10:06 P.M.

No reportable action.

9. Adjournment

Motion to adjourn by Director Springer; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger
Noes 0
Unanimous

Meeting adjourned at 10:07

President Jack Unger

Acting Secretary Paula Deel, Vice-President

NEWBERRY COMMUNITY SERVICES DISTRICT

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DRAFT MINUTES FOR JUNE 30, 2023 SPECIAL MEETING

After an invocation by Director Unger, the meeting was called to order at 4:20 P.M by President Unger. Pledge of Allegiance was led by Engineer Lanier.

Present: Director Deel, Director Matson, Director Roberts, Director Unger

Absent: Director Springer

Motion by Director Roberts to approve agenda as presented; 2nd by Director Deel

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger

Noes 0

Unanimous - Absent: Director Springer

Public Comments: *No Public Comments.*

Agenda Items- Discussion/Possible Action

- A. Review and Approval of FY2023/2024 Budget Discussion/Possible Action, Proposed by Budget Committee – Temp. CSD Admin Lanier, Directors Deel & Roberts

Motion by Director Deel to adopt the FY2023/2024 Budget as presented; 2nd by Director Roberts

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger

Noes 0

Unanimous - Absent: Director Springer

Note: Director Springer joined the meeting at 3:45 P.M.

- B. Transfer of money from Reserve Accounts to Sub Account 120.2 Fire Engine Purchase (General Fund – No Interest) or 118 Fire Department Reserve (3.75 Interest)

Proposal is to transfer \$85,000 from Park & Rec Reserve Fund (account 116), \$85,000 from Admin/Build Fund Reserve (account 117), and \$85,000 from Fire Department Reserve (account 118) to General Fund sub-account to fund purchase of a Fire Engine.

Motion by Director Roberts to transfer Reserve funds as presented and sign contract and pay the 20% down payment towards the purchase of Fire Engine as presented; 2nd by Director Matson.

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger

Noes 0

Unanimous

Motion by Director Springer to adjourn; 2nd by Director Roberts

Vote: Ayes 5 Directors Deel, Matson, Roberts, Springer, Unger

Noes 0

Unanimous; **Meeting was adjourned**

President Jack Unger

Acting Secretary Paula Deel, Vice-President

NEWBERRY COMMUNITY SERVICES DISTRICT

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Draft SPECIAL MEETING MINUTES OF JULY 12, 2023

After an invocation the meeting was called to order by President Unger at 4:05 P.M.

Pledge of Allegiance was led by Director Roberts.

Roll Call: Present were Director Deel, Director Roberts, Director Springer, Director Unger

Absent: Director Matson

1. Approval of Agenda

Motion by Director Springer to approve the agenda as presented; 2nd by Director Roberts.

Vote: Ayes 4 Directors Deel, Roberts, Springer, Unger
Noes 0

Absent: Director Matson

Unanimous

2. Public Comments: *None*

3. Agenda Items- Discussion/Possible Action

Closed Session - Status of CSD Re-Staffing - Discussion/Possible Action,
Proposed by Directors Unger and Deel

Public Employee Appointment (If necessary)
Government Code Section 54957 Title General Manager

Review of resumes received/Interview of candidates.

Report from Closed Session at 6:09 P.M.— Candidate interviewed today; No decision made; we anticipate final decision for GM will be announced at the July 25th meeting.

Motion by Director Springer to adjourn; 2nd by Director Roberts.

Vote: Ayes 4 Directors Deel, Roberts, Springer, Unger
Noes 0

Absent: Director Matson

Unanimous

Meeting Adjourned at 6:09 P.M.

Jack Unger, President

Paula Deel, Vice President and Acting Secretary

NEWBERRY COMMUNITY SERVICES DISTRICT

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Draft SPECIAL MEETING MINUTES OF JULY 17, 2023

After an invocation the meeting was called to order by President Unger at 10:16 A.M.
Pledge of Allegiance was led by Director Matson.

Roll Call: Present: Director Deel, Director Matson, Director Roberts, Director Unger
Absent: Director Springer

1. Approval of Agenda

Motion by Director Deel to approve the agenda as presented; 2nd by Director Roberts

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger
Noes 0
Absent: Director Springer
Unanimous

2. Public Comments: *None*

At 10:42 A.M. a brief recess was called; returning to meeting at 10:46 A.M.

Moved to Closed Session at 10:47 A.M.

3. Agenda Items- Discussion/Possible Action

Closed Session - Status of CSD Re-Staffing - Discussion/Possible Action,
Proposed by Directors Unger and Deel

Public Employee Appointment (If necessary)
Government Code Section 54957 Title General Manager

Review of resumes received/Interview of candidates.

4. Report from Closed Session – Interviewed candidate. One candidate selected and will be offered position of GM.

Motion by Director Roberts to adjourn; 2nd by Director Matson

Vote: Ayes 4 Directors Deel, Matson, Roberts, Unger
Noes 0
Absent: Director Springer
Unanimous

Meeting adjourned at 2:48 P.M.

President Jack Unger

Acting Secretary Paula Deel, Vice-President

M.A.R. Construction Services Inc.
27614 Waterman Rd.
Barstow, Ca. 92311
760-267-6861
Lic. # 710946

Invoice 230630

June 30, 2023

For: Consultation
To: Newberry CSD

This invoice is for consultation between MAR Construction, Newberry CSD, and WSE structural Engineering .

- MAR construction consultation fees are \$250.00 per Hr. (1 Hour minimum per conversation).
- MAR Construction performed 3 consultation calls with Newberry CSD after submitting a quote to Newberry CSD to determine the best possible solution for the scoreboard.
- MAR Construction performed 2 calls to WSE Structural Engineering to have existing Structural calculations updated and revised as well as being received by WSE Engineering and forwarding to Newberry CSD for county permitting.
- Newberry CSD abandoned all Structural engineering opting to make the scoreboard a portable piece of equipment instead of permanent eliminating permitting by county.

5 minimum hours	\$1,250.00
Equitable option presented to Newberry CSD for MAR consulting This option is available for 14 Days for approval and payment by Newberry CSD	\$ 500.00
Balance due and payable as of 6/30/2023	\$ 500.00

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- Newberry CSD abandoned all Structural engineering opting to make the scoreboard a portable piece of equipment instead of permanent eliminating permitting by county.

5 minimum hours	\$1,250.00
Equitable option presented to Newberry CSD for MAR consulting This option is available for 14 Days for approval and payment by Newberry CSD	\$ 500.00
Balance due and payable as of 6/30/2023	\$ 500.00

POLICY TITLE: Job Description - General Manager
POLICY NUMBER: 2300

2300.1 Description. The General Manager is the Executive Officer of the District and for the Board of Directors. The General Manager administers the District and has exclusive management and control of the operations and works of the District, subject to approval by the Board of Directors, and provides day-to-day leadership for the District. The General Manager has general charge, responsibility and control over all property of the District.

2300.1.1 The General Manager attends all meetings of the District's Board and such other meetings as the Board specifies from time to time.

2300.1.2 The General Manager employs volunteers and employees as the General Manager and the Board of Directors deem necessary for the proper administration of the District and the proper operation of the works of the District. Compensation shall be set by the Board of Directors. The General Manager shall delegate authority at their discretion and has authority over and directs all employees, including terminating for cause or lack of worthwhile work. The General Manager's personnel management goal will be to provide a motivating work climate for District employees.

2300.1.3 The General Manager maintains cordial relations with all persons entitled to the services of the District, attempts to resolve all public and employee complaints, and shall encourage citizen participation in the affairs of the District.

2300.1.4 The General Manager seeks to carry into effect the expressed policies of the Board of Directors, including planning the short, medium and long term work program for the District, facilitating constructive and harmonious Board relations and shall translate the goals and objectives of the Board to the community.

2300.1.5 The General Manager shall manage the District budget, conducting studies, and making oral and written presentations.

2300.1.6 The General Manager shall present a written report at each regular Board Meeting. The report shall include the following:

- a) The current status of all ongoing District projects.
- b) Significant information from all off-site meetings that the General Manager attended during the prior month.
- c) List of all non-confidential correspondence sent to and received from other governmental agencies during the prior month.
- d) A summary of the number of hours worked by all District employment during the prior month.
- e) Any other information that the General Manager deems important for the Board and the public to be made aware of.

This report will be included in the official Minutes of each regular Board meeting.

2300.2 Required Qualifications. The General Manager 1) shall have a minimum of five (5) years of experience in an increasingly responsible public agency management position or similar experience; 2) shall possess a valid California driver's license; **3) shall complete the following California Special District Association (CSDA) training classes within the first six months of employment: a) Ethics AB 1234 Compliance Training; b) Sexual Harassment Prevention Training for Supervisors; c) Best Practices (Finance, Brown Act, CA Public Records Act); d) The Brown Act: Come for the Basics, Stay for the Updates; e) Customer Service Excellence in the Public Sector; f) Records Retention and Management in the Electronic Age.** 34) shall annually complete a minimum of 4 hours (or equivalent) continuing education related to the duties of the position.

2300.3 Desirable Qualifications: The ability to efficiently prepare annual budgets and long-term revenue/outlay plans; the ability to effectively communicate, both written and verbal, with the constituents and other agency personnel; and the ability to meet and serve the public courteously and efficiently.

*Revised, Approved and Adopted ~~May 23~~ **July 23, 2023***

Revised, Approved and Adopted May 23, 2023

Revised, Approved and Adopted February 22, 2022

Revised, Approved and Adopted April 22, 2014

Agenda Item Vacations – Discussion/Possible Action

Proposed Policies for Vacations. Policies from the CSDA Manual have been included for reference.

POLICY TITLE: Vacations
POLICY NUMBER: 2020

2020.1 This policy shall apply to regular and probationary employees in all classifications assigned a 12 hour work schedule.

2020.2 Paid vacations shall be accrued according to the following schedule on an annual basis:

(a) During the first year of continuous work, and the next four (4) years an amount equal to the amount of time the employee is expected to work during a normal work week. Example: If the employee works 12 hours per week, then the amount of vacation time earned during the first year is 12 hours.

(b) Six through ten years of service, the employee earns vacation time at the rate the employee is expected to work during a two week period.

2020.3 Employees who have completed six months in regular status may take their vacation time all at once, or gradually, with the approval of the General Manager. No vacation may be taken until the employee has completed at least six months in regular employee status ~~unless approved by the General Manager~~.

2020.4 Vacation time may **not** be accumulated or postponed. ~~The total accumulated vacation time shall not exceed that amount earned annually by the employee. Only one week of accumulated vacation may be used in addition to regular vacation time during any given year.~~

2020.5 At termination of employment for any reason, the District shall compensate the employee for his/her accumulated vacation time at his/her straight time rate of pay at the time of termination.

2020.6 The District will not require an employee to take vacation time in lieu of sick leave during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used. The District will not consider granting a leave of absence for medical reasons until all accumulated sick leave and vacation time have been used.

2020.7 If a holiday falls on a workday during an employee's vacation period, that day shall be considered as a paid holiday and not vacation time.

2020.8 Vacations may be scheduled at any time during the year upon approval of the General Manger.

Revised, Approved and Adopted July 25, 2023
Revised, Approved and Adopted April 22, 2014

CSDA Policy Manual

POLICY TITLE: Vacations

POLICY NUMBER: 3490

3490.1 This policy shall apply to regular and probationary employees in all classifications.

3490.2 Paid vacations shall be accrued according to the following schedule on an annual basis:

- a) During the first year of continuous work, (____) days;
- b) Two through five years of service, (____) days;
- c) Six through ten years of service, (____) days;
- d) After ten years of service, one additional day of paid vacation for each additional year of service to a maximum of 30 days.

3490.3 Employees who have completed six months in regular status may take their vacation time all at once, or gradually, with the prior written approval of their supervisor. No vacation may be taken until the employee has completed at least six months in regular employee status unless approved by the General Manager in writing.

3490.4 Vacation time may be accumulated or postponed. The total accumulated vacation time shall not exceed that amount earned annually by the employee. Only one week of accumulated vacation may be used in addition to regular vacation time during any given year.

3490.5 At termination of employment for any reason, the District shall compensate the employee for his/her accumulated vacation time at his/her straight time rate of pay at the time of termination.

3490.6 The District will not require an employee to take vacation time in lieu of sick leave during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used. The District will not consider granting a leave of absence for medical reasons until all accumulated sick leave and vacation time have been used.

3490.7 If a holiday falls on a workday during an employee's vacation period, that day shall be considered as a paid holiday and not vacation time.

3490.8 Vacations may be scheduled at any time during the year upon written approval of the [PERSONNEL DIRECTOR or other responsible managing employee].

3490.9 Vacations are provided by the District to employees as a period of exemption from work with pay for the purpose of rest, relaxation and recreation. This respite is a benefit and is intended as an aid in maintaining the long-term and consistent productivity and contentment of the employee. As such, pay in lieu of vacation time away from work shall not be permitted except in situations of hardship or accumulation in excess of (____) hours. Said pay off shall be submitted for written approval by the General Manager.

Proposed Policy for Sick Leave.

POLICY TITLE: Sick Leave
POLICY NUMBER: 2025

~~2025.1 This policy shall apply to salaried and hourly employees including the General Manager, Board Secretary, Treasurer, Office Assistant and Fire Department Administrator.~~

This policy shall apply to regular and probationary employees in all classifications.

2025.2 Sick leave is defined as absence from work due to illness, non-industrial injury or quarantine due to exposure to a contagious disease. In addition, dentist and doctor appointments and prescribed sickness prevention measures shall be subject to sick leave provided prior notice is given to the General Manager.

2025.3 Employees shall be granted twenty four (24) hours of sick leave at the beginning of each calendar year.

2025.4 Each employee may use sick leave as kin care leave, to care for sick immediate family members. It is provided for those circumstances where the employee must take time off to care for a sick family member, regardless of the seriousness of the illness. Employees should notify their supervisor to the extent feasible in order to avoid disruptions in work schedule as a result of use of kin care time. Family members covered include parents, children and spouses. Family members covered include parents, children and spouses and are defined as follows:

2025.4.1 A "child" means a biological, adopted or foster child, a stepchild, a legal ward or a child for whom an employee has accepted the duties and responsibilities of raising, such as where a grandparent raises his/her grandchild.

2025.4.2 A "parent" means a biological, foster or adoptive parent, a stepparent or legal guardian. Mothers-in-law, fathers-in-law and grandparents are also considered "parents for purposes of this division.

2025.4.3 The term "spouse" is not defined in the legislation mandating kin care, but presumably applies only to an individual to whom the employee is legally married.

2025.5 In order to receive compensation while on sick leave, the employee shall notify his/her supervisor prior to the time for beginning the regular day, or as soon thereafter as practical.

2025.6 If absence from duty by reason of illness occurs, satisfactory evidence may be required by the General Manager.

~~2025.7 Unused sick leave time may be bought back by the District at a rate of one half hour for each whole hour accrued. Said buy back shall be limited only to time over and above 48 hours of accrued sick leave. Termination for cause shall result in loss of~~

| ~~all accrued sick leave.~~

Revised, Adopted and Approved: July 25, 2023
Revised, Adopted and Approved: August 25, 2015

CSDA Policy Manual - Policy from the CSDA Manual is included for reference.

POLICY TITLE: Sick Leave
POLICY NUMBER: 3460

3460.1 This policy shall apply to probationary and regular employees in all classifications.

3460.2 Sick leave is defined as absence from work due to illness, non-industrial injury, or quarantine due to exposure to a contagious disease. In addition, dentist and doctor appointments and prescribed sickness prevention measures shall be subject to sick leave provided prior notice is provided to [SPECIFY DEPARTMENT, POSITION, PERSON, etc.].

3460.3 Employees shall earn sick leave at the rate of one working day per month, cumulative to a maximum of 60 days. The determination of total accumulated sick leave days shall be made on January 2 of each year.

3460.4 Each employee may use accrued sick leave, up to half the time accrued per calendar year, as kin care leave, to care for sick immediate-family members. It is provided for those circumstances where the employee must take time off to care for a sick family member, regardless of the seriousness of the illness. Employees should notify their supervisor to the extent feasible in order to avoid disruptions in work schedule as a result of use of kin care time. Family members covered include parents, children and spouses and are defined as follows:

3460.4.1 A "child" means a biological, adopted or foster child, a stepchild, a legal ward or a child for whom an employee has accepted the duties and responsibilities of raising, such as where a grandparent raises his/her grandchild.

3460.4.2 A "parent" means a biological, foster or adoptive parent, a stepparent or legal guardian. Mothers-in-law, fathers-in-law and grandparents are also considered "parents for purposes of this division.

3460.4.3 The term "spouse" is not defined in the legislation mandating kin care, but presumably applies only to an individual to whom the employee is legally married.

3460.5 In order to receive compensation while on sick leave, the employee shall notify his/her supervisor prior to the time for beginning the regular work day, or as soon thereafter as practical.

3460.6 If absence from duty by reason of illness occurs, satisfactory evidence may be required by the [PERSONNEL DIRECTOR or other responsible managing employee].

[OPTIONAL]

3460.7 Unused sick-leave time may be "bought back" by the District at a rate of one-half (½) day [specify whatever rate your district provides] for each whole day accrued. Said buy back shall be limited only to time over and above 30 days of accrued sick leave. No more than 12 days of accrued sick leave shall be bought back in any given calendar year unless employment is terminated for non-cause reasons, in which case all accrued sick

leave over and above 30 days shall be bought back at said one-half ($\frac{1}{2}$) rate. Termination for cause shall result in loss of all accrued sick leave.

POLICY TITLE: Hours of Work and Overtime
POLICY NUMBER: 3122

3122.1 This policy shall apply to all non-exempt employees.

3122.2 The regular hours of work each day shall be consecutive except for interruptions for meal periods and breaks, or as otherwise approved by the General Manager in writing.

3122.3 A work week is defined to consist of seven (7) consecutive calendar days, Sunday through Saturday, and, except as otherwise provided herein, a basic work week is defined to consist of five (5) consecutive work days of eight (8) hours each, Monday through Friday. The NCSD regular work hours shall be ~~8:00 a.m. 12 p.m.~~ to ~~54:00 p.m.~~ ~~with one (1) hour off for lunch.~~ A majority of employees **Employee(s)** may request a change of regular work hours, for their division, with the written consent of the General Manager, so that the regular work hours may be revised to accommodate needs of the public, such as ~~78:00 a.m. to 4~~ **12:00 p.m.** ~~with one (1) hour off for lunch.~~

For

~~Regular work hours may be modified as outlined in an applicable Memorandum of Understanding between the District and a District-recognized bargaining unit.~~

3122.4 Overtime is defined as: Time worked in excess of forty (40) hours in a work week.

3122.5 It is the general policy of the District to avoid the necessity for overtime work whenever possible. Overtime shall be held to a minimum consistent with efficient operation and shall only be used to cover emergencies or where working employees overtime is more economical. All overtime work shall be authorized in advance by the employee's supervisor, the General Manager, or his or her designee. Employees working overtime without prior approval by the appropriate individual may be subject to discipline.

Non-exempt employees shall be paid overtime at one-and-one-half (1½) times the employee's regular rate of pay. Holidays, administrative leave, vacation, authorized compensatory time off, and sick leave do not count toward an employee's overtime calculation.

3122.6 A work schedule is maintained ~~by the [insert Department] department head~~ and approved by the General Manager ~~whereby [operations employees, fire employees, emergency services employees] may be assigned on a rotational basis to be "on-call" on weekends, holidays, and other times not considered regular hours of work for the District employees or assigned to work alternative workweeks. "On-call duty" is an assigned duty outside the normal workweek assignment during which an employee must remain where he or she can be contacted by telephone and he or she is ready for immediate call back to his or her department to perform an essential service.~~

3122.6.1 ~~On-Call/Weekday Duty employees are paid [\$ _____] per hour rate for each weekday they~~

~~are on call. If these employees are called into work during this time, they will be paid for any on-call hours worked at the standard overtime rate.~~

~~3122.6.2 — On-Call employees receive [\$ _____] per hour rate per day for each holiday or weekend day they are assigned to on-call duty.~~

~~3122.6.3 — When an employee is assigned to on-call duty, he or she shall be free to utilize his or her time as desired, but must be able to respond within one hour to the District facilities. This will enable the on-call employee time to return to work in the event of an emergency call. On-call employees need to remain unimpaired (e.g., refraining from drinking alcoholic beverages or marijuana usage) and able to perform all duties when on-call.~~

3122.6.41 If an employee is ~~not "on-call" and he or she is~~ called back to work, the employee will receive two (2) hours of call back pay regardless of whether the employee works less than two (2) hours. The Employee shall also receive hourly call-back pay for every hour worked beyond two (2) hours.



CODE TEXT

LABOR CODE - LAB

DIVISION 2. EMPLOYMENT REGULATION AND SUPERVISION [200 - 2699.8]

(Division 2 enacted by Stats. 1937, Ch. 90.)

PART 2. WORKING HOURS [500 - 890]

510.(a) Eight hours of labor constitutes a day's work. Any work in excess of eight hours in one workday and any work in excess of 40 hours in any one workweek and the first eight hours worked on the seventh day of work in any one workweek shall be compensated at the rate of no less than one and one-half times the regular rate of pay for an employee. Any work in excess of 12 hours in one day shall be compensated at the rate of no less than twice the regular rate of pay for an employee. In addition, any work in excess of eight hours on any seventh day of a workweek shall be compensated at the rate of no less than twice the regular rate of pay of an employee. Nothing in this section requires an employer to combine more than one rate of overtime compensation in order to calculate the amount to be paid to an employee for any hour of overtime work. The requirements of this section do not apply to the payment of overtime compensation to an employee working pursuant to any of the following:

- (1) An alternative workweek schedule adopted pursuant to Section 511.
- (2) An alternative workweek schedule adopted pursuant to a collective bargaining agreement pursuant to Section 514.
- (3) An alternative workweek schedule to which this chapter is inapplicable pursuant to Section 554.

(b) Time spent commuting to and from the first place at which an employee's presence is required by the employer shall not be considered to be a part of a day's work, when the employee commutes in a vehicle that is owned, leased, or subsidized by the employer and is used for the purpose of ridesharing, as defined in Section 522 of the Vehicle Code.

(c) This section does not affect, change, or limit an employer's liability under the workers' compensation law.

(Amended by Stats. 1999, Ch. 134, Sec. 4. Effective January 1, 2000.)

512.(a) An employer shall not employ an employee for a work period of more than five hours per day without providing the employee with a meal period of not less than 30 minutes, except that if the total work period per day of the employee is no more than six hours, the meal period may be waived by mutual consent of both the employer and employee. An employer shall not employ an employee for a work period of more than 10 hours per day without providing the employee with a

second meal period of not less than 30 minutes, except that if the total hours worked is no more than 12 hours, the second meal period may be waived by mutual consent of the employer and the employee only if the first meal period was not waived.

512.1. (a) An employee directly employed by an employer shall be entitled to one unpaid 30-minute meal period on shifts over 5 hours and a second unpaid 30-minute meal period on shifts over 10 hours, as provided by Section 512.

(1) The employee may waive a meal period in accordance with subdivision (a) of Section 512 and paragraph (D) of Section 11 of Wage Order Number 4 or paragraph (D) of Section 11 of Wage Order Number 5 of the Industrial Welfare Commission.

(2) On-duty meal periods may be provided in accordance with paragraph (A) of Section 11 of Wage Order Number 4 or paragraph (A) of Section 11 of Wage Order Number 5 of the Industrial Welfare Commission.

(b) An employee who is directly employed by an employer shall be entitled to a rest period based on the total hours worked daily at the rate of 10 minutes net rest time per 4 hours or major fraction thereof, as provided by Wage Order Number 4 and Wage Order Number 5 of the Industrial Welfare Commission.

512.5(c) "Public agency" for the purposes of this section means the state and any political subdivision of the state, including any city, county, city and county, or special district.

(Added by Stats. 2003, Ch. 327, Sec. 1. Effective January 1, 2004.)

551. Every person employed in any occupation of labor is entitled to one day's rest therefrom in seven.

(Enacted by Stats. 1937, Ch. 90.)

552. No employer of labor shall cause his employees to work more than six days in seven.

(Enacted by Stats. 1937, Ch. 90.)

Sections 551 and 552 shall not apply to any employer or employee when the total hours of employment do not exceed 30 hours in any week or six hours in any one day thereof.

(Amended by Stats. 1999, Ch. 134, Sec. 13. Effective January 1, 2000.)



California State Contractors License 243403

Date: 7/18/2023

email:

PROPOSAL 4

Name: Newberry Springs Community Services District

Phone: (760) 220-3573

Address or Location: Baseball Field

City: Newberry Springs

CA

SPECIFICATIONS

INSTALL REPAIR
REMOVE RELOCATE

TYPE: 11 gauge chain link

		set
		set
		set
		set

RAILS 1 5/8 CM-16™

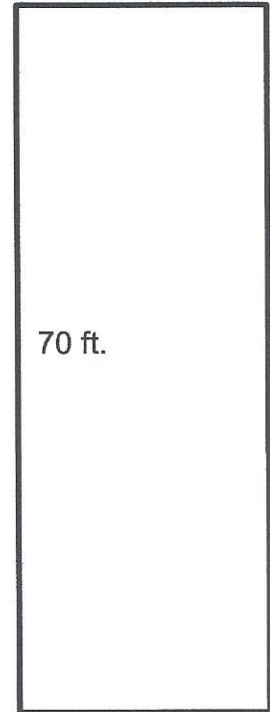
GATES

TYPE	QTY	SIZE

NOTES:

Install chain link to existing frame

Dimensions: 12 ft. high - 14 ft. wide x 70 ft. long
Install top framework to support chain link
Install chain link fabric at perimeter
Install chain link across top.



14 ft.

Contractor and Purchaser agree as follows: More footage, gates, and or terminal posts shall be charged or credited in accordance with agreed price. Contractor shall not be responsible for property line locations with fence installations, and is not responsible for damage to under-ground pipes, cables, or wiring. Rock, soil conditions, sewer pipes and other obstacles causing additional erection expenses may be charged extra upon the prevailing time and material cost basis. You the buyer may cancel this transaction any time prior to midnight of the 3rd day after the date of transaction. Contractors are required to be licensed and regulated by the Contractors State License Board. Any questions may be referred to the registrar of the board whose address is:

Contractors State License Board, 1020 N. Street, Sacramento, CA 95814

NOTICE: Under the Mechanics' Lien law (California Code of Civil Procedure, Section 1181 et seq), any contractor, subcontractor, laborer, supplier or other person who helps to improve your property but is not paid for his work or supplies, has a right to enforce a claim against your property. This means that, after a court hearing, your property could be sold by a court officer and the proceeds of the sale used to satisfy the debt. This can happen even if you have paid your own contractor in full, if the subcontractor, laborer or supplier remains unpaid.

As per terms and conditions set forth, we, C & M Fence Company, propose to furnish and install fence as per ground plan and materials listed here, to be completed in a workmanlike manner for the sum of: \$7,628.00

with a down payment of: _____

and the balance of: _____

Any contract not so paid shall be subject to an interest rate of 1 1/2% per month commencing 30 days after completion of work. All materials remain the property of C & M Fence Co. until contract is paid in full

cmfenceform_cont

Materials and labor are warranted for 1 (one) full year after completion

accepted: **C & M Fence Co. - Randy Campbell**

accepted: **Buyer:**

C & M Fence Co. reserves the right to change the installation dates to accommodate our ever-changing schedule

41