<table>
<thead>
<tr>
<th>AWA PL</th>
<th>Adm 001</th>
<th>Amador Water Agency Enabling Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>AWA PL</td>
<td>Adm 002</td>
<td>Strategic Plan</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 003</td>
<td>MOU AC and AWA</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 004</td>
<td>MOU AC and Calaveras County</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 005</td>
<td>Water and Wastewater Code Regulations</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 006</td>
<td>Purpose of Board Policies</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 007</td>
<td>Sustainability</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 008</td>
<td>Legislative Response</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 009</td>
<td>Records Inspection Retention Disposal Policy</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 010</td>
<td>Electronic Mail Management and Retention</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 011</td>
<td>Electronic Mail, Internet and Computer Use</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 012</td>
<td>IT Disaster Recovery</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 013</td>
<td>Disposing of Surplus Real Property, Vehicles etc</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 014</td>
<td>Facility Tour</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 015</td>
<td>Claims</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 016</td>
<td>Workplace Honesty</td>
</tr>
<tr>
<td>AWA PL</td>
<td>Adm 017</td>
<td>Digital Signature</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 #A
Amador Water Agency

Strategic Plan Policy
DRAFT
Adopted:

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 #B
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 every two years
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 every two years.
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 cannot agree with 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 every two years.
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, text messages, emails 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

1. 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).
**LR = 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>LR</td>
</tr>
<tr>
<td>Oaths of office/ballots/other official materials related to</td>
<td>Term of Office + 7 years</td>
<td>LR</td>
</tr>
<tr>
<td>election or appointment of directors and officers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Filings with Clerk of the Board of State</td>
<td>Permanent</td>
<td>LR</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>LR</td>
</tr>
<tr>
<td>Form 801 Gift to Agency</td>
<td>7 years after filing</td>
<td>LR</td>
</tr>
<tr>
<td>Form 470 annual Financial Disclosure Statements</td>
<td>7 years after filing</td>
<td>LR</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>LR</td>
</tr>
<tr>
<td>Ordinances and Resolutions</td>
<td>Permanent</td>
<td>LR</td>
</tr>
<tr>
<td>Conflict of Interest Code</td>
<td>Current + 3 years</td>
<td>LR</td>
</tr>
<tr>
<td>Board policies and procedures</td>
<td>Current + 3 years</td>
<td>LR</td>
</tr>
<tr>
<td>Ethics Code</td>
<td>Current + 3 years</td>
<td>LR</td>
</tr>
<tr>
<td>Proofs of Completion of Directors’ and Designated Employees’ Ethics Training</td>
<td></td>
<td>LR</td>
</tr>
<tr>
<td>Board Meeting Recordings</td>
<td>2 years</td>
<td></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>LR</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> Agreements and contracts</td>
<td>10 years following end of contract</td>
<td>L.R</td>
</tr>
<tr>
<td>Requests for proposal and request for qualifications</td>
<td>Contract Termination + 5 years</td>
<td></td>
</tr>
<tr>
<td>Responses to requests for proposal and requests for qualifications</td>
<td>Contract Termination + 5 years</td>
<td>L.R</td>
</tr>
<tr>
<td>2 years for all unaccepted proposals</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Capital Improvements:</strong> Capital improvement contracts</td>
<td>10 years following end of contract</td>
<td>L.R</td>
</tr>
<tr>
<td>Accepted bid documents</td>
<td>5 years</td>
<td></td>
</tr>
<tr>
<td>As-built plans/ documents</td>
<td>10 years following end of contract</td>
<td>L.R</td>
</tr>
<tr>
<td>Unaccepted construction bids and proposals</td>
<td>2 years</td>
<td></td>
</tr>
<tr>
<td><strong>Elections Materials:</strong> 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>All categories below are Audit + 2 years</td>
<td></td>
</tr>
<tr>
<td>Accounts payable</td>
<td>Correspondence</td>
<td>L.R</td>
</tr>
<tr>
<td></td>
<td>A/P ledger/distribution</td>
<td>L.R</td>
</tr>
<tr>
<td></td>
<td>journal</td>
<td>L.R</td>
</tr>
<tr>
<td></td>
<td>Cash disbursements</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Payroll/stipend payments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Petty cash reports</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Expense reports</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Invoices</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Purchase orders</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Warrants</td>
<td></td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>A/R register</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aged trial balance</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Invoices</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>LR</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></td>
<td>All categories below are Audit + 2 years</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></td>
<td>2 years</td>
</tr>
<tr>
<td><strong>Issuance of Indebtedness</strong></td>
<td></td>
<td>All categories below are 4 years after repayment LR</td>
</tr>
<tr>
<td><strong>Bond Insurance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trust indentures</td>
<td></td>
<td>LR</td>
</tr>
<tr>
<td>Funds management</td>
<td></td>
<td>LR</td>
</tr>
<tr>
<td>agreement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other permanent bond records</td>
<td></td>
<td>LR</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 logs</td>
<td>4 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>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>LR</td>
</tr>
<tr>
<td>Minor’s claims</td>
<td>2 years from age of 18</td>
<td>LR</td>
</tr>
<tr>
<td>Litigation</td>
<td>2 years after litigation concludes</td>
<td>LR</td>
</tr>
<tr>
<td>Opinions</td>
<td>7 years</td>
<td>LR</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>LR</td>
</tr>
<tr>
<td>Amount of compensation paid to Officers and Employees</td>
<td>7 years after date of payment</td>
<td>LR</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></td>
</tr>
<tr>
<td>Job descriptions</td>
<td>Current + 2 years</td>
<td>LR</td>
</tr>
<tr>
<td>Time sheets</td>
<td>Current + 4 years</td>
<td></td>
</tr>
<tr>
<td>Call reports and logs</td>
<td>Current + 4 years</td>
<td></td>
</tr>
<tr>
<td>Employment Agreements</td>
<td>Expiration/Termination + 4 years</td>
<td></td>
</tr>
<tr>
<td>Job applications and resumes</td>
<td>1 year</td>
<td>LR</td>
</tr>
<tr>
<td>Position advertisements</td>
<td>2 years</td>
<td>LR</td>
</tr>
<tr>
<td>Employment testing results</td>
<td>2 years</td>
<td>LR</td>
</tr>
</tbody>
</table>
### OSHA logs and records
- **Title:** OSHA logs and records
- **Minimum Retention Period:** 5 years
- **Notes/Comments:**

### Safety and training records
- **Title:** Safety and training records
- **Minimum Retention Period:** Employment + 4 years

### Drug & alcohol program records
- **Title:** Drug & alcohol program records
- **Minimum Retention Period:** 5 years

### DE 34-New Employee Report
- **Title:** DE 34-New Employee Report
- **Minimum Retention Period:** 4 years

### I-9-Employment Eligibility
- **Title:** I-9-Employment Eligibility
- **Minimum Retention Period:** 3 years after hire or 1 year after termination, whichever is later

### Harassment Training Records
- **Title:** Harassment Training Records
- **Minimum Retention Period:** 2 years

### Real Property:
- **Title:** Deeds and other documents related to real property interests
  - **Minimum Retention Period:** Permanent
- **Notes/Comments:** LR
- **Title:** Eminent domain
  - **Minimum Retention Period:** Permanent
  - **Notes/Comments:** LR
- **Title:** Annexation and detachment
  - **Minimum Retention Period:** Permanent
  - **Notes/Comments:** LR

### Tax-Related:
- **Title:** Auditor’s assessed valuation certificates
  - **Minimum Retention Period:** 5 years
  - **Notes/Comments:** LR
- **Title:** Agency tax collection information
  - **Minimum Retention Period:** 5 years
  - **Notes/Comments:** LR

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

### 300.30 Retention of Other Records

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; (LR)

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

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

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

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;

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 every two years,
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 every two years.
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, text messages 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 personal “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
ability to access, the electronic information. Employees must not place stickers on laptop computers.

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 010) 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 every two years.
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 011 Electronic Communications, 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 every two years.
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.
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.

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.

1000.00  Policy Review

This Policy shall be reviewed at least every two years.
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 General Manager or his/her designee as well as the Agency’s insurance provider.

300.00  Policy Review

This Policy shall be reviewed at least every two years.
WAIWER 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.
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 __ day of ______ 20XX:

PRINTED NAME          SIGNATURE              TELEPHONE #
____________________  ______________________ (____)________________

REQUESTED BY AWA REPRESENTATIVE:

________________________
(signature)

________________________
(printed name)
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 (Appendix D) 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 consistent with Section 200.00 of this policy. 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 every two years.
Amador Water Agency

Workplace Honesty 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 or falsifying information on Agency-related documents or contracts.

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).

500.00 Policy Review

This policy shall be reviewed at least every two years.
Amador Water Agency

Digital Signature Policy

Adopted: October 11, 2018

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.

a Cal. Code Regs., tit. 2, § 22000 et seq.
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 entities 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.

---


"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.


See Civ. Code, § 1633.3(e).

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 every two years.

1 California Secretary of State, Approved List of Digital Signature Certification Authorities,
http://www.sos.ca.gov/administration/regulations/current-regulations/technology/digital-signatures/approved-
certification-authorities?referrer=&lastReferrer=trustfile.avalara.com (as of July 2018).
## BOARD POLICIES

<table>
<thead>
<tr>
<th>Policy Number</th>
<th>Policy Title</th>
</tr>
</thead>
<tbody>
<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 Exp Reimbursement</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 Review</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 Policy</td>
</tr>
<tr>
<td>AWA PL BOD 013</td>
<td>Fire Protection Agency Cooperation</td>
</tr>
</tbody>
</table>
Amador Water Agency

Directors’ Compensation and Expense Reimbursement Policy

Adopted:

100.00 Purpose of the Policy

This document sets forth the policy of the Amador Water Agency concerning Directors’ compensation and the payment of actual and necessary expenses incurred in the performance of official duties and is intended to comply with the requirements of Government Code sections 53232 through 53232.4.

200.00 Directors’ Compensation

200.10 Amount of Compensation

Each member of the Board of Directors of the Agency will be entitled to receive $119.80 per day for each day’s attendance at meetings of the Board, or for each day’s service rendered as a member of the Board by request of the Board, as provided in article 200.20.

200.20 Types of Service for Which Compensation Will Be Provided

Applicable law (Government Code section 53232.1) permits the Agency to compensate Directors for each day’s attendance at meetings of the Board, or for each day’s service rendered as a Director, subject to a written policy adopted in a public meeting. Government Code section 53232.1 permits that a Director can legally be compensated for up to 10 days per calendar month of service in accordance with the Board’s adoption of Ordinance No. 02-01. (Water Code section 20202.) In 2011, The Amador Water Agency Board of Directors approved a reduction of compensated meetings to a total of 7 days per calendar month for Directors and 10 days per calendar month for the Board President. The Board President may authorize specific meeting compensation above the 7 days per month not to exceed 10 days per calendar month for Directors given additional committee assignments. The Agency encourages Directors to take advantage of opportunities to be informed concerning matters of interest to the Agency, and to inform others of the activities and interests of the Agency. The General Manager or his or her designee will provide to the Board on a monthly basis a list of meetings attended by each Director for which the Director was compensated under this policy. Directors will be compensated (for up to 7 days per calendar month) for attending the following types of meetings:
a. Meetings of the Board of Directors of the Agency and the Board of Directors of the Amador Water Agency Financing Corporation;

b. Committee meetings of the Board, attended as a member of the committee;

c. Other meetings necessary for the disposition of duties assigned to a Board committee, attended by a member of the committee;

d. Meetings of other governmental entities, associations or duly-recognized committees on which the Agency is officially represented, attended by the liaison representative of the Board and/or the liaison representative alternate who has been appointed to represent the Agency on the governmental entity or committee (both liaison representative and liaison representative alternate should attend all meetings to be informed on the issues and therefore both will be compensated for attending those meetings);

e. Conferences, seminars, workshops and other events held within the State of California that are sponsored by industry associations or nonprofit entities for the purpose of discussing relevant water issues, including days while attending the conference, seminar, workshop or event, but excluding days in transit to or from the conference, seminar, workshop or event (attendance at conferences, seminars, workshops and events held outside the State of California will be approved by the Board of Directors on a case-by-case basis);

f. Educational training, seminars, and courses designed to improve Directors’ understanding of Agency business and their obligations as public officials, including ethics training mandated under Government Code section 53235(a) and harassment prevention training under Government Code section 12950.1;

g. Meetings, water industry events or office visits of a substantial duration concerning substantive Agency business as requested and approved for payment by the General Manager or the Board President; and

h. In connection with business, educational and ceremonial meetings, functions and conferences for which the Agency has prepaid for a Director’s attendance, the Director shall attend such events. If the Director is unable to attend the pre-paid event, the Director shall immediately notify the Agency. If the Agency cannot obtain a refund of fees paid, then the Agency shall bill the Director for reimbursement for all amounts paid, unless the Director’s failure to attend the event arises from circumstances beyond the control of the Director.
300.00  Reimbursement of Directors’ Expenses

300.10  Policy and General Rules

The Agency encourages Directors to attend conferences, seminars and other meetings that require their participation or provide an opportunity to be informed concerning matters of interest to the Agency. Each Director is entitled to reimbursement for the amount of the reasonable and prudent expenditures (i.e., registration fees, travel, meals, lodging, and other actual and necessary expenses) incurred in the performance of his or her official duties. When a Director pre-pays expenses (e.g. registration, airfare, hotel), the Director may submit such items for expense reimbursement prior to the meeting occurrence as described in article 300.20.

A Director may use his or her personal funds for meeting registration. The Agency will reimburse the Director for the actual amount of the registration, if properly reported and documented in accordance with article 300.40. If requested, staff will register a Director for qualifying meetings as described in article 200.20.

The Agency’s annual budget will set an appropriate level of funding for payment of Directors’ expenses. A maximum of five paid meeting days per conference will be allowed with the following exception: ancillary programs that are not a part of the main conference (e.g. ACWA/JPIA meetings). The General Manager or his or her designee will be responsible for ensuring that the budgeted amount is not exceeded without prior approval of the Board.

Any exceptions for expenses that do not come within the District’s expense reimbursement policy must be approved by the Board in a public meeting in advance of the time when the expense will be incurred. (Government Code, §53232.2, subd. (f).) Any question concerning the propriety of a particular expense should be resolved by the Board before the expense is incurred.

300.20  Reimbursable Expenses

Directors’ direct expenses for attendance at meetings and events authorized by this policy, including registration fees, reasonable travel, lodging, and meal costs, and other actual necessary expenses, will be paid by the Agency in accordance with the guidelines and per diem rates for an accountable expense reimbursement plan as defined in the United States Internal Revenue Service’s Publication 463 (“Travel, Entertainment, Gift and Car Expenses”) and Publication 1542 (“Per Diem Rates (For Travel Within the Continental United States”) (collectively, the “IRS Publications”). A copy of the current IRS Publications can be obtained from the Finance Director.

The following expenses are authorized business-related expenditures:
a. Personal Vehicle Mileage. A Director will be reimbursed for actual vehicle travel miles at the rate authorized under the IRS Publications for all meetings attended and services provided as defined in article 200.20, Director’s Compensation, above. A Director will be considered to have accounted for personal vehicle expenses by indicating the actual miles traveled, the business purpose of the travel, and the date of travel on the approved Agency expense reimbursement form and submitted in accordance with article 300.40. The Agency will not reimburse Directors for any other personal vehicle expenses.

b. Hotel Expenses. A Director will be reimbursed for reasonable lodging expenses incurred in accordance with this Policy when a Director attends conferences, seminars or meetings, if the Director stays at the hotel or other lodging listed in the event’s registration materials at the group rate obtained for the event. If a Director travels on Agency business for which no hotel is designated or is unable to book lodging at a specified conference rate, he or she may either (a) be reimbursed at the per diem hotel rate provided in the IRS Publications for the city in which the hotel is located; or (b) use the Director’s personal funds to pay for hotel charges, in which case the Agency will reimburse the Director for actual charges, but only up to three times the maximum per diem hotel rate provided for in the IRS Publications for the event location.

c. Meals. A Director may be reimbursed for the cost of their meals while attending authorized conferences, seminars or meetings away from the Agency based on the per meal rate provided for in the IRS Publications. A Director may either (a) report meals at the IRS per diem rate or (b) use the Director’s personal funds to pay for meals, in which case the Agency will reimburse the Director for actual charges, but only up to three times the maximum per diem meal rates provided for in the IRS Publications. If a Director is not traveling for a full day, defined as from 12:01 a.m. to 12:00 Midnight, the per diem meal/incidental allowance will be prorated according to the actual hours of travel unless a Director uses his or her personal funds to pay for meals, in which case the Agency will reimburse the Director for actual charges for meals incurred while traveling, but only up to three times the maximum meal rate provided for in the IRS Publications. If the Agency pre-pays the cost of one or more meals with a meeting, function or conference registration, a Director must attend the prepaid meals. If a Director fails to attend a pre-paid meal, a Director may not submit a claim for reimbursement for an alternative meal taken in lieu of the pre-paid meal.

d. Incidental Allowance. Tips for meals will be reimbursed up to a maximum of 15% of the cost of the reimbursable portion of any meal in accordance with the tip shown on the receipt attached to an expense reporting form. The Agency will reimburse a Director for tips actually given to transportation drivers, baggage porters, bellhops and hotel housekeepers that
are reasonable and customary for the area. A Director may be reimbursed for toll charges and parking fees up to the actual amount expended.

e. Common Carrier Travel. When personal vehicle use for Agency business is impractical due to time and/or distance, a Director may use regularly-scheduled commercial carriers for travel. Consistent with scheduling needs and the most-direct route, a Director traveling by plane, train, rental vehicle, bus, or taxi will travel by the least-expensive fare actually available for the date and time of the travel. When possible, travel should be planned in advance to permit use of advance fares. Long-term parking must be used at airports for travel exceeding 24 hours. The Agency will reimburse the Director for the actual amount of the fare and related, necessary expenses (e.g., baggage fees), if properly reported in accordance with article 300.30.

300.30 Types of Expenses for Which Reimbursement Will Not be Provided

Director expenses that are not deemed to be reimbursable business expenses may include, but are not limited to:

a. Barber and/or beauty shop charges
b. Fines for traffic or parking violations
c. Expenses of any person accompanying a Director on a District-approved trip or event
d. Personal telephone calls
e. Fitness/Health Facility or Massages
f. Alcoholic beverages
g. Entertainment expenses (movies, sporting events, etc.)
h. Non-Mileage vehicle expenses
i. Charitable contributions

300.40 Expense Reporting Procedures

In order to be reimbursed for any expense authorized under this Policy, within 60 days of incurring the expense, a Director must fill out and sign a Agency-provided expense report form available from the Finance Department. The expense report form is designed to ensure that Directors' expense reimbursements comply with the requirements of Government Code section 53232.3 and the IRS Publications. Accordingly, the General Manager or his/her designee will review each expense report form, and sign it to indicate compliance with the requirements of this policy. In all cases when a Director seeks reimbursement for expenses incurred while attending a conference, seminar or other meeting, a copy of the conference registration form must either be attached to his or her expense report or on file at the Agency (e.g. copy attached to check request or purchasing card paperwork). In addition, a Director will be required to attach the following documentation to his or her expense reimbursement report as a condition of receiving reimbursement for an appropriately-incurred business expense:
a. Personal Vehicle Mileage. To verify mileage, the General Manager or
designee will document personal vehicle mileage, using tools such as
Google or MapQuest, which will be attached to the Director’s expense
report.

b. Lodging Expenses. If a Director wishes to be reimbursed for lodging
expenses, he or she must attach to the expense report an itemized bill issued
by the hotel and a copy of the credit card receipt or other proof of the
Director’s payment. Except when attending a conference, seminar or other
meeting and using the available group rate booked for the event, the Agency
will reimburse a Director only for the actual amount of the hotel expenses
incurred up to a maximum amount equal to three times the applicable per
diem rate shown in the IRS Publications.

c. Meal Expenses. If a Director wishes to be reimbursed for meal expenses at
the IRS per diem rate, he or she may fill out the expense report form and
claim the expense without further documentation. If a Director pays for
meals with his or her own funds, he or she must attach to the expense report
an itemized bill, copy of a credit card receipt or other proof of the Director’s
payment. In such cases, the Agency will reimburse a Director only for the
actual amount of the meal expense incurred up to a maximum amount of
three times the applicable per diem rate shown in the IRS Publications.

d. Common Carrier Travel. A Director must attach to his or her expense report
the fare, coupon, or itemized bill from a travel agency, airline, rental
vehicle, bus or train showing the actual amount expended for such travel. A
boarding pass, conference badge, business receipt from the destination or
other documentation indicating the travel occurred must be attached to the
Director’s expense report.

e. Incidental Expenses. Whenever possible, a Director should obtain a receipt
for incidental expenses such as tolls and parking fees. For incidental
expenses where no receipt is available, such as tips and parking meter costs,
a reimbursement request for such expenses may be claimed on the Agency
approved expense report. Certification that such expenses were related to
Agency business, reasonable, appropriate, and actually incurred by the
Director is made when signing the Agency approved expense report form.

In all cases, the Director will remain responsible for filing an expense report and
attaching the appropriate documentation obtained by the Director in conformance
with paragraphs a. through e. above. Flat-rate advances or payments of expenses are
prohibited under Government Code section 53232.2, except for per diem payments
authorized in accordance with the IRS Publications.
A Director must substantiate all expenses on an expense report with the appropriate documentation attached within 60 days of incurring or paying the expense. An expense report submitted after the 60 days will only be paid if approved by the Board at a regular meeting. Any mis-reported or late-reported expenses incurred by a Director will not meet the requirements of the IRS Publications and will be considered income to the affected Director. To comply with the applicable tax laws, the Agency will issue to a Director a Form W-2 including all mis- or late-reported expenses as income.

300.50 Disclosure

To comply with reporting requirements of Government Code section 53232.3, the Agency will prepare a list of the meetings attended by each Director for which the Agency provided compensation, and a list of the amount and purpose of each expense reimbursement paid by the Agency to each Director. This information will be included with the agenda materials for each regular monthly Board of Directors meeting. At the next regular Board meeting, Directors also must provide either an oral or written report of meetings and other authorized events attended for which they were compensated by the District. If multiple officials attended the same event, a joint report may be made.

All expenses are subject to verification that they comply with this Policy. Directors should keep in mind that some expenditures may be subject to reporting under the Political Reform Act and other laws. All Agency expenditures are public records subject to disclosure under the Public Records Act, except that the Agency will ensure that no Director personal information, such as credit card numbers and home addresses, is provided to the public in the event of a request for such records.

300.60 Penalties

Government Code Section 53232.4 defines the penalties for falsifying or misusing public funds. The penalties include: (1) loss of the violator’s reimbursement privileges; (2) restitution of misused Agency funds; (3) civil penalties of up to $1,000 per day for each day of violation and three times the value of the public resources misused; and (4) criminal prosecution and lifetime bar from holding public office. The Board will report any violation of this Policy to the appropriate authorities.

300.70 Payment of Compensation and Expenses

All reimbursable expenses as outlined in this policy will be paid within the next accounts payable cycle upon receipt of a completed expense reporting form approved by the General Manager or designee.

400.00 Policy Review

This Policy shall be reviewed at least every two years.
Amador Water Agency

Ethics and Training Policy

Adopted:

100.00 Purpose of the Policy

The policy of the Amador Water Agency is to maintain the highest standards of ethics from its Directors and employees. The proper operation of the Agency requires that decisions and policy be made in the proper channels of governmental structure, that public office not be used for personal gain, and that all individuals associated with the Agency remain impartial and responsible towards the public. Accordingly, it is the policy of the Agency that Directors and Agency employees will maintain the highest standard of personal honesty and fairness in carrying out their duties.

This policy contains two parts. The first part addresses mandated ethics training requirements for Directors and certain designated officers. The second part of this policy sets ethics standards for Directors. The ethical standards to be followed by Agency employees, including the General Manager, Human Resources Manager, Finance Manager, Engineering Manager and Operations Manager (if an employee), are provided in the Agency’s Employee Handbook.

The primary purpose of the ethics training policy (articles 200.00 – 250.00) is to ensure that all Agency Directors and certain designated officers comply with the ethics training and reporting mandates imposed by Government Code sections 53234 through 53235.2.

The primary purpose of the ethics guidelines for Directors (articles 300.00 – 375.00) is to set forth the minimum ethical standards to be followed by the Board of Directors of the Amador Water Agency. The objectives of this policy are to (1) provide guidance for dealing with ethical issues, (2) heighten awareness of ethics and values as critical elements in Directors’ conduct, and (3) improve ethical decision-making and values-based management.

200.00 Mandatory Ethics Training

210.00 Positions Requiring Training

Ethics training is required for all Directors (Government Code section 53235, subd. (a).) The following Agency officers also will be required to receive ethics training: (1) General Manager; and (2) Finance Manager. (Government Code section 53234, subs. (a), (b) and (c)(1).) Collectively, Directors and the designated officers are the
Agency’s “Covered Officials” under this policy. The Board encourages all other Agency employees to receive ethics training, although such training is not a legal requirement.

220.00 Training Curriculum

The required ethics training must cover general ethics principles and ethics laws relevant to the Covered Officials’ public service. All Covered Officials must receive ethics training in the following topics relevant to the service to the Agency:

(1) laws relating to personal financial gain by public servants, such as prohibitions on conflict of interest and bribery;

(2) laws relating to the privileges of office, such as limitations on personal receipt of gifts and travel, use of public resources, mass-mailing restrictions and prohibitions on gifts of public funds;

(3) government transparency laws, such as the Brown Act, the Public Records Act, and financial interest disclosure laws; and

(4) laws relating to fair public process, such as due process and competitive bidding requirements, bias prohibitions, and incompatible office restrictions.

Covered Officials may fulfill their required ethics training obligations by participating in any approved form of training, including but not limited to seminars, webinars, group or individual training, or self-study at home, in-person or on-line. If self-study courses are used, a test component must be included. (Government Code section 53235, subd. (d).)

230.00 Frequency of Training

Every two years, all Covered Officials must receive at least two hours of ethics training that complies with the requirements of Article 220.00. (Government Code section 53235, subd. (b).) All Covered Officials may take more than two hours of training every two years and the Board encourages all Covered Officials to obtain more than the required minimum training.

Newly elected or appointed Covered Officials must complete their first two hours of ethics training within one year after taking office. After completing the initial training requirement, Covered Officials must receive a minimum of two hours of ethics training every two years for as long as they remain in office.
240.00 Training Documentation

Compliance with the Government Code sections 53234 through 53235.2 ethics training requirements must be documented. The person or entity providing the training must provide a proof of participation to the Covered Official. (Government Code section 53235, subd. (e).) The Agency will also keep records of its Covered Officials' dates of participation in ethics training and the person or entity providing the training for five years. (Government Code section 53235.2, subd. (a).) The HR/Office Manager will maintain the ethics training records. All Covered Officials must submit a copy of their proofs of participation to the Covered Official within 30 days of completing any ethics training. All ethics training policies and attendance records are public records subject to disclosure under the California Public Records Act. (Government Code section 53235.2, subd. (b).) Training records will be maintained in Director and employee personnel files.

250.00 Miscellaneous Training Rules

The Agency will inform its Covered Officials of available ethics training opportunities at least once annually. (Government Code section 53235, subd. (f).)

It is the responsibility of each Covered Official to ensure his or her compliance with this policy, including selecting the ethics training courses and securing and submitting the ethics training documentation to the Human Resources Manager as required in Article 240.00.

If a Covered Official holds more than one position covered by the ethics training mandate, he or she need only complete the minimum two hours every two years to comply. (Government Code section 53235.1, subd. (c).) If a Covered Official wishes to receive Agency credit for ethics training completed on behalf of another agency, he or she should submit the relevant documentation to the Human Resources Manager or designee.

300.00 Ethics Guidelines for Directors

310.00 Responsibilities of Public Office

Directors are obligated to uphold the Constitution of the United States and the Constitution of the State of California. Directors will comply with applicable laws regulating their conduct, including conflict of interest, financial disclosure and open government laws. Directors will work in cooperation with other public officials unless prohibited from so doing by law or officially-recognized confidentiality of their work, or if doing so would be contrary to the best interests of the Agency.

(Article 20, section 3 of the California Constitution; Government Code section 1360.)
315.00 **Fair and Equal Treatment**

Directors will not, in the performance of their official functions, discriminate against any person on the basis of race, sex, color, national origin, ancestry, disability, or any other protected class under federal, state or local laws. A Director will not grant any special consideration, treatment or advantage to any person or group beyond that which is available to every other person or group in similar circumstances.

(See, e.g., Article 1, section 31 of the California Constitution; Age Discrimination in Employment Act of 1967 (29 U.S.C. sections 621 and following); Americans with Disabilities Act of 1990 (42 U.S.C. sections 12101 and following); California Fair Employment and Housing Act (Government Code sections 12900 and following and Chapter 5 of Title 47, U.S.C.); Rehabilitation Act of 1973 (29 U.S.C. sections 701 and following); Title VII of the Civil Rights Act of 1964 (42 U.S.C. sections 2000e and following).)

320.00 **Proper Use and Safeguarding of Agency Property and Resources**

Except as specifically authorized, a Director will not use or permit the use of Agency-owned vehicles, equipment, telephones, materials or property for personal convenience or profit. A Director will not ask or require a Agency employee to perform services for the personal convenience or profit of a Director or employee. Each Director must protect and properly use any Agency asset within his or her control, including information recorded on paper or in electronic form. Director will safeguard Agency property, equipment, moneys and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust. Directors are responsible for maintaining written records, including expense accounts, in sufficient detail to reflect accurately and completely all transactions and expenditures made on the Agency's behalf, in accordance with the Agency's policy for reimbursement of expenses of Directors.

(Article 16, section 6 of the California Constitution; Government Code sections 8314 and 53232.3; Penal Code section 424; see People v. Battin (1978) 77 Cal.App.3d 635.)

325.00 **Use of Confidential Information**

A. A Director is not authorized, without prior approval of the Board of Directors, to disclose information that qualifies as confidential information under applicable provisions of law to a person not authorized to receive it, that (1) has been received for, or during, a closed session meeting of the Board, (2) is protected from disclosure under the attorney/client or other evidentiary privilege, or (3) is not required to be disclosed under the California Public Records Act.
B. This section does not prohibit any of the following: (1) making a confidential inquiry or complaint to a Agency attorney or grand jury concerning a perceived violation of law, including disclosing facts to a Agency attorney or grand jury that are necessary to establish the alleged illegality of an action taken by the Agency, or an elected official or employee, (2) expressing an opinion concerning the propriety or legality of actions taken by the Board in closed session, including disclosure of the nature and extent of the allegedly illegal action, or (3) disclosing information acquired by being present in a closed session that is not confidential information. Prior to disclosing confidential information pursuant to (1) or (2), above, however, a Director will first bring the matter to the attention of either the President of the Board or the full Board, to provide the Board an opportunity to cure an alleged violation.

C. A Director who willfully and knowingly discloses for pecuniary gain confidential information received by him or her in the course of his or her official duties may be guilty of a misdemeanor under Government Code section 1098.

(Government Code section 54963.)

330.00  Conflict of Interest

A. A Director will not have a financial interest in a contract with the Agency, or be a purchaser at a sale by the Agency or a vendor at a purchase made by the Agency, unless the Director's participation is authorized under Government Code section 1090, 1091 or 1091.5, or other provisions of law. A Director will not participate in the discussion, deliberation or vote on a matter before the Board of Directors, or in any way attempt to use his or her official position to influence a decision of the Board, if he or she has a prohibited interest with respect to the matter, as defined in the Political Reform Act, Government Code sections 81000 and following, relating to conflicts of interest. Generally, a Director has a disqualifying financial interest in a matter if a Board decision would have a reasonably foreseeable material financial effect (as defined by the Fair Political Practices Commission ("FPPC") regulations) on the Director, or his or her immediate family, that is distinguishable from the effect on the public generally on (a) a business entity in which the Director has a direct or indirect investment of $2,000 or more, (b) real property in which the Director has a direct or indirect interest worth $2,000 or more, (c) a source of income of the Director amounting to a total of $500 or more within 12 months before the Board decision, (d) a source of gifts to the Director amounting to $460 or more within 12 months before the Board decision, or (e) a business entity in which the Director holds a position as a director, officer, partner, trustee, manager or employee. An "indirect interest" means any investment or interest owned by the spouse or dependent child of the Director, by an agent on behalf of the Director, or by a business entity or trust in which the Director, or the Director's spouse, dependent child or agent, owns directly, indirectly or beneficially a ten percent interest or greater. A Director will not accept gifts or honoraria that exceed the limitations specified in the Fair Political Practices Act or FPPC regulations. Directors will report all gifts, campaign contributions, income and financial
information as required under the Agency's Conflict of Interest Code and the provisions of the Fair Political Practices Act and FPPC regulations. The dollar limitations referred to in this section are revised from time to time by the FPPC.

(Government Code sections 87100 and following; Title 2, California Code of Regulations sections 18700 and following.)

B. If a Director believes that he or she may be disqualified from participation in the discussion, deliberations or vote on a particular matter due to a conflict of interest, the following procedure will be followed: (a) if the Director becomes aware of the potential conflict of interest before the Board meeting at which the matter will be discussed or acted on, the Director will notify the Agency's General Manager and the Agency's legal counsel of the potential conflict of interest, so that a determination can be made whether it is a disqualifying conflict of interest; (b) if it is not possible for the Director to discuss the potential conflict with the General Manager and the Agency's legal counsel before the meeting, or if the Director does not become aware of the potential conflict until during the meeting, the Director will immediately disclose the potential conflict during the Board meeting, so that there can be a determination whether it is a disqualifying conflict of interest; and (c) upon a determination that there is a disqualifying conflict of interest, the Director (1) will not participate in the discussion, deliberation or vote on the matter for which a conflict of interests exist, which will be so noted in the Board minutes and (2) will leave the room until after the discussion, vote and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters (e.g., the consent calendar), in which case the Director will identify the nature of the conflict and not vote on the specified item. If the item is agendized for discussion and possible action, the Director may speak on his or her personal interests in the matter during the time the general public speaks on the issue but must leave the room during Board discussion and action on that item.

C. A Director will not recommend the employment of a relative by the Agency. In addition, a Director will not recommend the employment of a relative to any person known by the Director to be bidding for or negotiating a contract with the Agency.

D. A Director who knowingly asks for, accepts or agrees to receive any gift, reward or promise thereof for doing an official act, except as may be authorized by law, may be guilty of a misdemeanor under Penal Code section 70.

(Government Code sections 1090 and following, 81000 and following, and 87105; Penal Code sections 68 and 70.)
**Soliciting Political Contributions**

Directors are prohibited from soliciting political funds or contributions at Agency facilities, or from Agency employees. A Director will not accept, solicit or direct a political contribution from (a) Agency employees, officers, consultants or contractors, or (b) any person or entity who has a financial interest in a contract or other matter while that contract or other matter is pending before the Agency. A Director will not use the Agency’s seal, trademark, stationary or other indicia of the Agency’s identity, or facsimile thereof, in any solicitation for political contributions contrary to state or federal law.

(Government Code section 3205.)

**Incompatible Offices and “Revolving Door” Policy**

A. Any Director appointed or elected to a public office of another public entity, the duties of which may require action contradictory or inconsistent with the interest of the first entity (as determined under applicable law), is deemed to have vacated his or her office with the Agency upon taking the second, incompatible office.

B. For a period of one year after leaving office, Directors will not represent for compensation non-governmental entities before the Agency with regard to any issues over which that Director had decision-making authority during the three years prior to leaving office.

C. For purposes of this section, “represent” will mean for compensation to actively support or oppose a particular decision in a proceeding by lobbying in person the officers or employees of the Agency or otherwise acting to influence the officers of the Agency.

D. These restrictions will not apply to representation of not-for-profit charitable entities before the Agency.

E. Nothing in this section is intended or will be applied to prevent a former Director from participating in meetings of the Board in the same manner as other members of the public. (See, for example, Government Code section 54954.3.)

(Government Code sections 1099, 53227 and 87406.3; see also, 73 Ops.Cal.Atty.Gen. 357 (1990).)

**Improper Activities and the Reporting of Such Activities; Protection of "Whistle Blowers"**

A. The General Manager has primary responsibility for (1) ensuring compliance with the Agency’s Employee Handbook, and ensuring that Agency employees do not engage in improper activities, (2) investigating allegations of improper activities, and (3) taking appropriate corrective and disciplinary actions. The Board has a duty
to ensure that the General Manager is operating the Agency according to law and the policies approved by the Board. Directors are encouraged to fulfill their obligation to the public and the Agency by disclosing to the General Manager to the extent not expressly prohibited by law, improper activities within their knowledge. Directors will not interfere with the General Manager’s responsibilities in identifying, investigating and correcting improper activities, unless the Board determines that the General Manager is not properly carrying out these responsibilities. Nothing in this section affects the responsibility of the Board to oversee the performance of the General Manager.

B. A Director will not directly or indirectly use or attempt to use the authority or influence of his or her position for the purpose of intimidating, threatening, coercing, commanding or influencing any other person for the purpose of preventing such person from acting in good faith to report or otherwise bring to the attention of the General Manager or the Board any information that, if true, would constitute: a work-related violation by a Director or Agency employee of any law or regulation, gross waste of Agency funds, gross abuse of authority, a specified and substantial danger to public health or safety due to an act or omission of an Agency official or employee, use of an Agency office or position or of Agency resources for personal gain, or a conflict of interest of a Director or Agency employee.

C. A Director will not use or threaten to use any official authority or influence to effect any action as a reprisal against another Director or Agency employee who reports or otherwise brings to the attention of the General Manager any information regarding the subjects described in this section.

D. Any person who believes that he or she has been subjected to any action prohibited by this section may file a confidential complaint with (1) the General Manager, or (2) a Director if the complaint involves the conduct of the General Manager, who will thereupon refer the matter to the full Board to investigate the complaint. Upon the conclusion of the investigation, the General Manager (or the Board in the case of a complaint against the General Manager) will take appropriate action consistent with the Agency’s Employee Handbook, related human resources policies and procedures, and applicable law.

(Labor Code section 1102.5, and following, and Government Code sections 53298 and 53298.5.)

350.00 Compliance with the Brown Act

Directors, and persons elected but who have not yet assumed office as Directors, will fully comply with the provisions of the Brown Act, the State’s open meeting law for public agencies. The Board has adopted “Rules for Proceedings of the Board of Directors” to guide the Board in ensuring that Board decisions are made during meetings of the Board that are open to the public, in compliance with the Brown Act.
355.00 Violation of Ethics Guidelines

A perceived violation of the ethics guidelines (Ethics Policy articles 300.00 – 350.00) by a Director should be referred to the President of the Board or the full Board of Directors for investigation, and consideration of any appropriate action warranted. A violation of this policy may be addressed by the use of such remedies as are available by law to the Agency, including but not limited to: (a) adoption of a resolution expressing disapproval of the conduct of the Director who has violated this policy, (b) injunctive relief, (c) referral of the violation to the Agency Attorney and/or the grand jury; or (d) investigation and action under the Agency’s Workplace Dishonesty Policy (PL - Adm 011).

400.00 This Policy shall be reviewed at least every two years
Amador Water Agency

Director Sexual Harassment Prevention Training Policy

Adopted:

100.00 Purpose of the Policy

Under California law and regulations established by the California Fair Employment and Housing Commission ("FEHC"), Directors are deemed to be supervisors and are required to receive the mandated training. Government Code section 12950.1 requires that all supervisors employed by the Agency receive at least two hours of effective interactive training and education regarding sexual harassment once every two years. The sexual harassment prevention training and education required by this policy is intended to establish a minimum threshold and a Director may participate in additional training as he or she deems appropriate. (Gov’t Code section 12926(t).)

200.00 Harassment Prevention Training Requirement

Within six months after a Director assumes office, he or she must attend at least two hours of classroom or other effective interactive training and education regarding sexual harassment prevention in the workplace. After meeting the initial training requirement, each Director must attend sexual harassment prevention training and education at least once every two years for as long as the Director remains in office. (Gov’t Code section 12950.1(a); 2 C.C.R, section 11024, subds. (b)(1) & (b)(4).)

The education and training must identify behaviors that create or contribute to "sexual harassment" as that term is defined in California and federal law, and help instill values in Directors that will assist them in preventing and effectively responding to incidents of sexual harassment. The training shall include, but is not limited to, all subjects described in 2 C.C.R. section 11024, subd. (c)(2).

A Director is not required to receive the training in two consecutive hours so long as all of the first required training is completed within the six month period and all of each subsequent training is completed within the same calendar year. (2 C.C.R, section 11024, subd. (b)(6).)

Training may be received by any of the following methods: (1) attendance in a classroom setting; (2) participation in an internet-based interactive seminar conducted in real time ("webinar"); or (3) by interactive computer-based training ("e-learning"). (2 C.C.R, section 11024, subdivision (a)(2).) The required training and education must be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code section 12950.1; 2 C.C.R, section 11024, subd. (a)(9).)
A Director who receives supervisor sexual harassment prevention training as a result of his/her service with an employer or another agency is not required to receive separate training because of his or her service with the Agency. However, such Director must: (1) receive, read and acknowledge receipt in writing of the Agency’s anti-harassment policy; and (2) submit to the Executive Assistant to the General Manager a duplicate copy of the proof of his/her participation in the mandated training that was obtained on behalf of the Director’s employer or other agency. (2 C.C.R, section 11024, subd. (b)(5).)

300.00 Reporting

The Human Resources Manager will inform Directors of available harassment prevention training opportunities, including any training opportunities offered at Agency facilities for staff supervisors subject to the training requirement. Each Director must obtain proof of his or her participation after he or she completed the mandated periodic training and submit proof of completion of such training to the Executive Assistant to the General Manager within thirty days of completing any training component. Each Director’s personnel file shall include records of the dates of participation in sexual harassment prevention training and the person or entity providing the training. (2 C.C.R, section 11024, subd. (b)(2).) All sexual harassment prevention policies and attendance records are public records subject to disclosure under the California Public Records Act.

400.00 Penalties for Policy Violation

It is the responsibility of each Director to ensure his or her compliance with this policy, including choosing the sexual harassment prevention training courses and securing and submitting the training completion documentation to the Human Resource Manager as required in Article 300.00. While failure to comply with this policy does not impose strict liability on the Agency or a non-complying Director in any legal action involving a sexual harassment claim, such non-compliance can be used as evidence against the Agency and any non-complying Director in the prosecution of such claims. (Gov’t Code section 12950.1(d).)

A violation of this policy may be addressed by the use of such remedies as are available by law to the Agency, including but not limited to: (a) adoption of a resolution expressing disapproval of the conduct of a Director who has violated this policy, (b) injunctive relief, or (c) referral of the violation to the FEHC, which has the legal authority to issue an order compelling any Director violating this policy to comply with the sexual harassment prevention training requirements within sixty days of the issuance of such an order. (Gov’t Code section 12950.1(e); 2 C.C.R, section 11024, subd. (d).)

500.00 Policy Review

This Policy shall be reviewed at least every two years.
Discrimination and Harassment Prevention Policy

Adopted:

100.00 Purpose of the Policy

The purpose of this policy is to confirm the Agency’s commitment to provide a work environment free of unlawful discrimination and harassment.

200.0 Policy

The Agency strictly prohibits unlawful discrimination and harassment on the basis of an employee’s race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military or veteran status. Discrimination and harassment in the workplace or in the course and scope of employment by any person in any form that is in violation of this policy is prohibited.

Prohibited unlawful discrimination and harassment includes, but is not limited to, the following:

- Verbal harassment such as epithets, jokes, derogatory comments or slurs based on the person’s race, religion, color, national origin, ancestry, gender (including gender identity and gender expression, sex, age, marital status, actual or perceived sexual orientation (including gay, lesbian, bisexual or transgender), physical or mental disability or condition, military or veteran status, or genetic information;
- Physical harassment such as assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual based on one of the categories above; and
- Visual harassment such as derogatory posters, cartoons or drawings based on one of the categories above. Also included are e-mails that may be inappropriate, offensive, harassing or that create a hostile work environment.
- Sexual harassment (see below).

This policy applies to all persons involved in functions of the Agency including directors, supervisors, managers, employees, contractors, consultants, vendors and other third parties. This policy applies to all areas of employment including recruitment, hiring, training, promotion, transfer, disciplinary action including termination, reduction in force, compensation and other benefits.
**Sexual harassment** by any person in or from the work environment is strictly prohibited. Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature, regardless of whether the conduct is motivated by sexual desire, when:

- Submission to such conduct is made either expressly or by implication a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
- Such conduct has the purpose or effect of interfering with an individual's work performance; creating an intimidating, hostile, threatening or offensive working environment; or adversely affecting the employee's performance, evaluation, assigned duties, or any other condition of employment or career development.

Sexual harassment also includes any act of retaliation against an employee for reports of violation of this policy or for participating in the investigation of a sexual harassment complaint. Other examples of sexual harassment include unwelcome sexual flirtations or propositions; verbal abuse of a sexual nature; graphic verbal comments about an individual's body; sexually degrading words used to describe an individual; e-mails that may be inappropriate, offensive, harassing, or create a hostile work environment; and the display in the work environment of sexually suggestive objects or pictures, posters, jokes, cartoons, or calendar illustrations. The Agency will comply with laws requiring sexual harassment prevention training for all supervisors and other key personnel.

The Agency encourages all employees to report immediately any incidents of discrimination or harassment forbidden by this policy so that complaints can be resolved quickly and fairly. The Agency will promptly and thoroughly investigate any complaint of discrimination or harassment of any type and will take whatever corrective and remedial action is deemed necessary, including disciplining or discharging any individual who is believed to have violated this policy. All complaints and investigations will be designated as confidential to the extent possible and permitted by law.

If the employee chooses, he or she may file a complaint with the State of California Department of Fair Employment and Housing or with the United States Equal Employment Opportunity Commission. These agencies are charged with the responsibility of accepting and reviewing all complaints.

The Agency will not retaliate against an employee for reporting an allegation of discrimination or harassment and it will not tolerate or permit retaliation by other employees against the reporting employee or any employees interviewed during the investigative phase. Any employee who believes he or she has been retaliated against because of a claim of discrimination or harassment, or being involved in the investigative phase of a discrimination or harassment complaint, may file a claim of retaliation with the Agency, the State of California Department of Fair
Employment and Housing, and/or the United States Equal Employment Opportunity Commission.

300.00 Authority and Responsibility

The General Manager and each supervisor/manager will be responsible for maintaining a workplace free of discrimination and harassment. This responsibility includes discussing this policy with all employees and assuring them they are not required to endure insulting, degrading or exploitative treatment or any other form of discrimination or harassment. The Agency will distribute a copy of this policy to all new employees and will periodically remind all employees of their rights and duties regarding discrimination and harassment, at minimum on an annual basis. Management and supervisory employees must also comply with the legal requirement to receive supervisor sexual harassment training every two years. The Agency will post the federal/state anti-discrimination and harassment poster on the employee bulletin board.

The General Manager is responsible for insuring that all reports and complaints of discrimination or harassment are investigated promptly, thoroughly and fairly, regardless of the manner in which they are made or the individuals involved, and confidentiality shall be maintained to the extent possible. The person who receives the complaint, if other than the General Manager, shall refer the complaint to the General Manager. The General Manager will review every case, including all investigation findings and recommendations. The General Manager has established a timely and thorough process for investigating all reports or complaints of unlawful discrimination and/or harassment as set forth in the Discrimination and Harassment Prevention Procedure (PR – HR 008). If a complaint is substantiated, appropriate corrective and remedial action will be taken, up to and including termination of employment.

If the person alleged to have engaged in discrimination or harassment is the General Manager, then the person who received the complaint shall refer it to the President of the Agency’s Board of Directors and the President, in consultation with Agency counsel, shall be responsible for investigating the complaint. As with all other complaints and investigations, it will be designated as confidential to the extent possible.

If the person alleged to have engaged in discrimination or harassment is a member of the Board of Directors, the General Manager shall consult with Agency counsel prior to and during the investigative process.

400.00 Policy Review

This Policy shall be reviewed at least every two years.
Amador Water Agency

Water Transfer Policy

Adopted:

100.00 Purpose of the Policy

The primary purpose of this policy is to establish the parameters that will govern the actions of staff in pursuing water transfer opportunities and agreements.

100.10 Authority for Water Transfers

Water is considered a public resource, and its use is permitted through water rights and contractual entitlements. It is the policy of the State of California to facilitate the voluntary transfer of water. (See Water Code sections 109 and 475.) The Agency is authorized to transfer water that has been beneficially used under its water rights and entitlements and that is excess to the needs of its customers. (Agency Act section 95-5.)

A Water Transfer is a transaction in which a holder of a surface water right or entitlement voluntarily sells or exchanges to a willing buyer the right to use all or a portion of the water that would have been consumptively used under that water right or entitlement consistent with applicable state law. The seller retains title to the surface water right or entitlement, which distinguishes a Water Transfer from a sale or assignment of a water right or entitlement in which the buyer obtains the title or right. Under California law, a Water Transfer is either short-term, i.e., a transfer of the right of use for one year or less, or long-term, i.e., for a period of more than one year. Water Transfers may occur between a seller and a buyer in the same watershed or basin or between a seller and a buyer in different watersheds.

200.00 Policy

The Amador Water Agency has invested considerable resources in conserving water under its Amador Water System contractual entitlement based on PG&E's senior pre-1914 rights to divert, store and use water from the Mokelumne River and its tributaries. This includes making numerous improvements to the Amador Canal and construction the Amador Transmission Pipeline Project. These investments have created available water supplies that enable the Agency to partner with willing buyers to utilize Agency water supplies that are excess to the immediate needs of Agency customers. Allowing these available assets to be used by others can create a financial
benefit to the ratepayers of the Agency and protect the Agency’s water supplies, while providing needed water supplies to agencies whose water supplies have been reduced.

It therefore is the policy of the Board of Directors to authorize water transfers whenever prudent to more fully utilize water supplies that are excess to the present needs of its customers and to generate revenues from idle assets to benefit Agency ratepayers. The Board of Directors will protect the long term interests of the Agency and its ratepayers first by maintaining and defending the Agency’s water rights and contractual entitlements and the condition of its water system assets.

300.00 Policy Review

This Policy shall be reviewed at least every two years.
Amador Water Agency

Facility Reviews

Adopted:

100.00 Purpose of the Policy

The primary purpose of this policy is to keep abreast of Water Agency facility needs, and to have a better understanding of the Agency’s water and wastewater systems. The intent of the Annual Facilities Review is to review all major facilities within the Agency’s systems.

200.00 Policy

The Directors of the Agency will review the Agency’s facilities on an annual basis. The Annual Review may take place during the month of April to allow for proper planning of any recommendations to coincide with the annual budget process. It is left to the discretion of the Board and the General Manager as to the extent of the facilities that will be reviewed.

300.00 Policy Review

This Policy shall be reviewed at least every two years.
Amador Water Agency

Internal Loan Policy

Adopted: 12/11/14

100.00 Purpose of the Policy

The primary purpose of this policy is to authorize inter-fund loans and transfers and prevent an Agency fund cash account from arriving at a negative balance and to allow the use of internal funds for Agency business activities when it is advantageous over the use of external loans. The Agency shall monitor cash needs for its individual funds through a monthly cash forecasting report.

200.00 Policy

At the time of approval of a new fiscal year budget, if a fund’s cash balance is estimated to arrive at a negative balance during the forthcoming fiscal year, the Agency will consider the use of an internal or external loan based upon the borrowing fund’s ability to repay the debt and the cash positions of potential lending funds. During the ensuing fiscal year, if a cash balance in a fund is forecasted to become negative, the Agency’s Finance Manager shall so inform the General Manager and Board of Directors not less than 90 days before the negative balance is anticipated. The amount of an internal loan shall be sufficient to ensure that the borrowing fund’s cash balance will remain in a positive position for the balance of the then current fiscal year or such other period as the Board of Directors may determine. When an internal loan is proposed for reasons other than positive fund cash, the Agency’s Finance Manager shall prepare a report to the appropriate Board Committees and full Board explaining the purpose of the desired internal loan and identifying the benefits over external financing mechanisms. The Agency will authorize internal loans consistent with existing law and the provisions set forth below.

200.10 Authority: Pursuant to Government Code Section 53601(e), the Agency—has the authority and may transfer surplus money in one enterprise fund that is not required for the immediate necessities of that fund to another enterprise fund or project as a form of investment. Court cases also have held that a public agency may invest its surplus or reserve funds in its own debt, so long as the following requirements are observed.

- The monies are indeed surplus, i.e., not required for the immediate necessities of the fund from which they are transferred.
- The monies are repaid at a reasonable rate of return.
- The monies are fully repaid by the time they are required for the necessities of the lending fund.
- There is a source(s) of money available to ensure timely repayment to the lending fund.
200.20 Internal Loan Requirements:

The Agency Board of Directors may authorize new internal transfers and loans pursuant to this policy. Each internal loan shall be approved by the Board of Directors by resolution, which shall state the following:

- The purpose for which the loan is being made.
- The identification of both the lending and borrowing fund, or funds.
- The dollar amount of the loan.
- The maturity date on which all principal, together with all accrued and unpaid interest, will be due, but such date shall be no later than when the loaned funds are expected to be needed by the lending fund.
- The schedule of dates and amounts of all principal and interest installment payments.
- The interest rate on the loan which shall provide a fair rate of return to the enterprise fund from which the loan is made.
- The borrowing fund’s right to make full prepayment at any time without penalty.
- The source or sources from which the borrowing fund or funds is expected to repay the loan.
- The loans will be subordinate to encumbrances established by covenants related to external debt.
- The internal loan is wise and expedient and is consistent with the Agency’s current investment policy.

200.30 Repayment of Internal Loan:

The Board of Directors will authorize an internal loan only if there is a mechanism in place to repay the internal loan. If there are no means for repayment, the Agency will need to consider other options for the cash account that is projected to become negative.

200.40 Decision to Authorize Internal Loan:

The Board of Directors may authorize the internal loan by resolution, following a publicly noticed meeting held for the purpose of providing notice to the ratepayers within the affected enterprises of the impending transaction. The notice shall be provided no less than 10 days prior to the scheduled meeting. No internal loan shall be made which will adversely affect the lending enterprise’s operating reserves and financial stability. Loans made from participation fee funds shall not adversely affect the Agency’s ability to carry out projected capital improvement projects.

300.00 Policy Review

This Policy shall be reviewed at least every two years.
Amador Water Agency
ADMINISTRATION OF EMPLOYER-EMPLOYEE RELATIONS

Adopted:

100.00  Policy

The primary purpose of this policy is to establish rules and regulations for the administration of employer-employee relations in matters that directly affect and primarily involve the wages, hours and other terms and conditions of employment of employees in appropriate units of the Agency. The current Resolution is shown in Appendix G.

200.00  Policy Review

This Policy shall be reviewed at least every two years.
Amador Water Agency

Board - Staff Interaction Policy

Adopted:

100.00 Purpose of the Policy

The purpose of this policy is to ensure that all elected officials of the Amador Water Agency communicate transparently, efficiently, and effectively with the Agency’s management, employees, advisors, and consultants within the appropriate policy direction and chain of command established by applicable laws and the Board.

200.00 Policy

A. The Board will provide policy direction and instructions to the General Manager on matters within the authority of the Board by majority vote of the Board during duly-convened Board and Board committee meetings. Except as provided in this policy or except as approved by the Board, individual Directors shall not act independently to direct the General Manager or staff in the performance of their duties. All Directors will deal with matters within the authority of the General Manager through the General Manager, and not through other Agency employees.

B. Directors may not make requests directly to Agency employees to undertake analyses, perform other work assignments, or change the priority of work assignments. Any such request must be made to the General Manager. The General Manager will designate from time to time an Agency employee who is authorized to receive and process requests from Directors for factual information or documents regarding Agency operations to assist Directors in their work on behalf of the Agency. Directors are encouraged to reasonably limit the number of such requests in order to ensure the efficient operation of the Agency’s business. Nothing in this policy is intended to limit a Director’s access to information related to the Agency’s business or to prevent any Director from asking questions or making information requests to the Agency’s General Manager or staff during a public meeting of the Board.

C. All requests for legal advice or opinions to the Agency’s legal counsel or any special counsel employed by the Board, or requests for or direction on any work assignment to the Agency’s auditor or a consultant will be made only by the Board collectively in an open or closed session of a public meeting, or outside of a meeting consistent with Board-approved policy and direction by the General Manager at the President’s or a Committee Chair’s request. If a Director wishes
to request advice or an opinion from Agency counsel, the auditor or a consultant, the Director will submit his or her request to the Board President or General Manager and, if the request is approved, the Board President or General Manager will submit the request to the appropriate counsel, auditor or consultant. The counsel, auditor or consultant who receives the request will communicate all advice, opinions or questions related to the request through the Board Chair or General Manager, as appropriate.

D. Under no circumstance will any Director request or require that an Agency employee, attorney, auditor, or consultant perform services for the personal convenience or profit of a Director, employee or outside party or, if involving Agency business, that are contrary to an existing decision or direction of the Board.

300.00 Policy Review

This Policy shall be reviewed at least every two years.
Amador Water Agency

Easement Acquisition, Acceptance and Abandonment Policy

Adopted:

100.00  Purpose of the Policy

The primary purpose of this policy is to authorize the General Manager to acquire, accept, and abandon easements on behalf of the Amador Water Agency.

200.00  Authority

The Board has the authority to acquire interests in real property pursuant to Section 95-3.5 of the Agency Act. In furtherance of this authority, the Board adopted Resolution No. 2007-35 on September 13, 2007, authorizing its General Manager to accept easements on behalf of the Agency and to consent to the recordation of such accepted easements pursuant to certificates of acceptance executed by the General Manager.

300.00  Policy

300.10  Easement Acquisition. The General Manager shall negotiate for easements with landowners on behalf of the Agency and may propose to acquire easements through donation, negotiation or other authorized methods. Easements acquired by negotiation must be based on an appropriate percentage of fair market value of the underlying land and reflect the uses of the easement and its burden on the underlying property. For easements acquired by negotiation, the General Manager should generally obtain an appraisal to determine the fair market value of the underlying land and the appropriate valuation for the easement taken. In cases when the value of the easement is estimated to be less than $5,000, the General Manager may obtain an informal appraisal of value if the easement will be acquired by informal negotiations. All easements, the acquisition of which are already approved by the Board in the Agency’s annual budget or in a project budget, may be acquired by the General Manager without additional Board approval.

300.20  Easement Acceptance. Subject to his or her authority and any required Board approval, the General Manager shall accept all easements in accordance with Resolution No. 2007-35. Commitments to accept easements, or assurances that easements will be accepted, may be provided by Agency staff only after approval of same by the General Manager or the Board.

300.30  Easement Abandonment. Abandonment of interests in easements dedicated to the Agency for its facilities and operations shall require approval of the Board. Any staff proposal for abandoning an easement will be documented in a staff report justifying the basis for relinquishing the easement. Commitments to abandon easements or assurances that easements will be abandoned may be provided by Agency staff only after approval of same.
by the Board. If the Board approves a proposal to abandon an easement, the General Manager shall prepare and record a quitclaim deed to relinquish the Agency’s interest.

400.00  Policy Review

This Policy shall be reviewed at least every two years.