AMADOR WATER AGENCY
SPECIAL MEETING
OF THE
BOARD OF DIRECTORS OF THE
AMADOR WATER AGENCY
HAS BEEN CALLED BY THE PRESIDENT FOR
March 5, 2020
9:30 a.m.
12800 Ridge Rd
Sutter Creek CA 95685

Public Notice: Members of the public will have the opportunity to directly address the Agency Board of Directors concerning any item listed on this Special Meeting Notice before or during consideration of that item.

*There is a three-minute time limit per person.*

1. CALL TO ORDER

2. WATER SYSTEM
   A. Jackson Valley Irrigation District
      1. Discussion and possible action regarding a request for Emergency Raw Water Supply by Jackson Valley Irrigation District.

3. AGENCY GENERAL- Workshop
   A. Administrative Policy Manual
      1. Review and possible action regarding draft Administration and Board Policies.

4. ADJOURNMENT

*In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact Cris Thompson at (209) 223-3018 or (209) 257-5281 (fax). Requests must be made as early as possible, and at least two-full business days before the start of the meeting.*
Draft Administrative And Board Policies For Review and Consideration By The Board Of Directors.

Referenced Appendices Will Be Inserted Upon Approval Of Policies.

Finance, Human Resources And Engineering Policies Are Still Being Worked On And Will Come Back To The Board For Review And Approval at a Later Date.
<table>
<thead>
<tr>
<th></th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>AWA PL Adm 001</td>
<td>Amador Water Agency Enabling Act</td>
</tr>
<tr>
<td>AWA PL Adm 002</td>
<td>Strategic Plan</td>
</tr>
<tr>
<td>AWA PL Adm 003</td>
<td>MOU AC and AWA</td>
</tr>
<tr>
<td>AWA PL Adm 004</td>
<td>MOU AC and Calaveras County</td>
</tr>
<tr>
<td>AWA PL Adm 005</td>
<td>Water and Wastewater Code Regulations</td>
</tr>
<tr>
<td>AWA PL Adm 006</td>
<td>Purpose of Board Policies</td>
</tr>
<tr>
<td>AWA PL Adm 007</td>
<td>Sustainability</td>
</tr>
<tr>
<td>AWA PL Adm 008</td>
<td>Legislative Response</td>
</tr>
<tr>
<td>AWA PL Adm 009</td>
<td>MOU AC and Calaveras County DNR Disposal Policy</td>
</tr>
<tr>
<td>AWA PL Adm 010</td>
<td>Workplace Dishonesty</td>
</tr>
<tr>
<td>AWA PL Adm 011</td>
<td>Electronic Mail Management and Retention</td>
</tr>
<tr>
<td>AWA PL Adm 012</td>
<td>Disaster Recovery</td>
</tr>
<tr>
<td>AWA PL Adm 013</td>
<td>Electronic Mail, Internet and Computer Use</td>
</tr>
<tr>
<td>AWA PL BOD 001</td>
<td>Rules for proceedings of the BOD</td>
</tr>
<tr>
<td>AWA PL BOD 002</td>
<td>Director Compensation and Expenses</td>
</tr>
<tr>
<td>AWA PL BOD 003</td>
<td>Ethics</td>
</tr>
<tr>
<td>AWA PL BOD 004</td>
<td>Director Sexual Harassment Prevention Training</td>
</tr>
<tr>
<td>AWA PL BOD 005</td>
<td>Discrimination and Sexual Harassment Prevention</td>
</tr>
<tr>
<td>AWA PL BOD 006</td>
<td>Water Transfer</td>
</tr>
<tr>
<td>AWA PL BOD 007</td>
<td>Facilities Inspection</td>
</tr>
<tr>
<td>AWA PL BOD 008</td>
<td>Delegation of Authority</td>
</tr>
<tr>
<td>AWA PL BOD 009</td>
<td>Internal Loan</td>
</tr>
<tr>
<td>AWA PL BOD 010</td>
<td>Administration of Employer Employee Relations</td>
</tr>
<tr>
<td>AWA PL BOD 011</td>
<td>Board-Staff Interaction</td>
</tr>
<tr>
<td>AWA PL BOD 012</td>
<td>Easement Acceptance</td>
</tr>
<tr>
<td>AWA PL BOD 013</td>
<td>Easement Abandonment</td>
</tr>
<tr>
<td>AWA PL BOD 014</td>
<td>Fire Protection Agency Cooperation</td>
</tr>
</tbody>
</table>
Amador Water Agency

Amador Water Agency Enabling Act

Adopted:

100.00 The Amador Water Agency Enabling Act adopted by State Legislature in 1959, is an act to create the Amador Water Agency, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the Agency, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the Agency, and providing for the levy and collection of taxes for the payment of general agency expenses and for cooperation and contracts with any entity.

100.10 The Enabling Act is shown in Appendix #
Statement of Purpose

The Amador Water Agency Board of Directors and staff are committed to the long term development of the Agency and its ability to serve its customers now and into the future. To this end, the Board developed and routinely reviews the Strategic Plan that aligns the Agency’s activities to its Mission Statement. The Strategic Plan is the Agency’s vision and philosophy. The plan takes the vision expressed as a mission statement and with values and translates it into goals that will guide the formulation of achievable objectives. The Strategic Plan focuses the resources of the Agency in a manner that strives to achieve the vision and, increase value to the customers. The Strategic Plan is shown in Appendix #

Mission Statement

To enhance the quality of life in Amador County by providing safe, reliable water, wastewater, conservation and reclamation services.

Vision Statement

To ensure responsible long term management of water resources and systems to meet Amador County needs and maintain financial stability.

Values

ACCOUNTABILITY: Commit to assigned tasks, perform duties and comply with standards required to fulfill or further Agency goals.

COLLABORATION: Emphasize internal and external collaboration in attaining objectives and resolving issues.

ENCOURAGEMENT: Respect and encourage differences of opinion.

ETHICS: Practice the highest ethical standards and maintain integrity throughout the organization.

HEALTH AND SAFETY: Ensure public and employee health and safety by conducting operations in strict accordance with all statutory and regulatory requirements.

PROFESSIONALISM: Achieve high levels of staff professionalism through career development, including training opportunities, and retention of skilled staff with competitive compensation.
RESOURCES: Protect sustainable resources.

RESPECT: Respect customers and employees while conducting Agency business.

INNOVATION: Provide productive techniques and innovations in product technology and equipment that offer workplace improvement measured in safety and efficiency.

TRANSPARENCY: Transparent governance through open communication.

TRUST: Conviction to truthful, reliable communication and actions which are the foundation to a positive working environment.

Adopted 01-23-2020

Goals

A. CUSTOMER SERVICE: To provide high level services that exceed expectations.

B. FISCALLY RESPONSIBLE: To provide a high level of service by managing public funds to assure financial stability and prudent rate management while demonstrating responsible stewardship of public assets

C. EMPLOYEES: To employ and develop a high quality, motivated workforce

D. INFRASTRUCTURE: To provide safe, reliable, and cost-effective, environmentally sensitive infrastructure to serve the current and future needs of the residents of Amador County

E. LEADERSHIP: To demonstrate leadership through a wide range of relationships and activities to strengthen the Agency's ability to serve its customers up to and including participation in Watershed Protection.
Amador Water Agency

Memorandum of Understanding Between Amador County and the Amador Water Agency
Adopted: April 28, 1994

A Memorandum of Understanding has been formulated between the Amador Water Agency and the County of Amador respecting the cooperative planning for long-term water needs in Amador County to meet existing and future water supply needs. The Memorandum of Understanding reads as follows:

"This Memorandum of Understanding is made this 28th day of April, 1994, in Amador County, California, between the County of Amador, a political subdivision of the State of California (hereinafter referred to as "County") and the Amador (County) Water Agency, a public agency created by special act of the Legislature of the State of California (hereinafter referred to as "Water Agency").

WITNESSETH:

WHEREAS, the County and the Water Agency each have the authority to plan for, acquire and develop water supplies to meet the existing and future water demands of the inhabitants of Amador County; and

WHEREAS, the County and the Water Agency each wish to formalize their cooperation in planning for the long-term water supply needs of the County in order to avoid future water shortages; and

WHEREAS, the County and the Water Agency have studied and pursued new water supply projects on the Mokelumne and Cosumnes Rivers; and

WHEREAS, the County and the Water Agency desire to enter into a joint effort to plan for and develop the necessary water supplies to meet the future water requirements for Amador County; and

WHEREAS; by establishing a cooperative relationship and combining the respective resources of the two entities, the Water Agency and the County will be able to more effectively and efficiently develop a cohesive and unified plan for the development of additionally needed water supplies and thereby better serve the County; and

WHEREAS, in order to begin the process of developing a cohesive and unified water plan, the County and the Water Agency recognize that it is necessary to arrive at an understanding concerning several critical issues, such as future water demand and supply sources to meet such demand, and that resolution of such key issues should be jointly pursued through this Memorandum of Understanding.
NOW, THEREFORE, the parties hereto have the following understandings:

1. **Common Understanding Respecting Future Water Needs Within Amador County.** The parties shall meet to address and determine the future water demands for Amador County, where and when those demands will occur in the County, and what additional water supplies will be needed to meet the identified demands. Such determinations shall be made on the basis of all the existing information available to the parties, together with any additional information which the parties determine is necessary. If it is concluded that additional information is needed, the parties shall determine who will prepare such additional information and how the cost of such preparation will be shared between them.

2. **Assessment of Alternatives to Meet Future Water Supply Needs.** The parties shall meet to assess the various water supply alternatives that may be available to meet the identified future water demands. Such assessment shall evaluate the realistic supply sources when considering environmental, water right, financial and other constraints. The assessment shall be based on all of the existing information available to the parties, together with any additional information which the parties decide is necessary. If additional information is warranted, the parties shall determine who will prepare such information and how the costs of such preparation will be shared between them.

3. **Unified Development of New Water Projects.** On and after the effective date of this Memorandum of Understanding, for any new project which would provide a new supply of water for Amador County over and above the existing water supplies of the parties, the parties shall first meet and confer to address how the project will be financed and operated.

4. **Term of Memorandum of Understanding.** This Memorandum of Understanding will take effect on the date first above written and shall continue in effect until terminated in writing by one of the parties.

5. **Consolidation of Water Development Activities.** The Joint Water Committees of the County Board of Supervisors and the Water Agency will develop a plan to consolidate all water development activities into a single entity.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding on the date first written above.

COUNTY OF AMADOR

Edward Bamert
Chairman, Board of Supervisors

ATTEST:
Catherine J Giannini
Clerk of the Board of Supervisors
AMADOR COUNTY WATER AGENCY

Dave Seppi
President, Board of Directors

ATTEST:
Kimberly A. Lewis
Clerk of the Board of Directors
Amador Water Agency

Memorandum of Understanding between Amador County and Calaveras County
Adopted: September 20, 1994

100.00 A Memorandum of Understanding has been formulated between Amador County and Calaveras County concerning water planning and development within the Counties. The Memorandum of Understanding reads as follows:

"This Memorandum of Understanding is made this 20th day of September, 1994, among the County of Amador, the Amador County Water Agency, County of Calaveras, Calaveras County Water District, and Calaveras Public Utility District, all local agencies of the State of California (hereinafter referred to as "Parties")."

WITNESSETH:

WHEREAS, the Parties each have the authority to plan for, acquire, and develop water supplies to meet the existing and future water demands of the inhabitants of Amador and Calaveras Counties; and

WHEREAS, the Parties each wish to formalize their cooperation in planning for the long-term water supply needs of the Counties in order to avoid future water shortages; and

WHEREAS, the Parties have developed valuable expertise in the study and pursuit of new water supply projects on the Mokelumne River; and

WHEREAS, the Parties now desire to enter into a joint effort to plan for and develop the necessary water supplies to meet the future water requirements for each County; and

WHEREAS, by establishing a cooperative relationship and combining the respective resources of the two Counties, the Parties will be able to more effectively and efficiently develop a cohesive and unified plan for the development of additionally needed water supplies and thereby better serve the Counties; and

WHEREAS, the Parties wish to protect the existing water rights for the current and future residents of each County; and

WHEREAS, in order to begin the process of developing a cohesive and unified water plan, the Parties recognize that it is necessary to arrive at an understanding concerning several critical issues, such as future water demand and supply sources to meet such demand, and that resolution of such key issues should be jointly pursued through this Memorandum of Understanding.

NOW, THEREFORE, the Parties hereto have the following understanding:
1. **Common Understanding Respecting Future Water Needs Within Amador and Calaveras Counties.**
   The Parties shall meet to address the future water demands for each County, and what additional water supplies will be needed to meet the identified demands.

2. **Assessment of Alternatives to Meet Future Water Supply Needs.**
   The Parties shall meet to assess the various water supply alternatives that may be available to meet the identified future water demands. Such assessment shall evaluate supply sources when considering environmental, water rights, financial and other constraints. The assessment shall evaluate supply sources when considering environmental, water rights, financial and other constraints. The assessment shall be based on all of the existing information which the Parties decide is necessary. If additional information is warranted, the Parties shall determine who will prepare such information and how the costs of such preparation will be shared between them.

3. **Unified Development of New Water Projects.**
   On and after the effective date of this Memorandum of Understanding, for any new project which would provide a new supply of water from the Mokelumne River Watershed for Amador and/or Calaveras Counties over and above the existing water supplies of the Parties, the Parties shall first meet and confer to address how the project will be financed and operated.

4. **Term of Memorandum of Understanding.**
   This Memorandum of Understanding will take effect on the date first above written and shall continue in effect for each entity that is party to this Memorandum of Understanding, until an entity terminates its participation in writing.

IN WITNESS WHEREOF, the Parties have executed this Memorandum of Understanding on the date first written above.

**COUNTY OF AMADOR**

Edward T. Bamert  
Chairman, Board of Supervisors

ATTEST:  
Catherine J. Giannini  
Clerk of the Board of Supervisors

**COUNTY OF CALAVERAS**

Michael R. DelOrto  
Chairman, Board of Supervisors

ATTEST:
Karen Varni  
Clerk of the Board of Supervisors

CALAVERAS PUBLIC UTILITY DISTRICT

Charlie Moore  
Chairman, Board of Directors

ATTEST:

Melinda Williams  
Clerk of the Board of Directors

AMADOR COUNTY WATER AGENCY

Bill Bardin  
President, Board of Directors

ATTEST:

Kimberly A. Lewis  
Clerk of the Board of Directors

CALAVERAS COUNTY WATER DISTRICT

D.G. Weinkle  
President, Board of Directors

ATTEST:

Steve Felte  
Secretary, Board of Directors
Regulations Governing Water and Wastewater Service

(Appendix C)
Amador Water Agency

Administrative Policy Manual

Purpose of Board Policies

Adopted:

100.00    Purpose of the Policy
The Administrative Policy Manual will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of the Agency business are to be conducted.

200.00    Policy
It is the intent of the Board of Directors of the Amador Water Agency to maintain an Administrative Policy Manual. Contained therein shall be a comprehensive listing of the Board’s current policies, being the rules and regulations enacted by the Board from time to time.

If any policy or portion of a policy contained within the Administrative Policy Manual is in conflict with rules, regulations or legislation having authority over the Agency, said rules, regulations or legislation shall prevail.

300.00    Policy Review
This Policy shall be reviewed at least biennially.
Amador Water Agency

Sustainability Policy

Adopted:

100.00 Purpose of the Policy

The primary purpose of this policy is to establish Sustainability as a guiding principle for daily operations and as a framework for longer term business decisions for the Agency. The Board of Directors of the Amador Water Agency recognizes and accepts its responsibility to support a sustainable community through plans, policies, and procedures that promote clean air and water, reduce energy consumption and air pollution, promote water use efficiency, the use of alternative energy sources, recycling and solid waste management, and provide awareness in these areas to its employees, customers, and the community.

100.10 Definitions

Sustainability is defined as “meeting the needs of the present without compromising the ability of future generations to meet their own needs.” (United Nations, 1987)

200.00 Policy

It shall be the Policy of the Agency to consider the financial, environmental, and social benefits of business practices, to make decisions that are cost effective to ratepayers and responsive to the environment. To support this policy the Agency will, when practical and prudent, make best efforts to:

1. Encourage and develop connections between environmental quality and operational efficiency.
2. Include long term and cumulative impacts in decision making and work to protect environmental quality in our community.
3. Ensure commitment to equity so environmental impacts and the costs of protecting the environment do not unfairly burden the Agency’s ratepayers.
4. Ensure environmental quality and understand environmental linkages when decisions are made regarding project development and implementation, Agency owned facility use, transportation needs, energy use, water conservation, and air quality impacts.
5. Use resources efficiently and, when possible, reduce demand for natural resources.

6. Use cost effective measures to mitigate additional pollution through planned, proactive measures rather than only corrective action.

7. Act locally to reduce adverse global impacts by supporting and implementing innovative programs that maintain and promote the Agency as a sustainable business.

8. Purchase products based on long term environmental and operating costs and find ways to include environmental and social costs in short term prices. Purchase products that are durable, reusable, biodegradable, made of recycled materials, and are non-toxic.

9. Educate customers and employees about the Agency’s sustainable programs. Work with other entities, not directly related to water, to implement Best Management Practices if opportunities exist and take advantage of community resources.

10. Solicit customer input on solutions. Encourage customer participation in Agency policy decisions. Encourage individuals and businesses to take responsibility for their actions that impact water and the environment.

### 300.00 Policy Review

This Policy shall be reviewed at least biennially.
Amador Water Agency

Legislative Response Policy

Adopted:

100.00 Purpose of the Policy

The primary purpose of this policy is to establish the Agency’s position relative to legislative proposals, and to respond to requests of support or opposition from various agencies, e.g. ACWA.

200.00 Policy

The General Manager reviews proposed legislation to recommend the Agency’s position. A written report will be provided at the regular Board meeting with a recommended Agency position. The recommended position will become the Agency’s position unless modification is requested or directed by the Board.

If sufficient time is available, the legislation will be reviewed by the full Board at a regular meeting. If necessary, staff will recommend or draft a response for Board consideration.

If immediate action is warranted and sufficient time is not available for full Board review of the legislation, the General Manager or his/her designee will transmit the proposed response to the Legislative Committee of the Board and convey a deadline for a response.

If the Legislative Committee of the Board is opposed to staff’s proposed response, the proposed response will be modified to become acceptable or a response will not be sent. If no statement of opposition is received by the deadline, the proposed response will be transmitted as the Agency’s position on the legislation.

If a new policy position is taken due to the need for immediate action, this position will be brought to the full Board at the next regular Board meeting for consideration and possible ratification.

300.00 Policy Review

This Policy shall be reviewed at least biennially.
Amador Water Agency

**Records Inspection, Retention and Disposal Policy**

Adopted:

---

100.00 **Purpose of the Policy**

This document describes the Amador Water Agency’s policy concerning records inspection, retention, destruction, and storage.

200.00 **Inspection**

200.10 **Purpose and Scope**

This section provides criteria for the inspection of records.

200.20 **General**

Public records of the Agency are open to inspection during normal office hours and any person has a right to inspect these records.

200.30 **Definitions**

As used in this section:

a. “Public Records” includes any writing containing information relating to the conduct of public business prepared, owned, used, or retained by the Agency regardless of physical form or characteristics and which is not otherwise exempt from disclosure in accordance with applicable laws.

b. “Writing” means handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds or symbols, or combinations thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, or other documents. Writing does not include compilations of writings created outside the normal course of business.

200.40 **Exemptions**

Nothing in this section requires disclosure of the following records:
a. Preliminary drafts, notes, or intra- or inter-agency memoranda not retained by the Agency in the ordinary course of business, if the public interest in withholding such records clearly outweighs the public interest in disclosure;

b. Records pertaining to pending litigation in which the Agency is a party or to claims made pursuant to Division 3.6 (Commencing with Section 810) of Title 1 of the Government Code, until such litigation or claim has been finally adjudicated or otherwise settled;

c. Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy or that is otherwise limited by law;

d. Geological and geophysical data, plant production data, and similar information relating to utility systems development obtained in confidence from any source, related to groundwater well drilling/development;

e. Test questions, scoring keys, and other examination data used to administer examinations for employment;

f. The contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by the Agency relative to the acquisition of property, or to prospective supply and construction contracts, until such time as the property has been acquired or the contract agreement has been obtained. The law of eminent domain will not be affected by this provision;

g. Records exempted or prohibited from disclosure pursuant to provisions of Federal or State Law, including, but not limited to, provisions of the Evidence Code relating to privilege;

h. Data, plans, drawings, schematics, manuals and other documents related to the security and protection of the Agency’s water supplies;

i. Private information pertaining to any customer, director or employee that is explicitly exempt under Government Code sections 6254(c) and 6254.16 or that may be exempt because of personal safety and privacy concerns under Government Code section 6255, including, but not limited to, personal identifying information and private data such as social security numbers, home address, telephone number, credit history, water usage, and confidential personnel and financial records.

j. Computer software developed by the Agency for internal use and not otherwise made available to the public except by selling, leasing, or licensing such software for commercial or non-commercial use. The Agency’s proprietary computer software may include computer mapping systems, computer programs, and computer graphics systems.
k. Information security, if disclosure of that information would reveal vulnerabilities of, or otherwise increase the potential for an attack on the Agency's information technology system. This exemption in no way limits the Agency's obligation to disclose otherwise public records stored within its information technology system; and

l. Other records the disclosure of which is not required by law.

200.50 Additional Public Records

Notwithstanding the foregoing:

a. Every employment contract between the Agency and a public official or public employee is a public record.

b. An itemized statement of the total expenditures and disbursements of the Agency provided for in Article VI of the California Constitution will be open for inspection; and

c. Documents concerning an open session item of a noticed public meeting that are provided to all or a majority of the Board or a committee less than 72 hours before that meeting are public records.

200.60 Justification for Withholding of Records

The Agency will justify withholding a record by demonstrating the record is exempt under the express provisions of Government Code sections 6254 and 6254.16 and any other applicable statute (including the records listed above in section 200.40) or by demonstrating that the public interest served by not making the record available clearly outweighs the public interest served by disclosing the record. Written notice of intent to withhold records stating the reasons for withholding the records, the person making such determination, and an estimated time for when disclosable documents will be furnished will be provided to the person requesting the record within ten days, or later if good cause requires, of the request for inspection as required by Government Code sections 6253, subdivision (c) and 6255, subdivision (b).

200.70 Confidentiality of Certain Records

While the Agency supports and implements the legal principles underlying the "government sunshine laws", including the Public Records Act and Brown Act, it also recognizes the equally important constitutional principles underlying its customers', directors' and employees' rights to privacy in their personal information. Such information includes those items described in Section 200.40(i) of this Policy. The Agency will not disclose private information of any customer, director or employee unless compelled by a legally-authorized subpoena, court order or order of another government agency with the power to obtain such records or authorized by
the customer, director or employee in writing. In cases where there is no clear
exemption from disclosure, the Agency will attempt to contact the customer, director
or employee whose private information is being requested, inform the customer,
director or employee of the request, and provide that person or entity with the
opportunity to object to the request and if desired, to seek a court order to protect the
private information being requested from disclosure.

200.80 Copies of Records

a. A person may obtain copies of identifiable records, by written request on the
Agency's request form. Upon request, Agency staff will assist the requestor to
identify records and complete the request form. The Agency Clerk of the Board
is the custodian of the Agency's records and will provide the requestor with
copies of all requested records unless a record is in electronic form or in a
specialized format, in which case the Agency will provide the most accurate
copy possible within the limits of available technology and the requestor's
instructions and willingness to pay the appropriate costs to retrieve and
reproduce copies of such non-standard records, if applicable. Officers, agents
and employees of the Agency are not required to request records in compliance
with this section when acting within the course and scope of employment or
office holding. If the Agency is unable to provide requested copies within ten
days of the request, it will advise the requestor in writing of the date when the
record will be provided.

b. The charge for plain paper standard black and white letter or legal size
photocopies will be in accordance with the Miscellaneous Fees and Charges of
the Agency's Water and Wastewater Regulations, which reflects the Agency's
direct copying costs. Large format documents, maps, color copies and similar
specialized documents will be charged at cost, which the Agency will determine
and advise the requestor of and receive approval from the requestor before
copying begins. Payment for all services is required at the time copies are
provided, although the Agency may require a deposit as provided below in
subdivision (c) before beginning copying and/or sending the job to an outside
copy service, in which case the copy service's actual charges will be passed
through to the requestor. No charge will be imposed for research.

c. The Agency Clerk of the Board may require a person who desires to obtain a
copy of a record to deposit an amount equal to the estimated fees for copying
prior to receiving the record. The portion of the deposit not required will be
refunded. If the deposit is insufficient, the Agency may require the requestor to
pay any balance of copying charges due before any records are released.

200.90 Public Counter Records
a. Except for writings exempt from public disclosure, the Agency Clerk of the Board will maintain a duplicate copy of the last approved Board meeting minutes and the agenda and written materials distributed to the Board for discussion or consideration at the next scheduled Board meeting. These records will be maintained at the public counter located in the Agency's administrative office. Public records discussed during a public meeting but not previously available will be made available before the commencement of discussion at such meeting or as soon thereafter as practicable.

b. Public counter records also include those public meeting documents described in subdivision (c) of section 200.50 of this Policy.

c. No charge will be imposed for the use or review of the records described in this section. The Agency will, however, impose a copy charge if a copy of a public counter record is requested.

d. The Agency also posts on its website copies of all public counter records, archived Board meeting minutes and agendas, current Board policies, and other important Agency documents. Requestors are encouraged to view and obtain copies of available documents on the Agency's website by visiting: www.amadorwater.org.

200.95 Recording-Keeping

The Agency Clerk of the Board will maintain a record of requests for inspection that are denied and the reasons for the denial.

300.00 Retention, Disposal and Storage

300.10 Purpose and Scope

This section provides criteria for the retention, destruction, and storage of records.

300.20 Records Retention Schedule

This is the Agency’s Records Retention Schedule, which has been adopted by the Board of Directors by Resolution XX-2020 in accordance with Government Code sections 12236 and 60201, subdivision (b)(2), and reviewed at least biennially. As provided by California law, the Agency will retain, store and dispose of its records in accordance with this schedule and the requirements and procedures set forth in this policy. In accordance with Government Code sections 60201 and 60203, the Agency may keep a copy of any record listed in the schedule below either in its original form or as an electronic record stored in the Agency’s Records Management System, which is a trusted system within the meaning of Government Code section 60203(a).
R = Legally required retention period.

<table>
<thead>
<tr>
<th>Title</th>
<th>Minimum Retention Period</th>
<th>Notes/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administration:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Correspondence</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Policy and Procedures</td>
<td>7 years after cancellation</td>
<td></td>
</tr>
<tr>
<td>Formation/accreditation</td>
<td>Permanent</td>
<td></td>
</tr>
<tr>
<td>Consumer confidence reports</td>
<td>10 years</td>
<td>R</td>
</tr>
<tr>
<td>Oaths of office/ballots/other official materials related to election or appointment of directors and officers</td>
<td>Term of Office + 7 years</td>
<td>R</td>
</tr>
<tr>
<td>Filings with Clerk of the Board of State</td>
<td>Permanent</td>
<td>R</td>
</tr>
<tr>
<td>Work Orders/ Time Sheets</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Form 700 Statements of Economic Interests</td>
<td>7 years after filing</td>
<td>R</td>
</tr>
<tr>
<td>Form 801 Gift to Agency</td>
<td>7 years after filing</td>
<td>R</td>
</tr>
<tr>
<td>Form 470 annual Financial Disclosure Statements</td>
<td>7 years after filing</td>
<td>R</td>
</tr>
<tr>
<td>Disclosure Statements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Directors:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agendas</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Meeting Notices</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Staff Reports</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Board and standing committee meeting minutes</td>
<td>Permanent</td>
<td>R</td>
</tr>
<tr>
<td>Ordinances and Resolutions</td>
<td>Permanent</td>
<td>R</td>
</tr>
<tr>
<td>Conflict of Interest Code</td>
<td>Current + 3 years</td>
<td>R</td>
</tr>
<tr>
<td>Board policies and procedures</td>
<td>Current + 3 years</td>
<td>R</td>
</tr>
<tr>
<td>Ethics Code</td>
<td>Current + 3 years</td>
<td>R</td>
</tr>
<tr>
<td>Proofs of Completion of Directors’ and Designated Employees’ Ethics Training</td>
<td>5 years</td>
<td>R</td>
</tr>
<tr>
<td>Committees:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agendas</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Meeting notices</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Minutes</td>
<td>Permanent</td>
<td>R</td>
</tr>
<tr>
<td>Staff Reports</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Title</td>
<td>Minimum Retention Period</td>
<td>Notes/Comments</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td><strong>Contracts:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agreements and contracts</td>
<td>7 years following end of contract</td>
<td>R</td>
</tr>
<tr>
<td>Requests for proposal and request for qualifications</td>
<td>Contract Termination + 5 years</td>
<td>R</td>
</tr>
<tr>
<td>Responses to requests for proposal and requests for qualifications</td>
<td>Contract Termination + 5 years</td>
<td>R</td>
</tr>
<tr>
<td><strong>Capital Improvements:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital improvement contracts</td>
<td>7 years following end of contract</td>
<td>R</td>
</tr>
<tr>
<td>Accepted bid documents</td>
<td>5 years</td>
<td></td>
</tr>
<tr>
<td>As-built plans/ documents</td>
<td>7 years following end of contract</td>
<td>R</td>
</tr>
<tr>
<td>Unaccepted construction bids and proposals</td>
<td>2 years</td>
<td></td>
</tr>
<tr>
<td><strong>Elections Materials:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Special</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td><strong>Financial:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Accounts payable</strong></td>
<td>All categories below - Audit +</td>
<td></td>
</tr>
<tr>
<td>Correspondence</td>
<td>2 years</td>
<td></td>
</tr>
<tr>
<td>A/P ledger/distribution journal</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Cash disbursements</td>
<td>3 years</td>
<td>R</td>
</tr>
<tr>
<td>Payroll/stipend payments</td>
<td>3 years</td>
<td>R</td>
</tr>
<tr>
<td>Petty cash reports</td>
<td>3 years</td>
<td>R</td>
</tr>
<tr>
<td>Expense reports</td>
<td>3 years</td>
<td>R</td>
</tr>
<tr>
<td>Invoices</td>
<td>3 years</td>
<td>R</td>
</tr>
<tr>
<td>Purchase orders</td>
<td>3 years</td>
<td>R</td>
</tr>
<tr>
<td>Warrants</td>
<td>3 years</td>
<td>R</td>
</tr>
<tr>
<td><strong>Accounts Receivable</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A/R register</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Aged trial balance</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Invoices</td>
<td>3 years</td>
<td></td>
</tr>
</tbody>
</table>

Grant reimbursed expense must be kept until state DOF audit complete.
<table>
<thead>
<tr>
<th>Title</th>
<th>Minimum Retention Period</th>
<th>Notes/Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Audit Reporting</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Correspondence</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Reports</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>State Controller’s report</td>
<td>Permanent</td>
<td>R</td>
</tr>
<tr>
<td>Work papers</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td><strong>Banking</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Correspondence</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Bank confirmations</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Bank reconciliations</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Bank statements</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Canceled and voided checks</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Deposit slips</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Signature authorization</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td><strong>Financial Reporting</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Correspondence</td>
<td>7 years</td>
<td></td>
</tr>
<tr>
<td>Reports and studies</td>
<td>7 years</td>
<td></td>
</tr>
<tr>
<td>Charts of accounts</td>
<td>7 years</td>
<td></td>
</tr>
<tr>
<td>Treasurer’s reports</td>
<td>7 years</td>
<td></td>
</tr>
<tr>
<td>Accountant reports</td>
<td>7 years</td>
<td></td>
</tr>
<tr>
<td><strong>Ledgers</strong></td>
<td>All categories below - Audit + 2 years</td>
<td></td>
</tr>
<tr>
<td>Account analysis</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance sheets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General ledger</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Journal entries</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Annual Budgets</strong></td>
<td>2 years</td>
<td></td>
</tr>
<tr>
<td><strong>Issuance of Indebtedness</strong></td>
<td>All categories below – 4 years after repayment</td>
<td>R</td>
</tr>
<tr>
<td><strong>Bond Insurance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trust indentures</td>
<td>R</td>
<td></td>
</tr>
<tr>
<td>Funds management agreement</td>
<td>R</td>
<td></td>
</tr>
<tr>
<td>Other permanent bond records</td>
<td>R</td>
<td></td>
</tr>
<tr>
<td>Canceled checks for bond interest payments/redemption</td>
<td>10 years</td>
<td></td>
</tr>
<tr>
<td><strong>Securities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acquisition of securities</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Broker/ bank receipts</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Periodic statements</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td><strong>Personal Property</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inventory</td>
<td>4 years</td>
<td></td>
</tr>
<tr>
<td>Maintenance and inspection</td>
<td>4 years</td>
<td></td>
</tr>
<tr>
<td>logs</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Title</strong></td>
<td><strong>Minimum Retention Period</strong></td>
<td><strong>Notes/Comments</strong></td>
</tr>
<tr>
<td>-----------</td>
<td>----------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Computer licenses and documentation</td>
<td>Until Expiration/obsolescence</td>
<td></td>
</tr>
<tr>
<td><strong>Insurance:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Memoranda of coverage</td>
<td>Expiration + 5 years</td>
<td></td>
</tr>
<tr>
<td>Insurance policies</td>
<td>Expiration + 5 years</td>
<td></td>
</tr>
<tr>
<td>Endorsements</td>
<td>Expiration + 5 years</td>
<td></td>
</tr>
<tr>
<td>Certificates of insurance</td>
<td>Expiration + 5 years</td>
<td></td>
</tr>
<tr>
<td>Coverage opinions</td>
<td>Expiration + 5 years</td>
<td></td>
</tr>
<tr>
<td>Surety/Fidelity Bonds</td>
<td>Expiration + 5 years</td>
<td></td>
</tr>
<tr>
<td>Required to be maintained by insurer</td>
<td>10 years</td>
<td></td>
</tr>
<tr>
<td><strong>Legal:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General correspondence</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Attorney correspondence</td>
<td>3 years</td>
<td></td>
</tr>
<tr>
<td>Claims and claims records</td>
<td>2 years after close of claim</td>
<td>R</td>
</tr>
<tr>
<td>Minor’s claims</td>
<td>2 years from age of 18</td>
<td>R</td>
</tr>
<tr>
<td>Litigation</td>
<td>2 years after litigation concludes</td>
<td>R</td>
</tr>
<tr>
<td>Opinions</td>
<td>7 years</td>
<td>R</td>
</tr>
<tr>
<td><strong>Membership:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Membership records</td>
<td>7 years</td>
<td></td>
</tr>
<tr>
<td>Program participation agreements</td>
<td>10 years</td>
<td></td>
</tr>
<tr>
<td>Appointment resolutions/letters</td>
<td>7 years</td>
<td></td>
</tr>
<tr>
<td><strong>Personnel:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel files</td>
<td>Permanent</td>
<td>R</td>
</tr>
<tr>
<td>Amount of compensation paid to Officers and Employees</td>
<td>7 years after date of payment</td>
<td>R</td>
</tr>
<tr>
<td>Reimbursements, advances and credit card payment records for Officer and Employee travel and other Agency-related expenses</td>
<td>7 years after date of payment</td>
<td>R</td>
</tr>
<tr>
<td>Job descriptions</td>
<td>Current + 2 years</td>
<td>R</td>
</tr>
<tr>
<td>Time sheets</td>
<td>Current + 4 years</td>
<td>R</td>
</tr>
<tr>
<td>Call reports and logs</td>
<td>Current + 4 years</td>
<td>R</td>
</tr>
<tr>
<td>Employment Agreements</td>
<td>Expiration/Termination + 4 years</td>
<td>R</td>
</tr>
<tr>
<td>Job applications and resumes</td>
<td>1 year</td>
<td>R</td>
</tr>
<tr>
<td>Position advertisements</td>
<td>2 years</td>
<td>R</td>
</tr>
<tr>
<td>Employment testing results</td>
<td>2 years</td>
<td>R</td>
</tr>
<tr>
<td>Title</td>
<td>Minimum Retention Period</td>
<td>Notes/Comments</td>
</tr>
<tr>
<td>-----------------------------------------------------------</td>
<td>------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>OSHA logs and records</td>
<td>5 years</td>
<td></td>
</tr>
<tr>
<td>Safety and training records</td>
<td>Employment + 4 years</td>
<td></td>
</tr>
<tr>
<td>Drug &amp; alcohol program records</td>
<td>5 years</td>
<td></td>
</tr>
<tr>
<td>DE 34-New Employee Report</td>
<td>4 years</td>
<td></td>
</tr>
<tr>
<td>I9-Employment Eligibility</td>
<td>3 years after hire or 1 year after termination, whichever is later</td>
<td></td>
</tr>
<tr>
<td>Harassment Training Records</td>
<td>2 years</td>
<td></td>
</tr>
</tbody>
</table>

**Real Property:**
- Deeds and other documents related to real property interests: Permanent
- Eminent domain: Permanent
- Annexation and detachment: Permanent

**Tax-Related:**
- Auditor’s assessed valuation certificates: 5 years
- Agency tax collection information: 5 years

**Miscellaneous:**
- Other records Board determines to be of significant and lasting historical, administrative, financial, legal or research value: Permanent
- Records not prepared or received nor required to be maintained pursuant to state or federal law: 2 years
- Other records prepared or received pursuant to state or federal law, but not expressly required to be maintained: 3 years
- Board meeting tape recordings: 2 years

---

**300.30 Retention of Other Records**

Records Inspection, Retention and Disposal Policy

Page 10 of 12
a. The Agency must retain the following records, regardless of any different destruction policy or schedule as to any identified record or records specified in the records retention schedule set forth in section 2.2 above:

i. Any record of the Agency that is the subject of a pending request made under the California Public Records Act, Government Code sections 6250 through 6276.48, until the Agency has either (A) complied with the request or (B) waited at least two years after the record was withheld and written notice denying the request was provided to the requestor; (R)

ii. Documents related to pending public works not accepted by the Agency or to which a stop notice claim may be legally presented; (R)

iii. Documents related to any non-discharged Agency debt; and (R)

iv. Any document that has not yet fulfilled the administrative, fiscal, or legal purpose for which it was created or received by the Agency. (R)

b. The Agency may dispose of the following records at any time, without maintenance of a copy:

i. Duplicates, the original or a permanent photographic record of which is on file;

ii. Rough drafts, notes and working papers prepared or kept by any employee or accumulated in the preparation of a communication, study or other document, unless of a formal nature contributing significantly to the preparation of the document, including but not limited to meter books after the contents thereof have been transferred to other records;

iii. Cards, listings, non-permanent indices, other papers used for controlling work and transitory files including letters of transmittal, suspense letters, and tracer letters;

iv. Canceled coupon sheets from registered bonds; and

v. Shorthand notebooks, telephone messages and inter-departmental notes.

300.40 Records Storage

All of the records referenced in this section will be maintained at the Agency's Administrative office located at 12800 Ridge Rd., Sutter Creek CA 95685. 12780 Ridge Rd. Sutter Creek, CA 95685, 26723 Hwy 88 Pioneer CA 95666, 523 Foothill Blvd. Ione CA 95640. 2901 Camanche Rd., Ione CA 95640.
300.50  Records Disposal

The General Manager, or his or her designee, may destroy and discard, by any permanent method that protects the confidentiality of any privileged or confidential information contained therein, any Agency record after the expiration of the applicable retention period described in the above Records Retention Schedule.

400.00  Policy Review

This policy shall be reviewed at least biennially.
Amador Water Agency

Disposing of Surplus Agency Real Property, Vehicles and Large Equipment and Other Personal Property Policy

Adopted:

100.00 Purpose of the Policy

The primary purpose of this policy is to allow management staff to determine if a parcel of real property, easement, vehicles or large equipment or other personal property is no longer needed for daily, emergency and/or future operations. A staff report is generated to document why a parcel of real property, easement, vehicles or large equipment or other Agency property should not be retained.

100.10 Definitions

Real Property – Any parcel of land owned by the Agency.

Easement – An interest in another’s real property that permits the Agency to make limited use of that real property for a Agency purpose.

Vehicles and Large Equipment – Utility trucks, dump trucks, tractors, backhoes, forklifts, and other significant self-propelled equipment used in Agency operations.

Personal Property – Small equipment (cut-off saws, drills, etc), computer equipment (monitors, printers, etc), office furniture.

200.00 Disposal of Real Property

1. Agency management staff determines if a parcel of real property no longer meets the needs of daily, emergency and/or future operations. A staff report is generated to document why the parcel should not be retained.

2. Agency management determines if a parcel falls within the notice and offer procedures provided in Government Code sections 54220 through 54232, as they may be amended from time to time. If the statutory notice and offer procedures must be followed, the Agency must obtain a qualified appraisal of the parcel and offer the surplus real property to specified public agencies before it can sell the property to other public agencies or a private party. The specified public agencies are as follows:
a) Amador Tuolumne Community Action Agency (ATCAA) for developing low- and moderate-income housing;

b) Amador County Recreation Agency (ACRA) for park and recreational purposes;

c) ACRA has jurisdiction over the area in which the surplus real property is located if it is to be used for park and recreational purposes;

d) The State Resources Agency for park and recreational purposes; and

e) The Amador County Unified School District (ACUSD) in whose jurisdiction the parcel is located.

3. A parcel of real property is exempt from the statutory notice and offer procedures if it:

a) Is less than 5,000 square feet; or

b) Is less than “the minimum legal residential building lot size for the jurisdiction in which the parcel is located”; or

c) Has no recorded access and is less than 10,000 square feet; and

d) Is not: (a) contiguous to land owned by a state or local agency that is used for park, recreational, open-space, low- or moderate-income housing; or (b) located in an enterprise zone or high-density, economically-distressed areas involved in certain redevelopment program; and

e) Is sold to the owner of contiguous land.

4. The Board of Directors declares real property surplus and determines if a parcel must be offered to the designated public agencies under the statutory notice and offer procedures prescribed by the Government Code or is exempt from such procedures. If the Agency must sell a surplus parcel under the statutory notice and offer procedures, the General Manager will give qualifying public agencies notice of the parcel’s availability for purchase. If none of the agencies to which notice must be given notifies the Agency within 60 days after receiving notice that they are interested in buying the surplus parcel, then the Agency may sell the parcel by advertised public sale.

5. In all cases where the statutory notice and offer procedures have not resulted in disposal of a parcel, the Agency will sell surplus real property by public sale. The General Manager will notice the parcel’s sale at the appraised value unless the Board of Directors authorizes a different price. The notice of sale will contain a description of the property; a statement of time and place for opening bids. Bids
for the purchase of real property will be accepted or rejected by a resolution of the Agency Board of Directors. Alternatively, the Agency may list the surplus parcel for public sale with a licensed real estate broker in good standing who advertises the parcel through a multiple listing service or similar listing system at a fair market value determined by the broker using comparable sales data. Documents for the conveyance of title to surplus real property will be executed by the President of the Board upon authorization by the Board of Directors.

6. If the General Manager determines that a surplus parcel is exempt from the Government Code’s notice and offer procedures, it will not be necessary to obtain a formal appraisal of the property. If circumstances warrant, the surplus parcel may be sold for less than fair market value. In such cases, the General Manager or his designee will prepare a staff report documenting why the parcel was not appraised, why it may be sold for less than fair market value, the fiscal impact of selling the parcel and why it is exempt from the Government Code notice and offer procedures. After review of the staff report, the Board of Directors may approve the sale of the surplus parcel by motion. A staff report and a certified copy of the Board of Directors Meeting minutes reflecting the Board’s approval of the sale is sufficient to authorize the General Manager to make the sale.

300.00 Relinquishment of Agency Interest in Easements

1. Staff determines if an easement no longer meets the needs of daily, emergency and/or future operations of the Agency. Staff then will generate a report that documents the justification for relinquishing the easement and makes a determination whether the easement has any fair market value. Staff then will forward the report to the General Manager for review. If staff determines that the easement has fair market value, the General Manager will present the staff report to the Board at its next regular meeting with a recommendation for Board action on relinquishing the easement in accordance with Article 200.00 of this policy.

2. If staff determines that the easement has nominal fair market value, the General Manager shall have the authority, upon review and approval of the recommendation in the staff report, to sign and record a quitclaim deed to relinquish the Agency’s interest in the easement. If the easement is a Public Utility Easement, the General Manager shall have the authority, upon review and approval of the recommendation in the staff report, to sign an easement relinquishment letter.

3. If, upon recommendation of staff, the General Manager authorizes disposal of an easement under this Article, then the General Manager will report the disposal of the easement to the Board at its next regular meeting following the recording of the quitclaim deed relinquishing the easement.
400.00 Disposal of Vehicles and Large Equipment

1. At least once each fiscal year, the General Manager will prepare a list of Agency items that have exceeded their useful life.

2. Agency management staff will establish values and set minimum bid prices for each vehicle or item of large equipment to be sold. If staff, during the process of establishing value to a vehicle or piece of large equipment, determines that the particular vehicle or equipment has diminutive or no value or the costs of preparation for sale and sale are greater than the value of the vehicle or equipment, then the General Manager is authorized to dispose of the property in accordance with Sections 500.00 (5) and (6) of this policy.

3. All vehicles and large equipment will be disposed of as surplus, at the General Manager's discretion, following authorization by the Board of Directors at a public meeting.

400.10 Guidelines Concerning the Sale of Surplus Vehicles and Large Equipment

Prior to the sale of surplus vehicles or large equipment, the General Manager will direct staff to take the following actions:

1. Remove all Agency equipment from the vehicle or large equipment (radio, decals, etc.).

2. Clean and if necessary, repair the vehicle or large equipment if it has an immediate safety issue.

3. Vehicle or large equipment will be sold at public auction.

4. Establish vehicle or large equipment value using an appropriate, publicly available valuation tool such as the Kelley Blue Book, qualified appraisal, trade publications or classified newspaper advertisements. Staff will prepare a written report concerning the valuation of the item and attach appropriate documentation.

5. Arrange for the delivery and consignment of the item and in consultation with the General Manager and auctioneer, determine an appropriate reserve or minimum price for the item.

6. Prepare and post a notice of sale. The notice and advertisement will include the vehicle or large equipment description, minimum bid, conditions of sale, and place of public auction.
7. When the vehicle or large equipment is sold, the General Manager or his/her designee will sign the “pink slip”, bill of sale and any other documents required to complete the sale.

8. After the vehicle or large equipment is sold, the General Manager or his/her designee will complete paperwork as required by DMV to report the sale of the vehicle or large equipment, and return all completed forms and vehicle license plates to DMV.

500.00 Disposal of Other Personal Property Other than Vehicles/Large Equipment

1. At least once each fiscal year, the General Manager will prepare a list of Agency personal property, other than vehicles and large equipment, which is deemed surplus.

2. Agency management staff will establish values and set minimum bid prices for each item of personal property to be sold. If staff, during the process of establishing value to an item of personal property, determines it to be of diminutive or no value, the General Manager is authorized to dispose of the property in accordance with Sections 500.00 (5) and (6) of this policy.

3. The General Manager may authorize the sale of personal property to be sold as surplus following authorization by the Board of Directors at a public meeting.

4. For surplus items not sold, the General Manager has the authority to donate such items to another government agency or any non-discriminatory, tax exempt non-profit organization qualified under Internal Revenue Code section 501(c)(3).

5. If an item of surplus property is not sold during sale and the General Manager is unable to donate the surplus items to a qualified government agency or tax-exempt organization, the General Manager may properly dispose of such items at a legal disposal site.

600.00 Revenue from Disposal of Surplus Property

All revenue received from the disposal of surplus real or personal property will be deposited in the Agency’s General Operating Fund unless otherwise specified by the Board of Directors.

700.00 Prohibition Against Upgrades

Unless necessary to ensure the safety, merchantability and/or serviceability of surplus property, Agency staff may not make any repairs or upgrades to any real or personal
property recommended or already deemed to be surplus. For example, staff may not replace a vehicle's worn but serviceable tires with new tires, nor may staff add or replace optional equipment that enhances a vehicle's value. Before sale and upon the General Manager's authorization, Agency staff may repair or replace parts on a surplus item if it is necessary to ensure that it is safe, serviceable and/or merchantable.

800.00 Prohibited Director, Officer and Employee Transactions

In accordance with Government Code section 1090, all members of the Agency Board of Directors and the General Manager are prohibited from purchasing surplus Agency real or personal property. Staff members generally are eligible to buy surplus Agency real or personal property noticed for sale on the same terms and conditions as those offered to members of the public, except that any Agency employee who actively participated in determining an item's price, surplus status or conditions of sale is prohibited from purchasing such items because the employee is deemed by law to have a prohibited interest in the sale. The General Manager, in consultation with the Board and legal counsel, will determine if an employee has a prohibited interest in an item of surplus property.

900.00 Lot or Group Sales

The Agency reserves the right to place items of surplus property in a group or lot for sale to the highest bidder.

900.10 Discretion of Board and General Manager

Except as prohibited by law, the Board of Directors and General Manager will have the discretion to waive any minor irregularity in the procedures for the surplusing and disposing of surplus property. Such discretion will be exercised in a non-discriminatory manner.

1000.00 Policy Review

This Policy shall be reviewed at least biennially.
Amador Water Agency

Workplace Dishonesty Policy

Adopted:

100.00 Purpose of the Policy

The purpose of this policy is to inform directors, officers, employees and those doing business with the Agency of the types of workplace conduct that are considered dishonest, to direct the General Manager to establish and maintain a system of internal controls to prevent and detect dishonest conduct, to authorize the General Manager to establish appropriate procedures for reporting and investigating alleged dishonesty in the workplace or connected to the Agency, to provide for appropriate sanctions in cases where dishonest conduct or activities are established, and to protect from retaliation directors, officers, employees and other persons who report such conduct or activities.

200.00 Policy

The Agency expects that all directors, officers, employees, agents, vendors, volunteers or other persons connected to the Agency will adhere to the strictest standards of honest conduct and will treat Agency property with the same respect required for all public property. It is the Agency’s express policy that all allegations of workplace or other Agency-related dishonesty will be promptly and fully investigated and if dishonest conduct is established, to take action as appropriate to discipline the dishonest person or persons and to pursue appropriate civil and criminal legal remedies. To ensure that the Agency’s property is safeguarded against dishonest conduct, the Agency will establish and maintain appropriate procedures and internal controls to promptly detect workplace or other Agency-related dishonesty and take appropriate disciplinary action against any individuals so involved. It also is the Agency’s policy to protect from retaliation persons who report possible dishonest conduct to activities to any level of the organization in order to promote full and prompt disclosure of such activities (“Whistleblower Protection”).
200.10 Prohibited Conduct and Activities

Dishonesty, fraud, corruption, and other deceitful acts prohibited under this Policy include:

1. Claiming reimbursement of expenses that are not job-related or authorized by the Agency’s Employee Handbook and other employment policies.

2. Committing forgery or unauthorized alteration of any Agency document (for example: invoices, receipts, checks, wire and Automated Clearing House (ACH) transfers, time sheets, independent contractor agreements, purchase orders, invoices, receipts, petty cash documents or budgets).

3. Misappropriating Agency assets (for example, money, Agency-issued credit cards, securities, supplies, furniture, equipment or labor).

4. Committing improprieties in the handling or reporting of money, material, labor or accounting transactions.

5. Authorizing reimbursement for work or receiving payment for goods not received by or services not performed for the Agency.

6. Using a computer issued by the Agency for unauthorized personal use or alteration, destruction, forgery, or manipulation of Agency data or misappropriation of Agency-owned software.

7. Misrepresenting information on Agency-related documents.

8. Falsifying time records or expense reports or conducting substantial personal business on Agency time.

9. Violating federal, state, or local laws related to any form or type of dishonest conduct or activities.

10. Seeking or accepting bribes, gratuities, or other consideration of material value from those doing business with the Agency including customers, vendors, consultants, contractors, lessees, applicants, and grantees. Materiality is determined by the Political Reform Act of 1974 (Gov’t Code sections 87000 et seq.), regulations of the Fair Political Practices Commission (2 Cal. Admin. Code Sections 18100 et seq.), and any amendments to the Act or regulations.

11. Any other type of dishonest, fraudulent, corrupt, or deceitful conduct in violation of any Agency policy or of any federal, state or local law or regulation.
200.20 Investigation of Fraud

The Agency will fully investigate all allegations of dishonest conduct. A thorough and objective investigation will be conducted regardless of the position, title, tenure, or relationship with the Agency of any director, officer, employee, agent, vendor, volunteer or other person who might be involved in or becomes the subject of such investigation.

The General Manager, with appropriate assistance from management staff and Agency legal counsel, will apply appropriate procedures for investigating all allegations of dishonest conduct by any director, officer, employee, agent, vendor, volunteer or other party connected to the Agency. Typically, the Human Resource Manager will be assigned to conduct an investigation once the subject matter of the investigation and the nature of the alleged dishonest conduct have been determined. At the General Manager's discretion, investigations of criminal conduct may be referred to the appropriate prosecutorial or law enforcement officials for investigation.

Directors of the Agency shall have full authority to investigate allegations of dishonest conduct against the General Manager.

The Agency will pursue every reasonable effort, including court-ordered restitution, to obtain recovery of any losses suffered by the Agency that are caused by or connected to dishonest conduct prohibited by this Policy.

300.00 Establishment of Internal Controls

The General Manager or his/her designee is directed to establish and maintain a system of internal controls to prevent and detect fraud, misappropriation of Agency resources and other dishonest conduct affecting the Agency, and to institute systems that help the Agency to promptly identify any indications of such misconduct.

400.00 Reporting Dishonest Acts or Conduct – Whistleblower Protection

No director, officer or employee shall directly or indirectly retaliate or cause retaliation to occur against any director, officer, employee or person doing business with the Agency who reports alleged dishonesty, who is accused of dishonesty, or who is involved in the investigation of alleged dishonesty. Retaliation is itself a form of dishonesty. Retaliation includes a director’s, officer’s, employee’s, vendor’s or consultant’s use of his or her authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing another such person to refrain from filing a good faith report of dishonesty or otherwise bringing to the attention of a supervisor, the General Manager or the Board any information that, if true, would constitute a dishonest act or conduct. Upon receiving a report of retaliation, the General Manager or Board of Directors shall promptly investigate the report in
accordance with Section 350.00.D. of the Agency's Ethics Policy (PL-BOD 003) or Workplace Dishonesty Procedure (PR - Adm 004), whichever is applicable.

500.00 Policy Review

This policy shall be reviewed at least biennially.
Amador Water Agency

Claims Processing Policy
Adopted: 03-14-19

100.00 Purpose of the Policy

The purpose of this policy is to establish a claims handling process that complies with the Government Claims Act, Government Code sections 810 and following and Resolution 2019-04 establishing local claims procedures for the Amador Water Agency (Agency). This process will be used by the Agency to address claims seeking reimbursement from the Agency for damages to personal or real property, or for personal injuries alleged to be caused by Agency facilities or equipment, or its directors, officers, employees or agents.

200.00 Policy

Pursuant to authority granted by the Government Claims Act and the Amador Water Agency Act, the Agency must take action on each valid claim made by a person or entity against the Agency for damages to personal or real property, or personal injuries before the person or entity is permitted to file legal action on such claims. Under this Policy, the Board of Directors grants the General Manager, or his or her designee, the authority to review and to approve or reject a claim for property damage in an amount not exceeding $5,000. Any claim for property damage above $5,000 and up to $10,000 will require the General Manager to consult with the Board President. In accordance with the policies of the Agency’s risk pool, ACWA-JPIA, all claims involving bodily injury must be denied by the Board of Directors and referred to ACWA-JPIA for handling.

The processing of all claims will be conducted in accordance with the Government Claims Act and Resolution No. 2019-04 including the time limits on claims processing and requirements for claims presentation. All claims exceeding $10,000 in value will be presented for action to the Board of Directors at a regularly scheduled Board Meeting. Agency staff will present all documents received from a claimant, an investigation report, and a recommendation to approve or reject the claim. In the event that a claim against the Agency is rejected, Agency staff will send a letter to the claimant describing the Board of Directors’ action on the claim and advising the claimant of his, her or its rights under the Government Claims Act with respect to any adverse action on the claim. Staff also will send a letter to and negotiate any necessary agreement with any claimant whose claim is approved in whole or in part.
300.00 Authority and Responsibility

The General Manager, or designee, has the authority to approve or reject a claim for damages to personal or real property up to a value of $10,000. The Human Resources Manager has the responsibility to receive claim documentation and prepare an investigation report with recommendation for action to the General Manager or Board. The General Manager shall adopt and implement appropriate procedures to carry out this Policy and will report to the Agency Board of Directors at its next regular meeting on each claim in the amount of $10,000 or less that is processed by staff under this policy.

400.00 Tender of Claims to Risk Pool or Insurer

Upon receipt of any claim, Agency staff will provide notice of the claim and all relevant documents to ACWA-JPIA or to any other risk pool or insurer from which the Agency may obtain any insurance coverage or indemnity for claims from time to time.

500.00 Policy Review

This Policy shall be reviewed at least biennially.
Amador Water Agency

Facility Tour Policy

Adopted:

100.00 Purpose of the Policy

The primary purpose of this policy is to ensure the safety of employees, visitors and facilities, as well as the continuous supply of safe, reliable service to our community.

200.00 Policy

A list of attendees must be submitted five days prior to the tour, including phone numbers. If a visitor shows up for the tour and their name is not on the list, they must sign the list and provide required contact information. Each attendee must complete a Waiver and General Release Facility Tour form prior to the tour (attached).

No backpacks, briefcases, cameras, video recording devices, etc. are allowed in any facility. Cell Phones shall be allowed, but shall be used for Emergency calls only and shall not disrupt the tour. Media shall be allowed use of cameras and/or video recording devices upon prior approval of the General Manager.

Appropriate dress, which includes long pants, closed-toed walking shoes, and clothing/accessories for expected weather, is mandatory for all tours. Due to safety concerns, visitors with inappropriate dress will not be able to tour the entire operational facility. We provide additional safety equipment when required to tour a facility (i.e. hard hats, safety glasses, ear protection).

The tour guide will discuss safety awareness with all participants prior to the commencement of the tour, including demonstration of use of any required protective equipment.

All tour participants must remain under the control and guidance of the tour guide. Any person or group deviating from the guided tour will be escorted from the facility.

Tour participants must adhere to all safety and site-specific requirements. Failure to follow safety requirements will terminate the tour.

We reserve the right to cancel and/or deny any tour requests.

All tours/events must be pre-approved by the Agency’s insurance provider.

300.00 Policy Review

This Policy shall be reviewed at least biennially.
WAIVER AND GENERAL RELEASE RE: ACCESS TO AMADOR WATER AGENCY PROPERTIES
Facility Tour

In consideration of receiving a limited and permissive right to enter Amador Water Agency properties, IT IS AGREED THAT the undersigned hereby releases the AMADOR WATER AGENCY, its agents, officers, directors, attorneys and employees (collectively referred to hereinafter as “Agency”) to the greatest extent provided for under law for the following matters that arise in any way out of the activities specified herein:

1. The Undersigned is aware that participation in the Facility Tour entails walking to and through Agency facilities.
2. The Undersigned is required to wear appropriate personal protective equipment (PPE), such as proper shoe attire for walking in- and outdoors, pants, long-sleeved shirts, etc.
3. The Undersigned acknowledges that if using their vehicle, they are responsible for their vehicle at all times, acknowledging full responsibility and liability for any incidents/accidents that may occur. The Undersigned will also provide proof of insurance prior to the tour.
4. Any and all claims for personal injury or death to the undersigned, whether or not caused in whole or in part by the negligence or other acts or omissions of Agency, except for Agency’s active negligence, and regardless of whether such injury is caused in whole or in part by the undersigned, whether alone or together with or in association with others;
5. Any and all claims for any real or personal property damage, whether or not the property is owned by or in the custody or possession of the undersigned, and whether or not caused by Agency or others, except for Agency’s active negligence, and regardless of whether the damage is caused in whole or in part by the undersigned;
6. Any and all claims for any damage, injury, loss, expense or liability incurred or arising from any act or omission of the Agency, any individual, company or agency in relation to transportation services to or from Agency facilities; and
7. Any and all claims for any damage, injury, loss, accident, delay, irregularity, indebtedness, expense or liability incurred or arising from weather, illness, or federal, state, county or Agency rule, regulation or restriction.

IT IS FURTHER AGREED that the undersigned will, to the greatest extent authorized under law, indemnify, defend, hold harmless and release the Agency from any and all claims, demands, actions, and damages, including but not limited to attorneys’ fees and reasonable costs, brought against the Agency for any injury arising out of or caused by the undersigned’s negligence or any acts, omissions or conduct of the undersigned in relation to and arising out of the activities specified in this Waiver and General Release.

WAIVER AND GENERAL RELEASE
Retention Period: 10 years
IT IS FURTHER AGREED that the undersigned understands, consents, and agrees to the terms and conditions set forth above, and that his/her consent and agreement to this Waiver and General Release is a condition precedent to Agency's grant of a limited and permissive right of entry.

The foregoing is agreed to this 8th day of February 2019:

PRINTED NAME          SIGNATURE          TELEPHONE #

__________________________________________  __________________________

REQUESTED BY AWA REPRESENTATIVE:

(signature)

(printed name)
100.00  Policy
It is the policy of the Amador Water Agency (the “Agency”) to accept electronic signatures affixed to documents in which a signature is required or used, provided that: (1) the electronic signatures are “digital” signatures that comply with the requirements of California Government Code Section 16.5 and applicable state regulations, (2) the signatories are willing and wanting to utilize digital signatures, and (3) the digital signatures are created by technologies authorized by the California Secretary of State and made available by the Agency. However, the Agency will not use or accept electronic signatures for the following types of documents:

- Documents requiring notarization
- Certificates or permits (where not authorized by applicable laws)
- Documents requiring the Board President’s signature
- Other types of documents where use of an electronic signature is prohibited by applicable law

The use, or the Agency’s acceptance, of a digital signature is at the option of the Agency and the signer(s). Nothing in this Policy requires the Agency to use or accept the submission of a document containing a digital signature.

200.00  Definitions
a) “Digital signature” means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature.
b) “Digital signature certification authority” means an entity authorized by the Secretary of State to issue digital certificates that are required for a digital signature under California law and that is listed on the Secretary of State’s “Approved List of Digital Signature Certification Authorities.”
c) “Digital signature provider” means an entity that provides document signing services using digital technology.
d) “Electronic signature” means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record, including a digital signature.

300.00  Electronic Signatures
Electronic Signatures. The use of electronic signatures is authorized by two California statutes, the Uniform Electronic Transactions Act ("UETA"), codified at Civil Code Section 1633.1 et seq., and Government Code Section 16.5.

The UETA provides that a signature may not be denied legal effect or enforceability solely because it is in electronic form. In order for the UETA to apply, the parties must agree to conduct the transaction by electronic means, and whether they have agreed to do so "is determined from the context and surrounding circumstances, including the parties' conduct."

Government Code Section 16.5 applies to public entitiesd such as the Agency, and authorizes any party to a written communication with a public entity, in which a signature is required or used, to affix a signature by use of a digital signature that complies with the requirements of Section 16.5. Digital signature transactions involving public entities that are subject to the UETA are also subject to the more particular requirements of Government Code Section 16.5. The use of a digital signature will have the same force and effect as the use of a manual signature if, and only if, the digital signature embodies the five attributes discussed in Section 1060.4 below.

400.00  Digital Signatures
Government Code Section 16.5 and State regulations require that a digital signature (i) be created by a technology that is acceptable for use by the State of California and (ii) embody the following five attributes:

1) It is unique to the person using it;
2) It is capable of verification;
3) It is under the sole control of the person using it;
4) It is linked to data in such a manner that if the data are changed, the digital signature is invalidated; and
5) It conforms to regulations adopted by the Secretary of State, codified at Chapter 10 of Division 7 of Title 2 (commencing at Section 22000) of the California Code of Regulations.

---


d "Public entity' includes the state, the Regents of the University of California, the Trustees of the California State University and the California State University, a county, city, district, public authority, public agency, and any other political subdivision or public corporation in the State." Cal. Gov. Code, § 811.2. The Agency is a public entity.
*f See Civ. Code, § 1633.3(e).
*g Gov. Code, § 16.5(a).
500.00  Digital Signature Technologies

The Secretary of State allows public entities to utilize digital signatures that are created by one of two different technologies – “public key cryptography” and “signature dynamics” – provided that the digital signatures are also created consistent with the provisions of Section 22003 of the California Code of Regulations.

Public key cryptography ("PKC") is a form of cryptography that generally allows users to communicate securely. PKC signatures are affixed to documents using software enhancements to existing applications and web browsers and are capable of immediate third-party verification.

Signature dynamics uses the individual’s handwritten signature. Unlike PKC signatures, signature dynamics signatures require additional hardware to create the signatures. An electronic drawing tablet and stylus are used to record the direction, speed, and coordinates of a handwritten signature – essentially, taking a snapshot of a person’s signature. This type of digital signature does not offer encryption, confidentiality, or the level of security that is inherent in PKC signatures. PKC allows for third party verification of the signature by certification authorities approved by the State,¹ while signature dynamics signatures require additional steps (including handwriting analysis) to verify the signer of a document (similar to a non-notarized, paper-based signature). A formal handwriting analysis of a signature dynamics signature may be lengthy. However, some degree of certainty can be obtained by a lay-comparison of manual handwritten signatures that may already be on file with the Agency.

The Agency shall only contract with digital signature providers that offer their digital signature services with a certificate issued by an authorized digital signature certification authority. Agency staff shall only accept digital signatures created by PKC or signature dynamics technologies. As advised by the Secretary of State, Agency staff shall consider the following issues and other issues when identifying the appropriate technology to use for each document that includes a digital signature component:

- Are the documents containing signatures going to be transmitted over an "open" or a "closed" network?
- Does the signature on the document need to be verified?
- How much time and resources can be allocated to verification?
- Does the signature need to be compared to a manual signature on paper or can a digital certificate adequately provide one-stop verification?
- Will immediate verifiability reduce the potential of fraud?
- Will the documents containing digital signatures need to be reproduced for public access to the records?
- Will the documents containing digital signatures need to be utilized by another local, state or federal agency? If so, is the technology compatible with the other agency's needs?

However, whenever a document requires immediate absolute verification of a signature, Agency staff shall only use and accept digital signatures created by the PKC technology.

600.00  Policy Review

This Policy shall be reviewed at least biennially.

Amador Water Agency

Electronic Mail Management and Retention Policy

Adopted:

100.00 Purpose

The Amador Water Agency (Agency) provides electronic mail ("e-mail") for the employees to conduct Agency business. In return for providing e-mail, the Agency expects the employees to manage and protect records resulting from the e-mail communications. This policy is adopted by the Board for the purposes of stating the responsibilities of all Agency employees concerning the creation, removal, storage, and retention of e-mails that are designated official Agency records.

Agency e-mail and e-mail systems are intended solely as a means of communicating Agency information. All Agency e-mail users are forbidden from using the Agency e-mail system other than for the storage and maintenance of Agency records. To ensure the Agency e-mail system functions as intended, it is imperative that all Agency employees and e-mail users regularly delete e-mails from the system as provided in this policy.

This policy supplements and is intended to be carried out in concert with the Agency’s Records Inspection, Retention and Disposal Policy (PL – Adm 009, “Records Inspection Retention Disposal Policy”). While not all e-mail communications are designated Agency records, all e-mail communications are subject to discovery and can be used as electronic evidence in the event of litigation. Unmanaged and unidentified e-mails residing on Agency computers could create expensive and unmanageable problems in the event of litigation and pose a threat to the Agency’s ability to properly and coherently document and reconstruct business and allow decision-making processes.

The Board makes the following findings concerning specific features of the Agency’s computer network and related hardware and software that comprise the Agency e-mail system:

1. Agency performs an electronic back-up of its computer network, including the e-mail system, on a regular schedule. Those back-ups are an electronic recording of the status of the Agency’s computer systems at a particular moment in time and cannot accurately capture or reflect all e-mail or other activity that occurred on the Agency’s computer network on a specific day.
For example, a back-up does not capture items on employees’ desktops or in their non-networked drives.

2. Agency maintains an e-mail filter which reduces SPAM, Phishing, viruses, and other unwanted e-mail from entering the Agency’s system. Employees of the Agency are responsible for reviewing summary e-mail lists from the e-mail filter to determine if valid e-mails were captured by the filter. The e-mail filter system automatically deletes filtered e-mail after a certain set time period.

3. Agency has implemented a Records Management System (RMS) which serves as the repository of all Agency records for future storage and retrieval, retention control, and document protection. The Agency’s RMS is Laserfiche.

100.10 Scope

E-mail communications are considered public records and therefore, the retention and disposition of public records is governed by the Agency’s Records Policy. In general, e-mail communications fall into three categories:

1. E-mails that document official Agency business, which include without limitation, approvals for staff action initiating a business transaction, requests and replies to a request for public information, and direction to employees or consultants. Such e-mail communications generally should be transferred to the RMS and retained in accordance with the Agency’s Records Policy.

2. E-mails that provide general information, such as announcing the date and time of a meeting, responses to professional organizations in which an employee participates, external colleague communications, and for information about the Agency other than for public records. Such e-mail communications are not considered Agency records that must be managed according to the Agency’s Records Policy and shall be routinely deleted from the Agency e-mail system. If an Agency employee believes that any e-mail of this type constitutes an Agency official record, such an e-mail or e-mail attachment should be transferred to the RMS and retained in accordance with the Agency’s Records Policy.

3. Electronic documents such as personal e-mail correspondence, informal e-mail communications between Agency employees, and working notes and drafts (unless intentionally saved for an official purpose). Such documents are not Agency records and should be deleted from the Agency’s computer network as soon as they are received and read, or are otherwise superseded or subject to deletion under this policy.
200.00 Policy

It is the Policy of the Agency that any e-mail communication containing information that documents Agency business must be saved into the RMS in accordance with the Agency's Records Inspection Retention Disposal Policy (PL-Adm-009). Responsibility for complying with this policy is imposed on each Agency employee. If an employee has any question or concern about retaining an e-mail or attachment or other issues of compliance with this policy, he or she should discuss the issue with the General Manager or his/her designee. If deemed necessary, the General Manager may consult with legal counsel about any e-mail retention or removal issue.

200.10 Violation of Policy

While the Board recognizes that occasional lapses in the use and management of e-mail occur in the process of business, a failure to adhere to this policy also could have serious legal and financial consequences for the Agency. Therefore, violations of this policy will be reviewed on a case-by-case basis. In appropriate cases, as determined by the General Manager, a violation may result in disciplinary action against an employee, up to and including termination.

200.20 Procedures

The General Manager will prepare procedures outlining implementation protocols for this policy.

300.00 Policy Review

This Policy shall be reviewed at least biennially.
Amador Water Agency

Information Technology/Disaster Recovery Policy

Adopted:

100.00 Purpose of the Policy

The purpose of this policy is to establish and ensure appropriate guidance for usage, responsibilities, security, and protection of Agency electronic facilities e.g., computers, laptops, servers, telephones, voice mail, fax machines, software, cell phones, smart phones, internet, email, tablets, printers, and copiers.

Resource constraints dictate that the Agency will facilitate its support of Agency electronic facilities through such means as the following:

1. Maximizing system uniformity with standard configurations.
2. Sustaining the Agency electronic facilities program by periodically upgrading and replacing Agency electronic facilities on a regular cycle.
3. Ensuring that Agency electronic facilities and their support resources are allocated to meet the needs of the Agency's Strategic Plan.

100.10 Agency Property

All Agency electronic facilities are the sole property of the Agency. All messages sent and received, including any personal messages, and all data and information stored on Agency electronic facilities are the Agency’s property regardless of content.

All software acquired for or on behalf of the Agency or developed by Agency employees or contract personnel on behalf of the Agency is and shall be deemed Agency property.

100.20 Authorized Usage

Only authorized Agency staff or contract personnel, pre-approved by the General Manager are to use Agency electronic facilities. All electronic communications using Agency electronic facilities are to be used solely for Agency-related business purposes and not for personal use.

100.30 Unauthorized Usage
Unless pre-approved by the General Manager personal software and equipment connected to the Agency electronic facilities is not authorized, including, but not limited to:

1. A piece of software purchased for one’s home computer
2. A downloaded title from the internet
3. Any proprietary title not licensed to the Agency

(See “PL Adm 017 Electronic Mail, Internet and Computer Use Policy”)

100.40 Technology Procurement

All Agency hardware and software purchased shall be coordinated with the General Manager to ensure that all applications conform to Agency standards and are purchased at the best possible price.

100.50 Information Security

It is the responsibility of each employee to protect data belonging to the Agency. The following guidelines are for all employees:

- All Agency electronic facilities must be monitored and secured at all times by Agency staff and contract personnel.
- Any loss, theft, or suspicious activity of Agency electronic facilities must be reported to the General Manager immediately.
- For security and network maintenance purposes, authorized individuals with Agency approval may monitor equipment, systems and network traffic at any time.

200.00 Disaster Recovery

In the event of a critical disaster to Agency electronic facilities at one of the Agency’s primary facility locations the Agency will have in place the necessary Agency electronic facilities locally and in cloud such that critical functions can be operational as soon as possible. For critical disasters at both Agency primary facilities simultaneously, the Agency will keep an off-site backup system of Agency data such that recovery can occur as expeditiously as possible.

300.00 Policy Review

This Policy shall be reviewed at least biennially.
Amador Water Agency

Electronic Mail, Internet and Computer Use Policy

Adopted:

100.00 Purpose of the Policy

The purpose of this policy is to establish and insure that all forms of electronic communication and equipment are used for Agency-related business only with no right or expectation of personal privacy.

200.00 Policy

The Agency uses various forms of electronic communication and equipment including, but not limited to, computers, tablets, modems, telephones, cell phones, voice mail, fax machines, internet, and e-mail. All electronic communications, including all software and hardware, are and will remain the sole property of the Agency. All messages sent and received, including any personal messages, and all data and information stored on the Agency’s computer systems are the Agency’s property regardless of content.

Use of Agency electronic communication and equipment for “Social Networking” is not permitted. Employees who may need to utilize social networking for Agency-related business must obtain prior approval from the General Manager or his/her designee.

Electronic communications will not be used in any manner that would: (1) be discriminatory, lewd, derogatory, defamatory, disparaging, sexually explicit, harassing, threatening, or obscene; (2) constitute copyright, trademark infringement or misappropriation of trade secrets; or (3) be for any other purpose which is illegal, against Agency policy, or not in the best interests of the Agency.

Employees will not install personal software in Agency computer systems. All software on any Agency computer system must be licensed to the Agency. Any updates to existing software must be approved by the General Manager or his/her designee prior to installing the update. All electronic information created by any employee using any means of electronic communication is the property of the Agency and will remain the property of the Agency. Employees should understand that they have no right or expectation of privacy with respect to any messages or information created or maintained on the Agency’s computer systems, including personal information or messages. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the Agency’s ownership of, or
The Agency reserves the right to enter, access, search, monitor, review, copy, and/or retrieve electronic files, messages, e-mail, voice mail, history of internet usage, and any other type of electronic file or information, without notice, for any legitimate business purpose including, but not limited to, ensuring that there is no misuse or violation of Agency policy or any law, investigating theft, and monitoring disclosure of Agency information. The Agency may override personal passwords if it becomes necessary or appropriate to do so for any reason.

All electronic communications, including e-mail, access to the internet, and other types of Agency-paid communication access, are to be used only for Agency-related business and not for any personal use.

Any employee who misuses the Agency’s electronic communications or otherwise violates this policy will be subject to discipline up to and including termination.

All employees must manage and protect records resulting from their e-mail communications as required by the Agency’s Records Inspection, Retention and Disposal Policy (PL - Adm 009), and Electronic Mail Management and Retention Policy (PL – Adm 015) which sets forth the responsibilities of all Agency employees concerning the creation, removal, storage, and retention of e-mails that are designated as official Agency records.

### 300.00 Policy Review

This Policy shall be reviewed at least biennially.