

**TWAIN HARTE COMMUNITY SERVICES DISTRICT  
Finance/Policy Committee Meeting**

**Chair:** *Eileen Mannix*

**Co-Chair:** *Charlotte Bohlman*

**THCS D CONFERENCE ROOM  
22912 VANTAGE POINTE DR., TWAIN HARTE  
March 1, 2023 1:30 p.m.**

**NOTICE: Public May Attend this Meeting In-Person.**

The meeting will be accessible via ZOOM for anyone that chooses to participate virtually:

- Videoconference Link: <https://us02web.zoom.us/j/87577625549>
- Meeting ID: 875 7762 5549
- Telephone: (669) 900-6833
- ❖ Teleconference Location (Director Bohlman): 18998 Lizzie Lane, Twain Harte, CA 95383
- ❖ Teleconference Location (Director Mannix): 22976 Sierra Drive, Twain Harte, CA 95383

**AGENDA**

- 1. Annual review of Policy #1030 – Communications Policy.**
- 2. Review Policy #2031 – Vacation.**
- 3. Review proposed changes to Policy #3100 – Records Retention Policy.**
- 4. Discuss potential creation of a policy to determine guidelines for insuring District property and equipment.**
- 5. Adjourn.**

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**HOW TO VIRTUALLY PARTICIPATE IN THIS THIS MEETING**

The public can virtually observe and participate in a meeting as follows:

- **Computer:** Join the videoconference by clicking the videoconference link located at the top of this agenda or on our website. You may be prompted to enter your name and email. Your email will remain private and you may enter “anonymous” for your name.

- **Smart Phone/Tablet:** Join the videoconference by clicking the videoconference link located at the top of this agenda OR log in through the Zoom mobile app and enter the Meeting ID# and Password found at the top of this agenda. You may be prompted to enter your name and email. Your email will remain private and you may enter “anonymous” for your name.
- **Telephone:** Listen to the meeting by calling Zoom at (4669) 900-6833. Enter the Meeting ID# listed at the top of this agenda, followed by the pound (#) key.

\* NOTE: your personal video will be disabled and your microphone will be automatically muted.

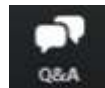
### **SUBMITTING PUBLIC COMMENT**

The public will have an opportunity to comment before and during the meeting as follows:

- **Before the Meeting:**
  - Email comments to [ksilva@twainhartecsd.com](mailto:ksilva@twainhartecsd.com), write “Public Comment” in the subject line. In the body of the email, include the agenda item number and title, as well as your comments.
  - Mail comments to THCSD Board Secretary: P.O. Box 649, Twain Harte, CA 95383
- **During the Meeting:**
  - Computer/Tablet/Smartphone: Click the “Raise Hand” icon and the host will unmute your audio when it is time to receive public comment. If you would rather make a comment in writing, you may click on the “Q&A” icon and type your comment. You may need to tap your screen or click on “View Participants” to make icons visible.



Raise Hand Icon:



Q&A Icon:

- Telephone: Press \*9 if to notify the host that you have a comment. The host will unmute you during the public comment period and invite you to share comments.
- In-Person: Raise your hand and the Board Chairperson will call on you.

\* NOTE: If you wish to speak on an item on the agenda, you are welcome to do so during consideration of the agenda item itself. If you wish to speak on a matter that does not appear on the agenda, you may do so during the Public Comment period. Persons speaking during the Public Comment will be limited to five minutes or depending on the number of persons wishing to speak, it may be reduced to allow all members of the public the opportunity to address the Board. Except as otherwise provided by law, no action or discussion shall be taken/conducted on any item not appearing on the agenda. Public comments must be addressed to the board as a whole through the President. Comments to individuals or staff are not permitted.

### **MEETING ETIQUETTE**

Attendees shall make every effort not to disrupt the meeting. Cell phones must be silenced or set in a mode that will not disturb District business during the meeting.

### **ACCESSIBILITY**

Board meetings are accessible to people with disabilities. In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the District office 48 hours prior to the meeting at (209) 586-3172.

### **WRITTEN MEETING MATERIALS**

If written materials relating to items on this Agenda are distributed to Board members prior to the meeting, such materials will be made available for public inspection on the District's website:  
[www.twainhartecsd.com](http://www.twainhartecsd.com)

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// **TWAIN HARTE COMMUNITY SERVICES DISTRICT**//  
**Policy and Procedure Manual**

**POLICY TITLE:** Communications Policy  
**POLICY NUMBER:** 1030  
**ADOPTED:** July 12, 2012  
**AMENDED:** 9/10/2015  
**LAST AMENDED:** March 11, 2020

**1030.10 PURPOSE**

The purpose of this policy is to provide direction to Twain Harte Community Services District Board of Directors and staff in responding to various forms of public communication.

**1030.20 PREPARATION**

Prior to responding to any form of communication received from the public, another agency/business or the media, the following items must be considered:

1. Source. Identify who communicated the information and who the communication was specifically directed toward.
2. Topic. Determine the main objective of the communication and whether it is based on factual or false information.
3. Level of Importance. Evaluate the level of importance and the level of response needed, if any.
4. Sensitivity. Determine the level of interest in the community and the degree of sensitivity.
5. Timelines. Determine how quickly a response needs to be made.
6. Resolution. Attempt to identify any resolutions to keep issues from becoming long term or ongoing.
7. Form. Identify how the information was distributed (i.e. letter, public meeting, email, phone call, etc.).
8. Response Form. Identify the most appropriate form of response (i.e. individual letter, letter to all customers, website post, press release, media interview, etc.).
9. Responder. Identify the appropriate person to communicate the response.
10. Approval. Identify who needs to approve and/or review the response before release.

### **1030.30 COMMUNICATION AUTHORITY**

Except as specifically described in this policy or as is necessary for the normal carrying out of staff job functions, all communications shall be approved or designated by the General Manager or approved by the Board of Directors. If communications received by the District are determined to have high importance and/or sensitivity, the General Manager may wish to consult with the Board to determine the best communication strategy.

### **1030.40 Public Comments at Board Meetings**

1. Matters not on the Agenda. In accordance with State law, the Board is prohibited from discussing items not calendared on the agenda. The public may address the Board on any item not listed on the agenda and is within the Board's jurisdiction, under the agenda item "**Public Comment: This time is provided to receive information from the public.**" Matters brought up which are not on the agenda may be referred to staff for action or calendared on a future agenda. For public comments regarding items on the agenda, if the comment is erroneous and a staff person can correct the misstatement, staff is encouraged to do so.
2. Clarifications. If a staff person or Board member has some factual data that clarifies and or addresses the comment being made, the staff person or Board member shall respond/answer at that time, instead of waiting for the matter to be put on a future agenda. Public discussion, as in extended question and answer, debate and/or pontification is discouraged.

### **1030.50 Correspondence from Directors**

1. Letters. Directors may wish to have letters/correspondence written to customers, businesses or other entities. Typically, the General Manager and/or Board President (decision made by the entire Board of Directors) shall be charged with transmitting the District's position on matters to the customers, businesses or other entities.
2. Disagreements. On occasion, Directors may disagree with a position the District has taken on an issue. In these instances, Directors may communicate their individual position as private citizens only (no use of title), and shall not use District letterhead or District staff to prepare such responses. If speaking as a Director, Directors shall comply with Section 1030.65 of this Policy.

### **1030.60 PUBLIC COMPLAINTS**

1. Lowest Level. The Board of Directors desires that public complaints be resolved at the lowest possible administrative level and that the method for resolution of complaints be logical and systematic.
2. Definition. A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state or federal statute of which

the individual has been adversely affected and shall be submitted in writing and signed by the person filing the complaint.

3. Method of Resolution. The individual with a complaint (“complainant”) shall first be directed to the department manager to discuss the matter with the objective of resolving the matter informally.
  - a. If the complainant is not satisfied with the disposition of the complaint by the department manager, the department manager shall refer the complainant to the General Manager. At the option of the General Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The General Manager may document his/her decision in writing, with the complainant being provided a copy; otherwise the resolution or decision of the General Manager will take effect immediately after conferring with the complainant.
  - b. If the complainant is not satisfied with the disposition of the matter by the General Manager, he/she may request consideration by the Board of Directors by filing said request in writing within ten (10) days of receiving the General Manager’s decision. The Board may consider the matter at its next regular Board meeting or call a Special Meeting. In making a decision, the Board may conduct conferences, refer the matter to Committee, hear testimony, as well as utilize the transcripts of written documentation. The Board’s final decision shall be in writing with the complainant being provided a copy.
4. Responding To Public Complaints. When Directors receive a complaint or inquiry from the public regarding the District’s services and/or staff, the Director should acknowledge the complaint/inquiry without making any comment/promise as to what will happen on behalf of the District and forward the message to the General Manager. The General Manager shall either respond to the complaint or designate response to the appropriate staff member.
5. Speaking for the District. When Directors are asked the District’s position on an issue, the response should reflect the position of the District as a whole, based on Board action, policy or ordinance. A Director may clarify his/her vote on an issue by stating, “While I voted against XX, the District voted in support of it.” The General Manager has authority to speak on behalf of the District at all times. When communicating the District’s position, the General Manager’s communication shall be based solely on prior Board action, policy or ordinance.

A Board Director may represent the District at meetings or other venues if the entire Board first authorizes such representation through official Board action. When representing the District, the Director can state the District’s position, not their individual position on any issue.
6. No Prohibition. This policy is not intended to prohibit or deter a member of the community or staff member from appearing before the Board to verbally present

a testimony, complaint, or statement in regard to action of the Board, District programs and services, or impending considerations of the Board.

### **1030.70 MEDIA CONTACTS**

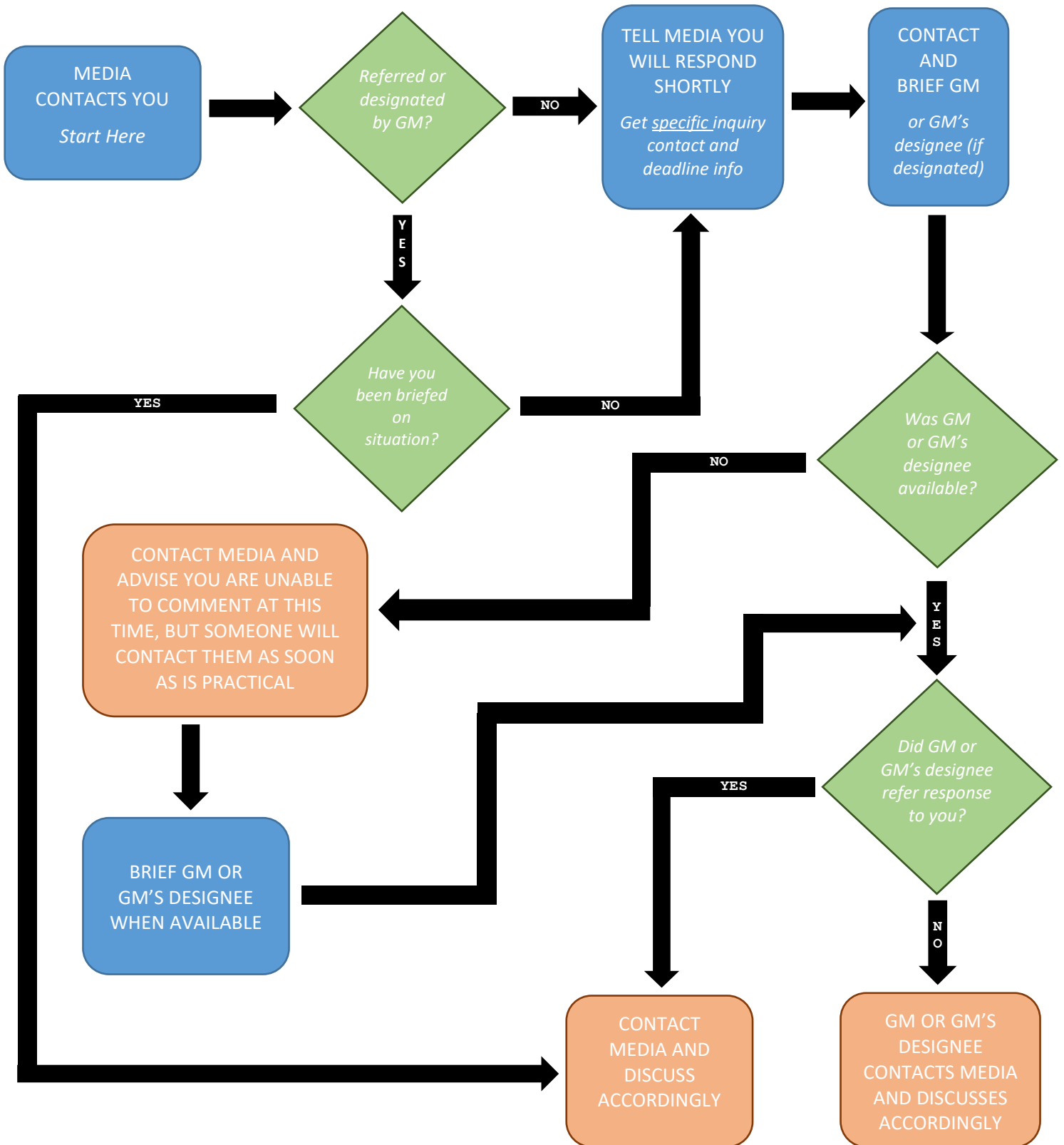
1. Authority. The General Manager has sole authority to contact and respond to media inquiries on behalf of the District. The General Manager may choose to designate personnel or Directors to speak to the media on behalf of the District for specific or routine District activities.

The Board of Directors may vote to designate media contact authority to a Director for a specific time frame in the event the General Manager is unavailable or specific circumstances warrant such action.

2. Referring Questions. In the event Directors or staff are approached for comment by the news media, they shall refer all inquiries to the General Manager in accordance with the attached Media Response Flow Chart.
3. No Admission of Legal Responsibility. No employee or Director shall have any right or authority to make any representation to members of the public or others that the District has legal responsibility for any action, omission or event causing injury, financial loss, damage or inconvenience to any person or property.

# MEDIA RESPONSE FLOW CHART

## *Twain Harte Community Services District*





**TWAIN HARTE COMMUNITY SERVICES DISTRICT**  
**Policy and Procedure Manual**

**POLICY TITLE:** Vacation  
**POLICY NUMBER:** 2031  
**ADOPTED:** July 10, 2008  
**AMENDED:**  
**LAST AMENDED:**

### **2031.10 PURPOSE**

The purpose of this policy is to establish vacation time for benefited employees as a paid period of exemption from work for the purpose of rest, relaxation and recreation. Paid vacation time is a benefit and is intended to aid in maintaining the long-term and consistent productivity and contentment of the employee.

### **2031.20 ELIGIBILITY**

Paid vacation time is subject to the following eligibility requirements:

1. Benefited Employees. Only classifications of employees that are eligible for District benefits are eligible to accrue and use paid vacation time.
2. Introductory Employees. Benefited Introductory Employees are eligible to accrue paid vacation time, but may only use accrued paid vacation time after they have served six months of continuous service in the benefited position.

### **2031.30 ACCRUAL**

Paid vacation shall be accrued on a prorated basis in each pay period in accordance with the following:

1. Full-Time Benefited Employees. Full-Time Employees will accrue the following number of paid vacation days per year (1 Day is equivalent to 8 hours):
  - 0-5 Years of Continuous Service – 10 days
  - After Employee's 5<sup>th</sup> Service Anniversary – 15 Days
  - After Employee's 10<sup>th</sup> Service Anniversary – 20 Days
  - After Employee's 15<sup>th</sup> Service Anniversary – 25 Days

2. Part-Time Benefited Employees. Part-Time Benefited Employees will accrue the same number of paid vacation days as Regular Full-Time Employees, except that 1 Day will not be equivalent to 8 hours. Instead, it will be prorated based on the employee's number of normally scheduled hours in a forty-hour work week.
3. Full-Time Benefited Fire Shift Employees. Full-Time Fire Shift Employees will accrue the following number of paid vacation tours per year (1 Tour is equivalent to 48 hours):
  - 0-5 Years of Continuous Service – 2 Tours
  - After Employee's 5<sup>th</sup> Service Anniversary – 3 Tours
  - After Employee's 10<sup>th</sup> Service Anniversary – 4 Tours
  - After Employee's 15<sup>th</sup> Service Anniversary – 5 Tours
4. Employees can accrue up to a maximum of two (2) years of earned vacation time. Once this cap is reached, no further paid vacation time will accrue until paid vacation is used. Paid vacation time will only begin to accrue again once total accrued vacation time is below two (2) years of earned vacation time. There is no retroactive grant of vacation time for the period of time the accrued vacation time was at the cap.

#### **2031.40 APPROVAL**

Use of an employee's accrued paid vacation time is subject to the approval of the Department Head or General Manager. The Department Head or General Manager may reject specific requests to utilize paid vacation time in order to ensure sufficient District operations. All such determinations will be at the discretion of the Department Head or General Manager.

#### **2031.50 GENERAL REQUIREMENTS**

Paid vacation time is subject to the following general requirements:

1. Vacation for Illness. The District will not require an employee to take vacation time in lieu of sick leave or leave of absence 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.
2. Holidays During Vacation. If a paid District holiday falls on a workday during a regular employee's vacation period, that day shall be considered as a paid holiday and not vacation time. If a paid District holiday falls on a workday during a fire shift employee's vacation period, that employee shall receive 8 hours of holiday pay and will be required to use accrued vacation time for the remainder of work hours for that day.

## **2031.60 PAY-OUT OF ACCRUED VACATION TIME**

Although the District desires employees to use accrued vacation time to improve quality of life and work, employees may be receive compensation for accrued vacation time. Compensation for accrued vacation time shall be subject to the following:

1. Requested Pay-Out. An employee may request compensation for accrued vacation time as follows:
  - a. Fire Employees: Up to 96 hours per fiscal year.
  - b. Administrative/Operations Employees: Up to 120 hours per fiscal year
2. Termination. 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.
3. Payment. All payments for vacation time will be paid during the next regular payroll process after the request for compensation is approved. The District will not grant advance payments for unearned vacation time.

**TWAIN HARTE COMMUNITY SERVICES DISTRICT**  
**Policy and Procedure Manual**

**POLICY TITLE:** Vacation  
**POLICY NUMBER:** 2031  
**ADOPTED:** July 10, 2008  
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  - 0-5 Years of Continuous Service – 2 Tours
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  - After Employee's 10<sup>th</sup> Service Anniversary – 4 Tours
  - After Employee's 15<sup>th</sup> Service Anniversary – 5 Tours
4. Employees can accrue up to a maximum of two (2) years of earned vacation time. Once this cap is reached, no further paid vacation time will accrue until paid vacation is used. Paid vacation time will only begin to accrue again once total accrued vacation time is below two (2) years of earned vacation time. There is no retroactive grant of vacation time for the period of time the accrued vacation time was at the cap.

#### **2031.40 APPROVAL**

Use of an employee's accrued paid vacation time is subject to the approval of the Department Head or General Manager. The Department Head or General Manager may reject specific requests to utilize paid vacation time in order to ensure sufficient District operations. All such determinations will be at the discretion of the Department Head or General Manager.

#### **2031.50 GENERAL REQUIREMENTS**

Paid vacation time is subject to the following general requirements:

1. Vacation for Illness. The District will not require an employee to take vacation time in lieu of sick leave or leave of absence 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.
2. Holidays During Vacation. If a paid District holiday falls on a workday during a regular employee's vacation period, that day shall be considered as a paid holiday and not vacation time. If a paid District holiday falls on a workday during a fire shift employee's vacation period, that employee shall receive 8 hours of holiday pay and will be required to use accrued vacation time for the remainder of work hours for that day.

## 2031.60 PAY-OUT OF ACCRUED VACATION TIME

Although the District desires employees to use accrued vacation time to improve quality of life and work, employees may be receive compensation for accrued vacation time. Compensation for accrued vacation time shall be subject to the following:

1. Requested Pay-Out. An employee may request compensation for accrued vacation time as follows:
  - a. Fire Employees: Up to 96 hours per fiscal year.
  - b. Administrative/Operations Employees: Up to 120 hours per fiscal year
2. Termination. 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.
3. Payment. All payments for vacation time will be paid during the next regular payroll process after the request for compensation is approved. The District will not grant advance payments for unearned vacation time.

~~2031.10 This policy shall apply to regular, exempt and introductory employees in all classifications.~~

~~2031.20 Paid vacations shall be accrued monthly according to the following schedule:~~

~~2031.21 After the first year of continuous work, 10 days, 2 shifts for shift personnel.~~

~~2031.22 2 through 5 years of service, 10 days, 2 shifts for shift personnel~~

~~2031.23 6 through 9 years of service, 15 days; 3 shifts for shift personnel~~

~~2031.24 10 through 15 years of service, 20 days; 4 shifts for shift personnel~~

~~2031.24 16th year of service and all years following, 25 days; 5 shifts for shift personnel~~

~~2031.30 Regular employees who have completed their introductory period may take their vacation time all at once, or in increments of 1 hour or more. No vacation may be accrued or taken until the employee has completed their introductory period, unless approved by the Department Head and General Manager.~~

~~2031.40 The time during which an employee may take vacation shall be approved by the Department Head or General Manager. If the requirements of the District are such that part~~

~~or all of an employee's vacation must be deferred beyond a particular calendar year, the employee may take this vacation during the following calendar year.~~

~~**2031.50** Employees can accrue up to a maximum of two (2) years of earned vacation time. Once this cap is reached, no further vacation will accrue until some vacation is used. When some vacation is used, vacation compensation will begin to accrue again. There is no retroactive grant of vacation compensation for the period of time the accrued vacation compensation was at the cap.~~

~~**2031.60** 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.~~

~~**2031.70** The District will not require an employee to take vacation time in lieu of sick leave or leave of absence 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.~~

~~**2031.80** 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.~~

~~**2031.90** Introductory employees shall not accrue vacation time during the introductory period. However, if an introductory employee becomes a regular employee of the District after twelve (12) months of employment with the District, the period which the employee occupied introductory status shall be included in calculating his/her entitlement to vacation with pay.~~

~~—————**2031.91** Vacations are provided by the District to employees and are intended to be 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.~~

~~—————**2031.92** The District does not permit advances against paychecks or against unearned vacation time. However, the District realizes that, at times, emergencies arise and employees may need additional funds above their ordinary pay. While the District desires employees to use accumulated vacation time, at the discretion of the employee's supervisor or General Manager, employees may request such pay from accumulated vacation time. The payment of earned vacation time will be limited to 50% of their earned vacation. It should be understood that the hardship should be for urgent and substantial reasons.~~

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**TWAIN HARTE COMMUNITY SERVICES DISTRICT**  
**Policy and Procedure Manual**

**POLICY TITLE:**        **Vacation**  
**POLICY NUMBER:**   **2031**  
**ADOPTED:**           **July 10, 2008**  
**AMENDED:**  
**LAST AMENDED:**

**2031.10 PURPOSE**

The purpose of this policy is to establish vacation time for benefited employees as a paid period of exemption from work for the purpose of rest, relaxation and recreation. Paid vacation time is a benefit and is intended to aid in maintaining the long-term and consistent productivity and contentment of the employee.

**2031.20 ELIGIBILITY**

Paid vacation time is subject to the following eligibility requirements:

1. Benefited Employees. Only classifications of employees that are eligible for District benefits are eligible to accrue and use paid vacation time.
2. Introductory Employees. Benefited Introductory Employees are eligible to accrue paid vacation time, but may only use accrued paid vacation time after they have served six months of continuous service in the benefited position.

**2031.30 ACCRUAL**

Paid vacation shall be accrued on a prorated basis in each pay period in accordance with the following:

1. Full-Time Benefited Employees. Full-Time Employees will accrue the following number of paid vacation days per year (1 Day is equivalent to 8 hours):
  - 0-5 Years of Continuous Service – 10 days
  - After Employee’s 5<sup>th</sup> Service Anniversary – 15 Days
  - After Employee’s 10<sup>th</sup> Service Anniversary – 20 Days
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2. Part-Time Benefited Employees. Part-Time Benefited Employees will accrue the same number of paid vacation days as Regular Full-Time Employees, except that 1 Day will not be equivalent to 8 hours. Instead, it will be prorated based on the employee's number of normally scheduled hours in a forty-hour work week.
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#### **2031.40 APPROVAL**

Use of an employee's accrued paid vacation time is subject to the approval of the Department Head or General Manager. The Department Head or General Manager may reject specific requests to utilize paid vacation time in order to ensure sufficient District operations. All such determinations will be at the discretion of the Department Head or General Manager.

#### **2031.50 GENERAL REQUIREMENTS**

Paid vacation time is subject to the following general requirements:

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## **2031.60 PAY-OUT OF ACCRUED VACATION TIME**

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3. Payment. All payments for vacation time will be paid during the next regular payroll process after the request for compensation is approved. The District will not grant advance payments for unearned vacation time.

**TWAIN HARTE COMMUNITY SERVICES DISTRICT**  
**Policy and Procedure Manual**

**POLICY TITLE:** Records Retention & Destruction  
**POLICY NUMBER:** 3100  
**ADOPTED:** November 10, 2011  
**AMENDED:** 5/12/2021, 9/14/2022  
**LAST AMENDED:** September 14, 2022

**3100.10 PURPOSE**

The purpose of this policy is to provide staff guidance regarding the retention or disposal of Twain Harte Community Services District (District) records; provide for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and ensure compliance with legal and regulatory requirements.

**3100.20 AUTHORITY**

This policy and schedule govern the retention and disposal of District records pursuant to the provisions of California Government Code §61061(c) and §60200 – §60203.

The General Manager is authorized by the District Board of Directors to interpret and implement this policy, and to cause to be destroyed any or all such records, papers and documents that meet the qualifications governing the retention and disposal of records, specified herein.

**3100.30 DEFINITIONS**

1. **LIFE:** The inclusive or operational or valid dates of a document. Signified by an “L” in the Records Retention Schedule (Appendix A).
2. **PERMANENT:** The requirement to keep a record indefinitely without destroying it. Signified by a “P” in the Records Retention Schedule (Appendix A).
3. **RECORD:** Any paper, bound book or booklet, card, photograph, drawing, chart, blueprint, map, tape, microfilm, or other document (regardless of physical form or characteristics) produced, received, owned or used by the District in the conduct of its operations. See California Government Code §6252(g) for more information.
4. **RECORDS RETENTION SCHEDULE:** The consolidated, approved schedule and/or list of all District records which timetables the life and disposal of all records. Included in this policy as Appendix A.

5. **RETENTION PERIOD:** The length of time a record is required to be kept by the District without being destroyed, expressed in years. Unless specified otherwise, the retention period begins when a document is approved, complete or received in its final form. Finance record retention periods begin at the end of the fiscal year in which records were created.

### **3100.40 NON-RECORDS**

The following are not considered records and may be destroyed at any time without authorization of the Board or General Manager and without copying to photographic or electronic media:

1. Duplicates.
2. Preliminary drafts, worksheets, internal notes not necessary as verification on the completed draft.
3. Intra-agency memoranda which are not retained by the District in the ordinary course of business.
4. Telephone messages, shorthand notes, steno tapes, other temporary mechanical recordings.
5. Letters of transmittal or form letters which require no follow-up action.
6. Routine acknowledgements, answers to inquiries.
7. Advertising Literature, circulars, 3<sup>rd</sup> class mail.
8. Superseded or outdated publications, forms, directories, etc.
9. Notes of appreciation, congratulations, etc.
10. Announcements, bulletin board notices.

### **3100.50 RECORDS RETENTION REQUIREMENTS**

**3100.51 Records Retention Schedule:** Appendix A contains the District's Records Retention Schedule, which provides minimum time periods for retaining categories of District records. Indefinite retention periods (periods not labeled "Permanent") are based on any minimum retention requirements established by law and the maximum period of time the District deems each type of record could reasonably affect any interest of the District or public.

**3100.52 Records not Listed:** Originals of records, papers and documents that do not fall under one of the records categories in the Records Retention Schedule and were prepared or received in any manner other than pursuant to State or Federal statute shall be retained for a minimum of two (2) years prior to destruction.

**3100.53 E-mail Retention:** The District's electronic mail ("e-mail") system is intended as a medium of temporary communication only and should not be used to store or maintain correspondence and other documentation considered to be public records per the California Public Records Act (Gov. Code § 6250-6276.48).

However, some e-mails and/or their attachments may be considered public records. The following retention requirements apply to District e-mails:

1. E-mails as Public Records: "Public records" include any writing containing information relating to the conduct of District business prepared, owned, used or retained by the District regardless of physical form or characteristics. If an e-mail (including attachments) meets the definition of a public record, it must be retained in accordance with the retention periods specified in this policy and the Records Retention Schedule (Appendix A), based on type of record.
2. E-mails as Non-Records: E-mails that can be considered non-records (see Section 3100.40) are not required to be retained. Employees are encouraged to delete documents which are not otherwise required to be kept by law or whose preservation is not necessary or convenient to the discharge of duties or the conduct of the District's business. Examples of e-mail messages that are generally not considered public records may include:
  - Personal messages not related to official District business.
  - Messages with attached copies or extracts of documents distributed for convenience or reference (with the original documents being preserved according to the District's Records Retention Policy).
  - Messages that are essentially cover notes or distribution slips.
3. Responsibility for E-Mail Retention: Generally, the District employee who sends or receives an e-mail that qualifies as a public record should be the person responsible for preserving that e-mail. Employees responsible for a particular program or project file shall also be responsible for preserving all e-mail they send or receive related to that program or project. District employees may print and file hard copies of e-mail messages that must be retained. Employees may also save e-mail messages electronically, in electronic folders separate from their regular e-mail inboxes. All e-mail messages retained electronically must be easy to retrieve, view and print out.
4. Determination of Public Record: The General Manager or their designee will assist employees in determining whether an e-mail message is required to be retained and/or is necessary or convenient to the discharge of duties or the conduct of the District's business.
5. Claims/Lawsuits: Any e-mail messages that relate to a claim or a potential claim against the District must be preserved. Likewise, any e-mail messages that may relate to a lawsuit filed against the District, even if a subpoena or court order for such e-mail messages has not yet been issued, must be preserved. The District has a duty to preserve any relevant data when there is even a hint of possible litigation.

6. Requests for E-mail Records: In the event a records request or subpoena is made for e-mail, the employees having control over such e-mail, once they become aware of the request or demand, shall use their best efforts, by any reasonable means available, to temporarily preserve any e-mail which is in existence until it is determined if such e-mail is subject to preservation, public inspection or disclosure.
7. Other Electronic Communication: For the purposes of this section, e-mail also includes messages sent through a wireless phone or other electronic device that ends up as e-mail or text message to or from any District employee as long as such message pertains to the District's business.

### **3100.60 RECORDS DESTRUCTION**

**3100.61 No Destruction of Records in Use:** In no instances are records, papers, or documents to be destroyed where there is a continuing need for such records for such matters as pending litigation, special projects, etc.

**3100.62 E-mail Destruction:** The District's e-mail system will automatically delete all e-mail messages in employee's inboxes that are greater than (2) years old. E-mail messages saved in electronic folders as public records will not be deleted.

**3100.63 Destruction of Records:** Keeping numerous records after a certain period of time is not necessary for the effective and efficient operation of the District and does not provide any benefit to the interests of the District or public. Therefore, records, papers or documents **which are not expressly required by law** to be filed and preserved may be destroyed if **all** the following conditions are met:

1. The record's retention period has been met, pursuant to this policy and the Records Retention Schedule (Appendix A).
2. The District finds the category of records listed in the policy may be destroyed after specified retention periods because the record's destruction is not found to have an adverse effect on any interest of the District or of the public.
3. Records must be approved for destruction by the General Manager on a form authorizing said destruction. The form shall include a general inventory of the documents to be destroyed by category that reasonably identifies the information in the records destroyed.

**3100.64 Destruction Timing:** Approval and destruction of records is to occur on an annual basis or as necessary. Destruction of records shall be in a manner that does not compromise privacy or other confidential information.

## Appendix A Records Retention Schedule

FILING SYSTEM COLOR CODE KEY	
COLOR CODE	RETENTION PERIOD
GREEN	3
YELLOW	5
ORANGE	7
RED	10
PURPLE	P (Permanent)
PINK	L (Life)

Record	ADMINISTRATION	
	Retention Period	Description/Examples
<b>Agreements</b>		
Agreements	P	Not Capital Improvement <sup>1</sup> MOU's Contracts
<b>Board of Directors</b>		
Board Meeting Materials	3	Agendas, Board Packets <sup>2</sup>
Board Legal Documents	7	Election Materials/Results <sup>3</sup> Ethics Training/Certificate <sup>4</sup> Form 700 <sup>5</sup> Oaths of Office <sup>6</sup>
Minutes	P	<sup>7</sup>
Resolutions and Ordinances*	P	*If the resolution or ordinance has been repealed, it may be destroyed or disposed 5 years after it was repealed. <sup>8</sup>
Policies	P	*If the policy has been repealed, it may be destroyed or disposed 5 years after it was repealed. <sup>9</sup>
<b>Capital Improvement Projects</b>		
Final Project Documents	P	Bid Docs/Results Agreements/Contracts Design Drawings (Originals) Permits CEQA Surveys <sup>10</sup>
Unaccepted Bids/Proposals	3	<sup>11</sup>
<b>Correspondence</b>		
Correspondence	3	Support Letters Agency Correspondence <sup>12</sup>

<b>Customer Files</b>		
Customer Files	P	Incode Files Liens and Releases Work Orders Water/Sewer Hook Up Forms <sup>13</sup>
<b>District Documents</b>		
District Documents	P	District Formation Documents District Reorganization/Changes Boundaries LAFCO Documents <sup>14</sup>
<b>District Insurance</b>		
Claims	3	Damage Claims Against the District
Policy Documents	10	Property/Liability Insurance
Reports	10	Accident, Incident Reports <sup>15</sup>
<b>District Property – ‘Real Property’</b>		
Agreements	P	Agreements, Contracts, Leases <sup>16</sup>
Surveys	P	District Boundaries Property Surveys Survey Maps <sup>17</sup>
Real Property Interests Documentation	P	Annexations Detachments Grant Deeds Easements Encroachments <sup>18</sup>
<b>Grants</b>		
Unsuccessful Grants	3	
Successful Grants*	P	*Refer to funding agreement for required documents.
<b>Legal</b>		
Litigation*	L+2	*Any pending claim or litigation or any settlement other than a disposition of litigation. <sup>19</sup>
Legal Counsel/Opinion	3	<sup>20</sup>
<b>Operating Procedures</b>		
Operating Procedures	L+3	SOP's, SOG's <sup>21</sup>
<b>Records Management</b>		
Filing Structure/Inventory	L	
Public Records Request	3	<sup>22</sup>
Records Destruction	P	Destruction approval/inventory form
<b>Vehicle &amp; Equipment Maintenance</b>		
Vehicle & Equipment Maintenance	L	Title / Registration Inspection/Maintenance Records <sup>23</sup>



Record	FINANCE	
	Retention Period	Description/Examples
<b>Accounting Records</b>		
Accounting Records	10	Accounts Payable/ Receivable <sup>24</sup> Annual Financial Reports Audit (Working Files) <sup>25</sup> Billing Reports <sup>26</sup> Bills/Invoices <sup>27</sup> Cash Receipts Depreciation Schedule Fuel Logs <del>Ledgers</del> / Journals Petty Cash Purchase Orders Sales Tax Report
<u>General Ledger</u>	<u>P</u>	<u>General Ledgers</u>
<b>Banking</b>		
Banking	10	Deposits <sup>28</sup> Reconciliation <sup>29</sup> Statements (With copies of checks) Checks, Stubs <sup>30</sup>
<b>Cost of Services/Financing</b>		
Cost of Services/Financing	P	Rates and Charges / Prop 218 Documents Taxes/Fees Assessments/ <u>Engineers Reports</u> Bonds Loans <sup>31</sup>
<b>Final Audit Report</b>		
Final Audit Report	P	
<b>Final Budget</b>		
Final Budget	P	Operating/Capital Improvement Budget Salary Schedule <sup>32</sup>
<b>Payroll</b>		
Federal/State Reports	10	W-2's, W-4's, 1099's Quarterly & Year End Reports <sup>33</sup>
Reports	10	Direct Deposit Workers Comp Retirement – CalPERS / 457 Overtime Vacation, CTO, Sick Leave <sup>34</sup>
Additional Payroll Documents	10	Deductions <sup>35</sup> Registers <sup>36</sup>

		Timesheets <sup>37</sup> Garnishments <sup>38</sup>
<b>Record</b>	<b>PERSONNEL</b>	
	<b>Retention Period</b>	<b>Description/Examples</b>
<b>Employee Records</b>		
Resumes/Job Applications	3	Non-successful candidates <sup>39</sup>
Employee Training Records	L+5	<sup>40</sup>
Personnel Files	L+5	Training Certifications Performance Evaluations Employment Apps, Resumes Tests, Changes Terminations Medical Leave <u>Unemployment Claims</u> <u>Disability Insurance Claims</u> DMV Pull Notices/Reports Disciplinary Actions <sup>41</sup>
<b>Human Resources</b>		
Employee Programs	3	EAP Recognition <sup>42</sup>
Job Descriptions	L+3	<sup>43</sup>
CA & Federal Employment Notices	5	
<b>Insurance</b>		
Employee Benefits	7	Benefit Plans Health Insurance Programs COBRA <sup>44</sup>
<b>Union</b>		
Employee Rights	3	Grievances Sexual harassment Civil rights
Agreements	P	MOU
Correspondence	3	
<b>Workers Compensation Claims</b>		
Workers Compensation Claims	P	<sup>45</sup>

Record	OPERATIONS	
	Retention Period	Description/Examples
<b>As Built and Facility Drawings</b>		
As Built and Facility Drawings	P	
<b>Operations/Maintenance Records</b>		
Operational	10	SWTP/Well Records Lift Station Pumping <sup>46</sup>
Maintenance	10	Manhole Inspections Sewer Line Cleaning Pump Maintenance <sup>47</sup>
<b>Regulatory/Compliance</b>		
Permits	P	Water Supply Permit Permit to Operate OSHA State Health Permit Compressor Permit <sup>48</sup>
Water Testing Analysis	P	
Reports – Regulatory Inspection	P	Hazardous Waste Inspections
Reports – Regulatory Compliance	3	Backflow SSO's CCR Annual Report
Inspection Reports	10	FERC Facility DWR/CDPH County OSHA
Operation Plans	P	ERP SSMP BSSP SWTP/GW OP

Record	FIRE	
	Retention Period	Description/Examples
<b>Emergency Management &amp; Response</b>		
Emergency Planning	L+3	Mutual Aid Plans Response Plans Evacuation Plans Business Pre-Plans
Incidents	3	Mutual Aid Incidents Strike Team Patient Care Records Reports - Dispatch & Incident <sup>49</sup>
<b>Fire Safety</b>		
Business Pre Plans	L+3	
Fire Codes & Manuals	L+3	<sup>50</sup>
Inspections / Citations	L+3	Building, Business, Vacant Lots <sup>51</sup>
Investigations	P	
Plans	L+3	Fire Alarm, Sprinkler
ISO Ratings	L+3	
<b>Operations</b>		
Daily Station Logs	P	Activities, Engine Company
Inventory & Supplies	L	<sup>52</sup>
Operational Logs/Journals	3	Pass-down logs Training logs <sup>53</sup>
Permits	L+3	Confined Space Other Permits
<b>Volunteer Programs</b>		
Volunteer Programs	L+3	CERT Intern Programs Reserve Programs Operational Support Unit

## **FOOTNOTES**

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### **ADMINISTRATION**

<sup>1</sup> CCP 337

CCP 337.2

CCP 343

<sup>2</sup> GC 34090

GC 34090.5

<sup>3</sup> GC 53235.2

<sup>4</sup> GC 81009b, 81009g

<sup>5</sup> GC 81009e

GC 81009b

<sup>6</sup> GC 34090

29 USC 1113

<sup>7</sup> GC 34090

GC 40801

<sup>8</sup> GC 34090d

GC 40806

GC 40801

GC 60201

<sup>9</sup> GC 34090d

GC 40806

GC 40801

GC 60201

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<sup>10</sup> GC 34090

CCP 337.15

<sup>11</sup> GC 60201(d)(11)

<sup>12</sup> GC 34090d

<sup>13</sup> GC 34090

<sup>14</sup> GC 34090

<sup>15</sup> 29 CFR 1904.2 29 CFR 1904.6

<sup>16</sup> CCP 337.15

<sup>17</sup> GC 34090

<sup>18</sup> GC 34090a

<sup>19</sup> GC 34090

GC 60201

<sup>20</sup> GC34090

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- 21 GC 34090
  - 22 GC 34090  
GC 60201
  - 23 VC 9900 et seq.

## **FINANCE**

- 24 GC 34090.7
- 25 GC 34090  
CCP 337  
CCP 343
- 26 GC 34090
- 27 GC 34090
  
- 28 GC 34090  
CCP 337
- 29 GC 34090  
26 CFR 16001-1
- 30 GC 34090  
CCP 337
- 31 GC 34090
- 32 GC 34090
- 33 29 USC 436; 26 CFR 31.6001-4;  
R & TC 19530; R & TC 19704; 26 USC 6001
- 34 GC 60201
- 35 GC 34090; CAC 22-1085-2; 29 CFR 516.6c
- 36 GC 34090; GC 37207; 29 CFR 516.5a, LC 1174d
- 37 GC 34090; 29 CFR 516.2; LC 1174d
- 38 CCP 337

## **PERSONNEL**

- 39 29 CFR 1627.3
- 40 GC 12946  
GC 34090
- 41 GC 12946; 29 CFR 1627.3
- 42 GC 34090  
GC 12946
- 43 29 CFR 1627.3
- 44 29 USC 1027; 11 CCR 560; 29 CCR 1300.85.1; 29 CFR 1627.3(b)(2)
- 45 Insurance- GC 6410; 29 CFR 1910.20  
Claims- CCR 14311; 15400.2, CA Labor Code 110-139.6

## **OPERATIONS**

- 46 GC 34090
- 47 GC 34090
- 47 GC 34090

## **FIRE**

- 49 GC 34090; CCP 338

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<sup>50</sup> GC 34090  
CCP 340.5

<sup>51</sup> UFC 103.34

<sup>52</sup> GC 34090

<sup>53</sup> GC 34090