

AMENDED 4/24/2023

POLICY COMMITTEE

REGULAR MEETING
Thursday, April 27, 2023 - 3:00 PM
1000 Main Street Cambria, CA 93428

Amended 4/24/2023

AGENDA

In person at:
Cambria Veterans' Memorial Hall
1000 Main Street, Cambria, CA 93428

AND via Zoom at:

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/82089978511?pwd=OVMyMVIWNIUxMFVPRmFvbURmUUpYZz09>

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Copies of the staff reports or other documentation relating to each item of business referred to on the agenda are on file in the CCSD Administration Office, available for public inspection during District business hours. The agenda and agenda packets are also available on the CCSD website at <https://www.cambriacsd.org/>. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting or if you need the agenda or other documents in the agenda packet provided in an alternative format, contact the Administrative Analyst at 805-927-6223 at least 48 hours before the meeting to ensure that reasonable arrangements can be made. The Administrative Analyst will answer any questions regarding the agenda.

- A. CALL TO ORDER
- B. ESTABLISH QUORUM

- C. AD HOC SUBCOMMITTEE REPORT
- D. CHAIRMAN'S REPORT
- E. COMMITTEE MEMBER COMMUNICATIONS

Any Committee Member may make an announcement, report briefly on his or her activities, or ask a question for clarification.

1. PUBLIC COMMENT

Members of the public may now address the Committee on any item of interest within the jurisdiction of the Committee but not on its agenda today. Future agenda items can be suggested at this time. In compliance with the Brown Act, the Committee cannot discuss or act on items not on the agenda. Each speaker has up to three minutes.

2. CONSENT AGENDA

- A. Consideration to Approve the January 26, 2023, February 23, 2023 and March 23, 2023 Regular Meeting Minutes

3. REGULAR BUSINESS

- A. Discussion and Consideration of a Needs Assessment for a Review and Reorganization of the District's Current Purchasing Policy Document Changed
- B. Review, Discuss and Consider the District Social Media Policy 2415
- C. Discuss and Consider Requesting a Needs Assessment for Policy Number 4005: Operating Principles of the Board (Norms) as per Templeton CSD

4. FUTURE AGENDA ITEMS

5. ADJOURN

POLICY COMMITTEE**REGULAR MEETING**

Thursday, January 26, 2023 - 3:00 PM

MINUTES**A. CALL TO ORDER**

Chair Farmer called the meeting to order at 3:05 p.m.

B. ESTABLISH QUORUM

While we were able to establish a Quorum, only Committee members Chair Farmer, Vice Chair Gordon Heinrichs, Claudia Harmon and Ted Key were in attendance.

James Townsend is unavailable through the month of March, and, as per State Regulations, newly appointed member Donn Howell will not be able to attend our meetings until February.

Members of the public in attendance were Laura and Crosby Swartz.

C. ELECTION OF OFFICERS

As for the Election of Officers, with only three Committee members available, voting for officers was postponed until our February 23rd meeting. As a result, Gordon Heinrichs remained as Vice Chair, and Chair Farmer again assumed the role of Recording Secretary.

D. AD HOC SUBCOMMITTEE REPORT

There were not Ad Hoc Committee Reports.

E. CHAIRMAN'S REPORT

Chair Farmer reminded everyone on the upcoming CCSD Board Strategic Planning meetings on Monday and Tuesday, January 30th and 31st.

1. PUBLIC COMMENT

Public Comment:

Chair Farmer read written comments from Dennis Dudzik and Lauren Younger. There was no oral public comment.

2. CONSENT AGENDA**A. Consideration to Approve the December 29, 2022 Regular Meeting Minutes**

Committee member Key moved to approve the meeting minutes.

Committee member Harmon seconded the motion.

Motion unanimously passed: Ayes – 3; Nays – 0; Absent - 2

3. REGULAR BUSINESS

- A. Approve Forwarding the Code of Ethics CSDA Policy 1030 to the Board of Directors to Either Determine a Needs Assessment be Required, or that Code of Ethics Policy 1030 be Adopted as District Policy

After some back and forth discussion, the Committee unanimously recommended forwarding Code of Ethics CSDA Policy 1030 to the CCSD Board of Directors to be adopted as District Policy.

- B. Further Discussion, Evaluation, and Potential Revision of the CCSD Policy Handbook

Vice Chair Heinrichs suggested addressing CSDA Policy 4300: Board Standing Committees. After a very lengthy and at times confusing discussion, the Committee decided to postpone further discussion of this Item until our February 23rd meeting, when new Committee member and former Policy Committee Chair Donn Howell would be able to participate.

- C. Discussion and Consider the Frequency of Policy Committee Meetings

The CCSD Board of Directors had requested that each of the three Standing Committees determine how frequently they would wish to meet. The members of the Policy Committee voted unanimously to continue meeting on a monthly basis on the last Thursday of the month at 3PM.

4. FUTURE AGENDA ITEMS

Chairperson Farmer asked for any future agenda items.

Vice Chair Heinrichs recommended discussing the creation of an Ad Hoc Committee to review the CCSD Policy Handbook.

5. ADJOURN

Chair Farmer adjourned the meeting at 4:23PM.

POLICY COMMITTEE**REGULAR MEETING**

Thursday, February 23, 2023 - 3:00 PM

MINUTES**A. CALL TO ORDER**

Chairperson Farmer called the meeting to order at 3:37 p.m.

B. ESTABLISH QUORUM

A quorum was established.

Committee Members present: Chairperson Harry Farmer, Gordon Heinrichs, Claudia Harmon-Worthen, Donn Howell

Committee Members Absent: Ted Key, Jim Townshend

C. ELECTION OF OFFICERS

Motion: to appoint Gordon Heinrichs as Committee Vice Chair.

Motion by: Howell

Second by: Worthen

Motion Passed Ayes 3 Nays 0 Absent 2 Chair not voting

Ayes: Howell, Worthen, Heinrichs

Absent: Key, Townshend

Motion: to appoint Donn Howell as Committee Secretary.

Motion by: Worthen

Second by: Heinrichs

Motion Passed Ayes 3 Nays 0 Absent 2 Chair not voting

Ayes: Worthen, Heinrichs, Howell

Absent: Key, Townshend

D. AD HOC SUB-COMMITTEE REPORTS

There were no sub-committee reports.

E. CHAIRPERSON'S REPORT

Chair Farmer suggested that Committee members and others watching this meeting later should review the District's strategic plan that was revised during the special meeting of the Board of Directors on January 31, 2023. The revised plan can be found on pages 79-88 of the agenda packet for the 2/16/23 Board meeting.

F. COMMITTEE MEMBER COMMUNICATIONS

There were no committee member communications.

1. PUBLIC COMMENT

There was no verbal public comment.

Chair Farmer read aloud the written public comments submitted by Linda Prentiss, Lauren Younger, Holly Ludwigson, and Jeff Wilson. Their written comments can be viewed on the District's web site under the "Meetings" entry for this Policy Committee meeting of February 23, 2023

2. CONSENT AGENDA

A. Consideration to Approve the January 26, 2023 Regular Meeting Minutes

Chair Farmer postponed this item till the Policy Committee's regular meeting in March.

3. REGULAR BUSINESS

A. Discuss and Consider the Role of the Policy Committee as per Board Bylaw 1.7.3.

Motion: to approve recommending modifying paragraph 1.7.3 of the Board's Standing Committee Bylaws to read as follows:

1.7.3 The Policy Committee shall:

(a) Review current existing CCSD operational and governance policies. Recommend revisions for consistency with CCSD Bylaws and other existing policies.

(b) Identify policy areas not currently addressed in the CCSD Policy Handbook, using the CSDA Sample Handbook as a guide. Develop needs assessment and timeliness of need due to lack of policy. The Policy Committee Chair will present the needs assessment to the CCSD Board for approval.

If the Board accepts the Policy Committee's assessment of need for a policy, the CCSD Board will direct the Policy Committee to write the policy in consultation with the CCSD General Manager, appropriate CCSD Staff and the other

Standing Committees as appropriate. The written draft policy will be presented to the Board for discussion and consideration for adoption as CCSD Policy.

(c) Support other Standing Committees' policy needs.

Motion by: Heinrichs

Second by: Worthen

Motion Passed Ayes 3 Nays 0 Absent 2 Chair not voting

Ayes: Heinrichs, Worthen, Howell

Absent: Key, Townshend

Motion: to instruct the Committee chair to forward the Committee's recommendation regarding modifying paragraph 1.7.3 of the Board's Standing Committee bylaws to the CCSD Board of Directors' Ad Hoc Committee on Bylaw Modification.

Motion by: Farmer

Second by: Howell

Motion Passed Ayes 3 Nays 0 Absent 2 Chair not voting

Ayes: Howell, Heinrichs, Worthen

Absent: Key, Townshend

- B. Discuss and Consider Requesting a Needs Assessment From the CCSD Board of Directors to Review the District Purchasing Policy 2135

Motion: to form an Ad Hoc subcommittee (Howell and Key) to develop a needs assessment to review the Districts' Purchasing Policy 2135.

Motion by: Howell

Second by: Worthen

Motion Passed Ayes 3 Nays 0 Absent 2 Chair not voting

Ayes: Howell, Heinrichs, Worthen

Absent: Key, Townshend

- C. Discuss and Evaluate the CCSD Policy Handbook, and Especially Prioritize Items where there is "No Policy On Record"

Chair Farmer postponed this agenda item until the Policy Committee's regular April meeting.

- D. Discuss and Consider the Creation of an Ad Hoc Committee to Review the CCSD Policy Handbook

Chair Farmer postponed this agenda item until the Policy Committee's regular March meeting.

4. FUTURE AGENDA ITEMS

Member Heinrichs asked for a review of current plans for disaster evacuation for Cambria.

Member Howell suggested a review of the District's social media policy and how it is enforced – per written comment submitted today by Holly Ludwigson.

5. ADJOURN

Chairman Farmer adjourned the meeting at 5:19 p.m.

POLICY COMMITTEE**REGULAR MEETING**

Thursday, March 23, 2023 - 3:00 PM
1000 Main Street Cambria, CA 93428

MINUTES**A. CALL TO ORDER**

Vice Chair Heinrichs called the meeting to order at 3:05 p.m.

B. ESTABLISH QUORUM

Committee members present: Vice Chair Gordon Heinrichs, Claudia Harmon, and Donn Howell.

Committee members absent: Chairman Farmer, Ted Key, and James Townsend.

There being only three Committee members in attendance, Vice Chair Heinrichs cancelled the meeting at 3:06 p.m. for lack of quorum.

(Note: According to the new guidelines, four members of this six-member committee must be *physically* present to establish a quorum.)

C. AD HOC SUBCOMMITTEE REPORT**D. CHAIRMAN'S REPORT****E. COMMITTEE MEMBER COMMUNICATIONS****1. PUBLIC COMMENT****2. CONSENT AGENDA**

- A. Consideration to Approve the January 26, 2023 and February 23, 2023 Regular Meeting Minutes

3. REGULAR BUSINESS

- A. Discuss and Consider a Needs Assessment for District Purchasing Policy 2135
- B. Review, Discuss and Consider the District Social Media Policy 2415
- C. Discuss and Consider Requesting a Needs Assessment for Policy Number 4005: Operating Principles of the Board (Norms) as per Templeton CSD

4. FUTURE AGENDA ITEMS**5. ADJOURN**

A Needs Assessment for the Review and Re-organization of the District’s Current Purchasing Policy Document

Introduction

In November of 2019 the Board referred the question to the Policy Committee regarding the District’s policy on purchasing used equipment. In response the Policy Committee created an ad hoc sub-committee to review the current Purchasing Policy and recommend to the Committee how best to proceed. After that initial review by the sub-committee the Policy Committee put the project on hold in favor of more pressing business. Since that time there has been no change to the District’s Purchasing Policy. Therefore, in creating this *Needs Assessment* we bring forward the results of that earlier review and make the following observations and recommendations.

Observations

1. The District’s current Purchasing policy document was last reviewed by the Board in September of 2015. Nearly eight years have passed since then and it is likely some of the document is out-of-date.
2. The current Purchasing policy document is a pastiche. It appears that it has been allowed to grow without reorganization. Related items aren’t always placed together. (For example, the ten sections of *Article XVI Additional Purchasing Policies and Procedures* contain directives that would more logically appear in other sections of the document.) As a result, users must read the entire document to be certain they have the complete guidance regarding a given purchasing activity or decision.
3. The current Purchasing policy document is too broad. It covers not just purchasing but four other CSDA policy categories. As a result, it becomes difficult to identify duplications and contradictions with other District policies.

(As an example, listed here with their CSDA numbers are the five CSDA policy categories covered by the current Purchasing document:

- 2110 Budget Preparation;
- 2115 Credit Card Use (plus some additional travel related requirements);
- 2120 Employment of Outside Contractors and Consultants -- including bids and professional services agreements;
- 2125 Expense Authorization – including commitment authority, signing authority, approval requirements, purchase orders, open purchase orders, invoice approval procedures and petty cash procedures;
- 2135 Purchasing – including procurement methods, documentation requirements, quotations, check signing procedures, conflict of interest and vendor lists.)

4. The current document does not distinguish between policies and procedures properly established by the Board and operational policies and procedures that that might be better left up to the General Manager.

Recommendations

We recommend that the Policy Committee:

1. re-order and reorganize the current District Policy document into the CSDA policy categories and apply the CSDA numbering system;
2. review the reorganized Policy document to identify duplications and contradictions with other, current District policies and report back to the Board for further direction;
3. review the reorganized Policy document to identify those operational policies and procedures that would be better left up to the General Manager and report back to the Board for guidance.

Appendices

- A. Sample Table of Contents of a reorganized & re-ordered policy document with CSDA numbering
- B. Sample pages from a comparison between the current policy document and the proposed new reorganized and re-ordered document

CCSD PURCHASING AND RELATED POLICIES

Table of Contents

POLICY 2110 BUDGET PREPARATION

POLICY 2115 CREDIT CARD USE

2115.2. REQUIREMENTS

2115.3. RESTRICTIONS

POLICY 2120 EMPLOYMENT OF OUTSIDE CONTRACTORS AND CONSULTENTS

2120.1 GENERAL PROVISIONS

2120.2 BIDS

2120.3 PROFESSIONAL SERVICES AGREEMENTS

POLICY 2125 EXPENSE AUTHORIZATION

2125.1 COMMITMENT AUTHORITY

2125.2 SIGNING AUTHORITY

2125.3 APPROVAL REQUIREMENTS

2125.3.1 Board Approval

2125.4 PURCHASE ORDERS

3A – Added 4/24/2023

2125.4.1 When are purchase orders required?

2125.4.2 Exceeding original purchase order amount

2125.5 OPEN PURCHASE ORDERS

2125.6 INVOICE APPROVAL PROCEDURES

2125.7 PETTY CASH PROCEDURES

POLICY 2135 PURCHASING

2135.1 INTRODUCTION

2135.1.1 Purpose

2135.1.2 Goals

2135.1.3 Purchasing materials, goods and services from small and minority businesses, women’s business enterprises, and labor surplus area firms

2135.1.4 Procurement of recovered materials

2135.10 PROCUREMENT METHODS

2135.10.1 Procurement by micro-purchase

2135.10.2 Procurement by small purchase procedures

2135.10.3 Procurement by sealed bids (formal advertising)

2135.10.4 Procurement by competitive proposals

2135.10.5 Non-competitive proposals -- sole source

2135.15 DOCUMENTATION REQUIREMENTS

2135.20 QUOTATIONS

2135.20.1 Application

2135.20.2 Verbal Quotations

2135.20.3 Written Quotations

2135.25 CHECK SIGNING PROCEDURES

2135.25.1 General Manager’s Authority

2135.25.2 Co-signatures

2135.30 CONFLICT OF INTEREST

3A – Added 4/24/2023

2135.40 VENDOR LISTS

2135.50 POLICY REVIEW

Original Purchasing Policy

PURCHASING POLICY

I. PURPOSE

A. The Board of Directors for the Cambria Community Services District (“CCSD”) adopts the overall CCSD purchasing policy and implements it through the adoption of the annual budget, which is then administered by the General Manager. This policy will be used by CCSD staff to secure supplies and equipment at the lowest possible cost commensurate with quality needed and to exercise positive financial control over purchases. In the event that the CCSD does not have an approved budget, only essential goods and services may be obtained until such time as the annual budget is adopted. The responsibility for that that is not authorized on its chart of accounts: buying materials and services is assigned to staff members skilled in negotiating cost reductions and purchasing within the budgeted funds.

B. Goals of this policy are:

- to purchase needed items at the best possible price and at the best possible value within the required deadlines and maintain the necessary support for CCSD operations; and

- to establish procurement standards that comply with requirements contained in Federal regulations to receive grant funding.

When the best possible value conflicts with the best possible price, a detailed justification for the best possible value shall be prepared.

Policies & Procedures in CSDA Format.

(Italics are Operational)

POLICY 2135 PURCHASING

2135.1 INTRODUCTION [I.]

2135.1.1 Purpose [I.A.]

The Board of Directors for the Cambria Community Services District (“CCSD”) adopts the overall CCSD purchasing policy and implements it through the adoption of the annual budget, which is then administered by the General Manager. This policy will be used by CCSD staff to secure supplies and equipment at the lowest possible cost commensurate with quality needed and to exercise positive financial control over purchases. In the event that the CCSD does not have an approved budget, only essential goods and services may be obtained until such time as the annual budget is adopted. The responsibility for that that is not authorized on its chart of accounts: buying materials and services is assigned to staff members skilled in negotiating cost reductions and purchasing within the budgeted funds.

2135.1.2 Goals

A. to purchase needed items at the best possible price and at the best possible value within the required deadlines and maintain the necessary support for CCSD operations; and

B. to establish procurement standards that comply with requirements contained in Federal regulations to receive grant funding.

When the best possible value conflicts with the best possible price, a detailed justification for the best possible value shall be prepared. [I.B. par. 2]

C. At the beginning of each fiscal year the Finance Manager will issue a complete CCSD Budget approved by the Board of Directors. [. . . (see below)] A monthly or quarterly status report will be issued showing a comparison between budgeted amounts and the department purchasing activity.

C. [. . .(see above)] This budget contains the purchasing account titles, description of line items, and numbers corresponding with budgeted funds for each item. Each CCSD department will receive its own budget for conducting purchasing transactions. It is the responsibility of each department manager to control spending and monitor the funds in the account line items that they are authorized to use. [. . . (see above)] All CCSD department purchases will be identified with the appropriate line item account number by the requestor. All unbudgeted expenditures that are approved and paid through the system are to be tracked. The following will occur if a department must purchase an item

1. Obtain the approval from a department that is authorized to purchase the items. This will require the authorized department manager to initial the purchase order.

2. The General Manager or Administrative Services Officer approves the purchase transaction.

II. PROCUREMENT STANDARDS

A. All materials, goods and services shall be procured using one of the following five methods of procurement.

1. Procurement by micro-purchases.

POLICY 2110 BUDGET PREPARATION

2110.1 At the beginning of each fiscal year the Finance Manager will issue a complete CCSD Budget approved by the Board of Directors. A quarterly status report will be issued showing a comparison between budgeted amounts and the department purchasing activity. [I.C.]

This budget contains the purchasing account titles, description of line items, and numbers corresponding with budgeted funds for each item. Each CCSD department will receive its own budget for conducting purchasing transactions. It is the responsibility of each department manager to control spending and monitor the funds in the account line items that they are authorized to use. All CCSD department purchases will be identified with the appropriate line item account number by the requestor. All unbudgeted expenditures that are approved and paid through the system are to be tracked. The following will occur if a department must purchase an item

A. Obtain the approval from a department that is authorized to purchase the items. This will require the authorized department manager to initial the purchase order.

B. The General Manager or Administrative Services Officer approves the purchase transaction

2135.10 PROCUREMENT METHODS [II.]

All materials, goods and services shall be procured using one of the following five methods of procurement. [II.A.]

2135.10.1 Procurement by micro-purchase [II.A.1.]

3A – Added 4/24/2023

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold, currently \$3,000 established in Federal Code of Regulations (§200.67). [. . .(see below)] Micro-purchases may be awarded without soliciting competitive quotations if the price is reasonable.

[. . . (see above)] To the extent practicable, micro-purchases will be distributed equitably among qualified suppliers. [. . . (see above)]

2. Procurement by small purchase procedures

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or property that do not cost more than the Simplified Acquisition Threshold, currently \$150,000, established in the Federal Code of Regulations. [. . . (see below)]

Price or rate quotations must be obtained from an adequate number of qualified sources.

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold, currently \$3,000 established in Federal Code of Regulations (§200.67). Micro-purchases may be awarded without soliciting competitive quotations if the price is reasonable.

C. To the extent practicable, purchases will be distributed equitably among local businesses and suppliers. [II.A.1. part (with change)]

2135.10.2 Procurement by small purchase procedures [II.A.2.]

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or property that do not cost more than the Simplified Acquisition Threshold, currently \$150,000, established in the Federal Code of Regulations.

Price or rate quotations must be obtained from an adequate number of qualified sources.

Policy Handbook Checklist -- updated 10/31/2022

2110: Budget Preparation Policy adopted on Dec. 10, 2020 & updated May 13, 2021; on website but needs CSDA number; needs Staff review to harmonize with Purchasing Policy (#2135)

2115: Credit Card Use Policy adopted Sept. 24, 2015 as part of #2135 Purchasing; due for review.

2120: Employment of Outside Contractors Policy adopted Sept. 24, 2015 as part of #2135 Purchasing; due for review.

2125: Expense Authorization Policy adopted Sept. 24, 2015 as part of #2135 Purchasing; due for review.

2130: Investment of District Funds Policy adopted Sept. 2002; due for review.

2135: Purchasing Policy adopted Sept. 24, 2015; due for review.



Board Approved on 9/24/2015

POLICY TITLE: Purchasing**POLICY NUMBER: 2135****I. PURPOSE**

- A. The Board of Directors for the Cambria Community Services District (“CCSD”) adopts the overall CCSD purchasing policy and implements it through the adoption of the annual budget, which is then administered by the General Manager. This policy will be used by CCSD staff to secure supplies and equipment at the lowest possible cost commensurate with quality needed and to exercise positive financial control over purchases. In the event that the CCSD does not have an approved budget, only essential goods and services may be obtained until such time as the annual budget is adopted. The responsibility for buying materials and services is assigned to staff members skilled in negotiating cost reductions and purchasing within the budgeted funds.
- B. Goals of this policy are:
- to purchase needed items at the best possible price and at the best possible value within the required deadlines and maintain the necessary support for CCSD operations; and
 - to establish procurement standards that comply with requirements contained in Federal regulations to receive grant funding.

When the best possible value conflicts with the best possible price, a detailed justification for the best possible value shall be prepared.

- C. At the beginning of each fiscal year the Finance Manager will issue a complete CCSD Budget approved by the Board of Directors. This budget contains the purchasing account titles, description of line items, and numbers corresponding with budgeted funds for each item. Each CCSD department will receive its own budget for conducting purchasing transactions. It is the responsibility of each department manager to control spending and monitor the funds in the account line items that they are authorized to use. A monthly or quarterly status report will be issued showing a comparison between budgeted amounts and the department purchasing activity. All CCSD department purchases will be identified with the appropriate line item account number by the requestor. All unbudgeted expenditures that are approved and paid through the system are to be tracked. The following will occur if a department must purchase an item that is not authorized on its chart of accounts:
1. Obtain the approval from a department that is authorized to purchase the items. This will require the authorized department manager to initial the purchase order.
 2. The General Manager or Administrative Services Officer approves the purchase transaction.

II. PROCUREMENT STANDARDS

- A. **All materials, goods and services shall be procured using one of the following five methods of procurement.**
1. **Procurement by micro-purchases.** Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold, currently \$3,000 established in Federal Code of Regulations (§200.67). To the extent practicable, micro-purchases will be distributed equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the price is reasonable.
 2. **Procurement by small purchase procedures.** Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or property that do not cost more than the

Simplified Acquisition Threshold, currently \$150,000, established in the Federal Code of Regulations. Price or rate quotations must be obtained from an adequate number of qualified sources.

3. Procurement by sealed bids (formal advertising). Bids for materials, goods and services will be publicly solicited and a firm fixed price contract (lump sum or unit price) will be awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids is the lowest price. In order for sealed bidding to be feasible, the following conditions should be present:

- a complete, adequate and realistic specification or purchase description should be present;
- two or more responsible bidders are willing and able to compete effectively for the business; and
- the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- Bids will be solicited from an adequate number of known suppliers;
- The invitation for bids will be publicly advertised;
- Sufficient time will be provided to allow bidders sufficient response time prior to the date set for opening the bids;
- The invitation for bids will adequately define the items or services in order for the bidders to properly respond;
- All bids will be opened publicly at the time and place prescribed in the invitation for bids;
- Any or all bids may be rejected if there is a sound documented reason; and
- A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder.

4. Procurement by competitive proposals. This method is used when conditions are not appropriate for the use of sealed bids and is normally conducted with more than one source submitting an offer and either a fixed price or cost-reimbursement type contract is awarded. The following requirements apply:

- Requests for proposals which identify all evaluation factors and their relative importance will be publicized;
- Proposals will be solicited from an adequate number of qualified sources;
- Responders will be rated by a committee assigned by the General Manager with scores assigned for each evaluation factor;
- Contracts will be awarded to the responsible firm whose proposal is most advantageous to the program with price and other factors included in the evaluation factors considered; and
- CCSD will use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualification are evaluated and the most qualified competitor is selected consistent with the requirements of Government Code Section 4526, subject to negotiation of fair and reasonable compensation. This method cannot be used to purchase other types of services even if A/E firms are a potential source to perform the proposed effort. (Also see Section IX, herein, relating to Professional Services Agreements)

5. Procurement by non-competitive proposals. Procurement through solicitation of a proposal from only one source will be used only when one or more of the following circumstances apply.

- The item is only available from a single source;
- The public exigency or emergency for the requirement will not permit a delay from competitive solicitation; or
- After solicitation of a number of sources, competition is determined inadequate.

See Section IX(E) relating to sole source contracts for professional services.

- B. **Purchasing materials, goods and services from small and minority businesses, women's business enterprises, and labor surplus area firms.** It is the express intent of CCSD to award as much business as practical to small and minority businesses, women's business enterprises and labor surplus area firms. To that end, the following policies shall apply:
- Qualified small and minority businesses and women's business enterprises will be included on all solicitation lists;
 - Qualified small and minority businesses and women's business enterprises will be directly solicited whenever they are a potential source of required materials or services;
 - When economically feasible, requirements will be divided into smaller tasks or quantities to permit maximum participation by small and minority businesses and women's business enterprises;
 - When feasible, delivery schedules will be established that encourage participation by small and minority businesses and women's business enterprises;
 - When appropriate, the Small Business Administration and the Minority Business Development Agency of the U.S. Department of Commerce will be consulted concerning maximizing the participation of small and minority businesses and women's business enterprises; and
 - Prime contractors will be required to take the affirmative steps listed above.
- C. Procurement of recovered materials. The District will comply and will require compliance by all contractors with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, in all of its procurement solicitations and contract awards. When a purchase price exceeds \$10,000, only items designated in guidelines of the EPA (40 FR part 247) that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition will be purchased. Solid waste management services will be procured in a manner that maximizes energy and resource recovery.

III. **SIGNING AUTHORITY**

- A. The General Manager, or in his/her absence the Administrative Services Officer, is hereby authorized to sign on behalf of the CCSD the following documents:
1. Any documents necessary to conduct the general business of the CCSD that does not require prior approval of the Board of Directors.
 2. Any documents necessary to conduct the general business of the CCSD requiring approval of the Board, after said documents have received approval of the Board of Directors.
 3. Any agreements or other documents necessary to secure and receive state, federal, or other agency grants or loans.
 4. Any agreements or documents necessary for the receipt and/or disbursement of any grant monies contracted for by the CCSD.

IV. **COMMITMENT AUTHORITY**

- A. The General Manager and department heads identified below are responsible for conducting purchasing transactions within the guidelines and procedures set forth in this policy. Transactions involving contractual agreements must be reviewed and approved by District Counsel and are subject to Section VII.

Employee

Category

General Manager

Legal Services (at the direction of the Board).
All categories listed below.

Administrative Services Officer

Parks and recreation planning and development materials and supplies.
Human resources and training services.
Departmental operational materials and supplies for Administration.
Office supplies, dues and subscriptions, and travel arrangements.

All categories listed below.

District Engineer	Engineering and professional consulting services. Departmental operational supplies for Water and Wastewater, and Property Management, repair, training, and maintenance materials, equipment rentals, employee clothing, fuel & oil, vehicle repair services and janitorial supplies.
Fire Chief	Departmental operational supplies, repair, training, and maintenance materials, equipment rentals, employee clothing, fuel & oil, vehicle repair services and janitorial supplies.
Finance Manager	Financial services and arrangements; audit engagements; office supplies; computer equipment.

V. APPROVAL REQUIREMENTS

- A. A system of approval limits is the next element of purchasing control. Within the authorized categories, employees may commit CCSD funds up to their maximum approval amounts. Department managers are authorized to purchase items that fall within the approved budget's amount for their department and account category. Department managers may delegate purchasing authority to any employee within his/her department as necessary.
- B. Board approval is required for all purchases of \$25,000 or more, unless the purchase is for equipment, materials or services that has been previously approved by the General Manager and is contained within the CCSD's budget. If the total price exceeds the budgeted amount by more than 5%, the General Manager's approval shall be required.
- C.
- D. A CCSD Purchase Order is required for all purchases greater than \$250.00. Exceptions to the policy are listed below. Any CCSD employee authorized by his/her department manager can sign a purchase order up to \$500.00. The department manager will provide a written list of his/her authorized employees, who can sign purchase orders, to the Finance Manager or his/her designee. The department manager will be responsible for updating the employee signatory list as needed.

Purchase Orders are not required for:

- Regular, recurring utility services.
 - Payroll, including payroll vendor payments.
 - Petty cash.
 - Travel advances when a Travel Advance Claim form is used.
 - Travel expenses when a Travel Expense Claim form is used.
 - Credit card payment if related to approved travel or meeting expenses.
- E. The following intermediate supervisory or management staff, as approved by the General Manager, can initiate and authorize a purchase order up to \$5,000.00:
 - FACILITIES AND RESOURCES SUPERVISOR
 - FIRE CAPTAIN
 - WASTEWATER SUPERVISOR
 - WATER SUPERVISOR

Purchases over \$5,000.00 will require the signature of a department manager.

VI. PURCHASE ORDER PREPARATION

- A. All formal purchase orders shall be prepared from a properly completed purchase order form. The form is designed to contain all the necessary information and signatures relevant to the purchase within the CCSD. The current

purchase order form may be redesigned from time to time at the discretion of the General Manager, or his/her designee, whenever conditions warrant.

- B. Each purchase order shall include a purchase order number only after the appropriate approval procedures are completed. The purchase order form is used as a written order to a vendor and may be either an original order or may confirm a verbal order. This form may also serve as a written change order.
- C. Each purchase order form (Attachment P-1) shall be filled out by the CCSD employee prior to CCSD funds being obligated for a purchase and shall contain the following information:
 - 1. Purchase order number, date, department, and who wrote it.
 - 2. To whom the purchase order is issued, together with a complete address.
 - 3. Quantity/unit and description of item(s) to be purchased.
 - 4. Account number to be charged.
 - 5. Unit price and extended amount (depending upon quantity).
 - 6. If applicable, the words "OPEN PO" and "EXPIRATION DATE," not to exceed past the end of the current fiscal year, at the top of the purchase order form.
 - 7. The words "NOT TO EXCEED" if it is for a repetitive purchase or a contract amount.
 - 8. The total amount of the purchase order shall include charges for freight and tax, if applicable.
 - 9. The initial purchase order MUST have attached to it the following: the written quote or estimate or a copy of the contract, or other backup supporting documentation.
- D. The purchase order must be submitted immediately to the Finance Manager or his/her designee. The purchase order date must precede the order date.
- E. Any incomplete purchase orders will be returned to the department manager for completion.
- F. Insofar that it does not conflict with any other Purchasing Policy limitations, a purchase order may be exceeded by up to 10% of the original purchase order amount. No increase may be given for quoted prices.
- G. When a purchase order is intended to be used to issue a check, write "Check Request" on the purchase order.

VII. OPEN PURCHASE ORDERS

- A. A blanket or open purchase order can be used to reduce the time consuming process of filling out a purchase order form for each purchase when it is with the same vendor and for repeat materials.
- B. Open purchase orders are to be used when the CCSD will:
 - 1. Purchase repetitive, specified services or items, or categories of items from the same vendor over a period of less than one year, or on a monthly basis.
 - 2. Order standard materials or maintenance supplies, which require numerous shipments.
 - 3. Obtain more favorable pricing through volume commitments.
- C. Open purchase orders generally should NOT be used when:
 - 1. No benefit will be derived over and above a regular purchase.
 - 2. Prices are unknown at ordering time, or subject to change later without notice.
 - 3. Quality of vendor or service is questionable.
 - 4. Control over CCSD expenditures would be weakened significantly.
- D. An open purchase order differs from the normal purchase order only in the date entry block that now has a date range not to exceed past the end of the current fiscal year.
- E. Each year during the month of June, each department manager will review all department blanket purchase orders and reissue all necessary blanket purchase orders effective July 1.

VIII. QUOTATION

- A. The policy of obtaining competitive quotes applies to purchase of materials and/or services with an estimated price of greater than \$100 but less than \$25,000 and not covered by a contractual agreement.
- B. Types of quotations:
1. Verbal – Verbal quotations will be obtained for purchases of standard or non-complex materials with an estimated price of under \$1,000 and not covered by a contractual agreement. Prices are to be recorded on a quotation sheet that will serve as backup documentation after the order is placed and will be attached to the purchase order. The quotation sheet will be attached to the original purchase order and shall contain the name of the vendor, the person giving the quote, the date and time of the verbal quote, and the price quoted. A minimum of two (2) suppliers is acceptable for verbal requests providing the buyer is familiar with the market and prices of the materials in question.
 2. Written – Written requests for quotations (RFQ) will be sent to vendors under the following conditions:
 - a) Purchases estimated to exceed \$1,000, but less than a total of \$25,000.
 - b) All capital equipment purchases exceeding \$1,000, but less than a total of \$25,000.
 - c) Non-standard conditions, requirements, instructions, etc.
 - d) Any occasion where more permanent documentation is advisable.
 - e) Any purchase based on best value rather than lowest price.
- D. Written requests for quotations will incorporate a clear and accurate description of the technical requirement of the material, product or service to be procured.
1. The description will not contain features which unduly restrict competition.
 2. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use.
 3. Detailed product specifications should be avoided if at all possible.
 4. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly state.
 5. The description will identify all requirements which the offerors must fulfill and all other factors to be used in evaluating the bids or proposals.
- E. The CCSD employee, when purchasing materials and/or services requiring written request for quotations, will solicit prices from three (3) or more vendors. After the quotations have been received and examined for completeness, a determination of the low bidder and award of the order will be made by the department manager and reviewed with the General Manager or Administrative Services Officer. The department manager or his/her designee will notify unsuccessful vendors that the quotations have been closed and the contract awarded.

IX. BIDS

- A. For bids estimated to exceed the Simplified Acquisition Threshold established in the Federal Code of Regulations, (\$150,000 on June 1, 2015), the following actions must be taken:
- CCSD staff must make or have made an independent estimate of the expected cost before receiving bids or proposals;
 - CCSD staff must negotiate a fair and reasonable profit as a separate element of the price of the contract considering things such the complexity of the work, the risk borne by the contractor, the contractor’s investment, the quality of the contractor’s past performance and industry profit rates in the surrounding geographical area for similar work;

- The cost plus a percentage of cost and percentage of cost methods of contracting will not be used.
 - CCSD staff will ensure contracts include administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms and will specify sanctions and penalties to be applied in each circumstance;
 - All contracts in excess of \$10,000 will include provisions for termination for cause and for convenience of the District including the manner by which it will be effected and the basis of settlement.
- B. The CCSD may require a performance bond before entering a contract in such amount as it finds reasonably necessary to protect the interests of the CCSD. For purchasing contracts that exceed the Simplified Acquisition Threshold and for which grant funds have been received, the following minimum bonding requirements will be established:
- A bid guarantee from each bidder equivalent to five percent of the bid price consisting of a firm commitment such as a bid bond, certified check, or other negotiable instrument as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified;
 - A performance bond on the part of the contractor for 100 percent of the contract price;
 - A payment bond on the part of the contractor for 100 percent of the contract price to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.
- C. At its discretion, the Board of Directors may reject any bids presented and re-advertise.
- D. The CCSD may dispense with bidding when an emergency is declared.

X. PROFESSIONAL SERVICES AGREEMENTS

- A. The CCSD may contract with any specially trained and experienced person, firm, or corporation for special services and advice in financial, economic, accounting, legal or administrative matters. Contracts for professional services are not subject to competitive bidding requirements. (Government Code Section 4526. Also, however, see Sections II(A)(4) and (5), herein).
- B. If the CCSD is seeking the professional services of private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms, special provisions apply. The selection must then be based upon the demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. Government Code Section 4526 does not apply when the CCSD determines that the services are more of a technical nature and involve little professional judgment and that requiring bids would not be in the public interest. (Government Code Section 4529.)
- C. It is the policy of the CCSD to conform to the preceding paragraphs in using professional and other contract services whenever it is in the CCSD's best interest. This may be when outside professionals will be less expensive than in-house staff; a project or study is of a limited duration and not warranting permanent staff; or existing staff is unavailable to undertake the project or they lack the expertise and/or ability necessary.
- D. For contracts estimated to be less than \$25,000, the General Manager or department manager, or his/her designee, will solicit proposals from the qualified consultants and negotiate the fee.
- E. Sole source contracts are permitted only when the product or service has limited availability and/or is proprietary (copyrighted or patented), or under emergency conditions such as those implemented with an Emergency Operations Center situation or a State or Federal Disaster Declaration. Under such emergency conditions, the General Manager, or his/her designee, with consultation of one or more Directors, has full authority to complete sole source purchasing transactions. In such situations, every attempt shall be made to obtain the best value to the CCSD. Only the minimal amount of goods and services required to address the emergency conditions shall be obtained and normal documentation and approvals shall be obtained in a timely fashion once the emergency situation has

stabilized. (Also see Section II(A)(5))

XI. PURCHASES VIA DISTRICT CREDIT CARD

A. The primary use of a CCSD credit card is for CCSD travel. All purchases using a CCSD credit card are subject to the same procedures as outlined previously in this policy, plus the following additional requirements:

1. All CCSD credit cards shall be issued on a department basis in the name of each department manager, the on-staff District Counsel, and each Board Member. The Administrative Services Officer shall manage the administration of CCSD credit cards.
2. Only the General Manager, Administrative Services Officer, District Engineer, department managers, or Board Members are authorized to sign credit card purchases. Department managers can allow their department employees to use the department credit card; however, they are fully responsible for its care and control.
3. Travel on CCSD business is to be paid for via CCSD credit card. Telephone calls to the CCSD when out of town, expenses related to travel by car on CCSD business, lodging and meals when out of town on CCSD business, and CCSD approved seminars and business meetings, are expenses authorized to be paid with the CCSD credit cards.

Credit card receipts MUST BE obtained for these expenses and turned in immediately upon return to the Finance Manager or his/her designee. If a credit card receipt is lost or misplaced, the receipt replacement form needs to be promptly filled out by the responsible party and turned in to the Finance Manager or his/her designee.

Other purchases requiring instant payment ability must be accompanied by a purchase order.

4. The credit limit on the CCSD credit cards shall be no more than \$5,000 for each department and on-staff, \$5,000 for each Director, and \$10,000 for the General Manager.
5. Credit card purchases for orders that are made via telephone or Internet are permitted in limited circumstances (e.g., offsite internet connections while traveling, on-line registrations, manual/resource guide/book orders, etc.). A receipt or quote sheet must be obtained and turned in immediately to the Finance Manager or his/her designee.
6. Personal purchases or spending on a CCSD credit card are prohibited. Any violation of this policy will result in loss of CCSD credit card privileges and may include disciplinary action.
7. Cash advances on any CCSD credit card are prohibited. Any violation of this policy will result in disciplinary action.

XII. CHECK SIGNING PROCEDURES

- A. All checks must have two (2) authorized signatures per the current bank resolution adopted by the CCSD Board of Directors.
1. Checks in the amount of \$100,000 and greater require two (2) handwritten signatures, one of which shall be the General Manager's or his/her designee.
 2. Checks in the amount of \$25,000-\$99,999 require one (1) handwritten signature, which shall be the General Manager's or his/her designee, and one (1) computer generated signature.

3. Checks in the amount of \$24,999 and less require two (2) computer-generated signatures.
- B. The General Manager has the authority to authorize employee signatories.
- C. The General Manager shall review and initial all issued checks in the amount of \$5,000 - \$24,999.

XIII. INVOICE APPROVAL PROCEDURES

- A. Invoices shall be approved based on the same monetary limits as applicable to Purchase Order signatory.
- B. Invoices should only be approved for payment if all related goods and/or services have been satisfactorily received. Registrations for seminars/workshops/classes are exempt from this process as are subscriptions, membership dues, and payments to government agencies. Any other prepayments require the approval of the Finance Manager.

XIV. PETTY CASH PROCEDURES

- A. The CCSD Finance Manager or his/her designee shall maintain a petty cash fund of \$300.00.
- B. This fund will be used to purchase items costing no more than \$25.00 and must be authorized by department managers or his/her designated employee.
- C. Purchase orders should be used whenever practical and receipts are required for reimbursement. There are no exceptions to the receipt rule.
- D. The CCSD Finance Manager or his/her designee shall perform a reconciliation of the petty cash fund on a monthly basis.

XV. CONFLICT OF INTEREST

- A. Employees must recuse themselves from all purchasing activities when a real or apparent economic conflict of interest exists. CCSD employees may not perform services for the CCSD on a contractual basis. Employees may not economically benefit from their employment within the CCSD except as related to their approved salary and benefits.
- B. Employees shall not use their employment status with the CCSD to obtain discounts or any other advantage for personal purchases. Unsolicited discounts offered by vendors for all CCSD employees are exempt.
- C. Failure of any employee to adhere to the provisions of this Section may be subject to disciplinary action in accordance with the CCSD's Personnel Policy, Procedures and Rules.

XVI. ADDITIONAL PURCHASING POLICIES AND PROCEDURES

- A. It is important for the CCSD to evaluate materials, equipment, and services of all current suppliers. Suppliers with a low rating can be viewed as costing the CCSD time and money, and, therefore, should be terminated upon documentation.
- B. In an effort to obtain the best prices possible, vendors contacted for quotes and/or bids shall be regularly reviewed to ensure competitive pricing and maintenance of vendor lists.

- C. Documentation associated with procurements exceeding the micro-purchase threshold, currently \$3,000 established in Federal Code of Regulations (§200.67) shall be maintained for auditing purposes for at least ten years. As a minimum, the following will be maintained:
- Technical specifications on procurements to ensure that the item or service specified is the one being proposed for acquisition;
 - Requests for proposals, invitation for bids, and/or independent cost estimates;
 - Any proposed or actual contract modifications that change the scope of the contract;
- D. All contracts exceeding micro-purchase threshold must include the equal opportunity clause provided under 41 CFR 60-1.4(b),
- E. All contracts in excess of \$2,000 will include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144 and 3146-3148) as supplemented. Contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. A contract will not be issued unless the contractor accepts the wage determination. CCSD will report all suspected or reported violations to the Federal Awarding Agency.
- F. All contracts in excess of \$2,000 will include a provision for compliance with the Copeland Anti-Kickback Act (40 U.S.C. 3145)
- G. All contracts in excess of \$100,000 that involve the employment of mechanics or laborers will comply with 40 U.S.C. 3702 and 3704 requiring that work in excess of the standard work week will be compensated at a rate of not less than one and a half times the basic rate of pay and further requiring that no laborer or mechanic may be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous.
- H. All contracts in excess of \$150,000 will comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations will be reported to the Federal awarding agency (if grant funds are involved) and to the Regional Office of the Environmental Protection Agency (EPA).
- I. Contracts will not be awarded to parties listed on the government wide exclusions in the System for Award Management (SAM).
- J. Contractors that apply or bid for an award exceeding \$100,000 will file the required certifications under the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) certifying that it has not and will not use Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352.

XVII. REVIEW

This policy should be reviewed on an annual basis and changed where deemed appropriate to reflect changes in the CCSD's operations. The General Manager, acting with the Board of Directors, may at any time make changes to this policy to facilitate a more efficient purchasing process for the CCSD.



CAMBRIA COMMUNITY SERVICES DISTRICT

P.O. Box 65, Cambria, California 93428

PURCHASE ORDER

OPEN	
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MAIL: MONTHLY STATEMENT
 MAIL: 2 COPIES OF YOUR INVOICE
 TO
CAMBRIA COMMUNITY SERVICES DISTRICT
 PHONE: 927-6223
 P.O. BOX 65
 Cambria, CA 93428

NOT VALID WITHOUT NUMBER AND SIGNATURE OF PURCHASING AGENT. ALL PURCHASES ARE SUBJECT TO THE CONDITIONS PRINTED BELOW.

PURCHASE ORDER NO.

THIS ORDER NO. MUST APPEAR ON ALL INVOICES, BILLS OF LADING, AND CORRESPONDENCE.

DELIVER ALL MERCHANDISE TO:

<p>VENDOR:</p>	<p>CAMBRIA, CALIFORNIA 93428</p>
-----------------------	----------------------------------

DATE _____

WRITTEN BY _____

DEPT _____

COST CENTER _____

EXPIRES ON _____

QUANTITY	UNIT	DESCRIPTION	ACCOUNT TO BE CHARGED	UNIT PRICE	AMOUNT

- TERMS AND CONDITIONS**
1. Statements must be mailed to the Accounts Payable Department at the address of the District Office printed above.
 2. The Cambria Community Services District will not be responsible for articles or services furnished officials or employees without a Purchase Order signed by the authorized purchasing agent.
 3. The right is reserved to purchase in the open market and to charge the difference to the Vendor in the event that deliveries are not made at the time specified in the bid or contract.
 4. Whenever a delivery is rejected, the Vendor shall be notified and given reason for rejection. All rejected deliveries shall be held at Vendor's risk and he shall bear the expense of removal.
 5. We reserve the right to take cash discounts if paid within 30 days of receipt of statement.

SUBTOTAL →	
FREIGHT	
TAX	
TOTAL AMOUNT →	

I HEREBY AUTHORIZE PURCHASE OF THE ABOVE DESCRIBED GOODS OR SERVICES

 AUTHORIZED SIGNATURE

NOTE: WHITE - ACCTS PAYABLE CANARY - WRITTEN BY PINK - LOG BOOK

**POLICY TITLE: Social Media Policy****POLICY NUMBER: 2415**

2415.1 Purpose:

The policy outlines the protocol and procedures for use of social media to publicize Cambria Community Services District (“District”) services, news, announcements and events. In addition, this policy addresses the responsibilities of District employees and District officials, as well as consultants and contractors performing work on behalf of the District, with regard to social media and the use of District resources (time/equipment), as well as responsibilities related to the public records and open meeting laws.

2415.2 Definitions:

- a) Social Media: Various forms of discussions and information-sharing, including social networks, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include: picture-sharing, wall-postings, fan pages, email, instant messaging and music-sharing. Examples of social media applications include but are not limited to Google and Yahoo Groups, (reference, social networking), Wikipedia (reference), NextDoor (social networking), Facebook (social networking), YouTube (social networking and video sharing), Flickr, (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/blogging.
- b) Social Networking: The practice of expanding business and/or social contacts by making connections through web-based applications. This policy focuses on social networking as it relates to the Internet to promote such connections for District business and for employees, elected and appointed officials who are using this medium in the conduct of official District business.
- c) “Posts” or “postings” means information, articles, pictures, videos, or any other form of communication posted on a District social media site.

Policy:

2415.3 No District social media site may be created without the prior written approval of the General Manager or his or her designee. All District social media sites created on behalf of the District, by its employees on District time, or using other District resources are the property of the District and shall be administered and regularly monitored by the General Manager or his/her designee. These social media sites shall be used to help inform the public about District business, services, news and events. Individual departments may have their own pages/sites, subject to General Manager approval. Individual departments wishing to add content to District social media sites shall submit a request to the General Manager. The District’s website, www.cambriacsd.org, will remain the location for content regarding District business, services and events. Whenever possible, links within social media formats should direct users to the District website for more information, forms, documents, or online services necessary to conduct business with the District. District social media sites shall clearly state that such sites are maintained by the District and that the sites comply with this Social Media Policy.



2415.4 District employees and appointed and elected officials shall not disclose information about confidential District business on the District's social media sites, personal social media sites, or otherwise.

In addition, all use of social media sites by elected and appointed officials shall be in *compliance with California's Brown Act*, which prohibits serial meetings of a majority of the Board or another legislative body of the District via email or other electronic means. In this regard, reference is made to Government Code section 54952.2, which has been amended and clarifies that a member of a legislative body may communicate on social media platforms to answer questions, provide information to the public or to solicit information from the public regarding a matter within the legislative body's subject matter jurisdiction. But those communications are only allowed if members of the same legislative body do not use a social media platform to discuss official business among themselves. "Discuss among themselves" means making posts, commenting, and even using digital icons that express reactions to communications (i.e., emojis) made by other members of the legislative body.

Government Code Section 54952.2(b) ¹ (3) also prohibits a member of a legislative body from responding "directly to any communication on an Internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of

¹ (b) (1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

(2) Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body.

(3) (A) Paragraph (1) shall not be construed as preventing a member of the legislative body from engaging in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding a matter that is within the subject matter jurisdiction of the legislative body provided that a majority of the members of the legislative body do not use the internet-based social media platform to discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. A member of the legislative body shall not respond directly to any communication on an internet-based social media platform regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member of the legislative body.

(B) For purposes of this paragraph, all of the following definitions shall apply:

(i) "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body.

(ii) "Internet-based social media platform" means an online service that is open and accessible to the public.

(iii) "Open and accessible to the public" means that members of the general public have the ability to access and participate, free of charge, in the social media platform without the approval by the social media platform or a person or entity other than the social media platform, including any forum and chatroom, and cannot be blocked from doing so, except when the internet-based social media platform determines that an individual violated its protocols or rules.



the legislative body.” Therefore, if one Board or Committee or Commission Member posted a comment in response to another Member’s social media post about a District issue, it would be a Brown Act violation.

Employees and elected or appointed officials’ posts to non-District social media sites are a reflection of their own views and not necessarily those of the District and should not suggest otherwise.

2415.5 Posting/Commenting Guidelines:

- a) Postings made by the District to social media sites should contain information and content that has already been published or broadcast by the District. The District will not comment on other social media member’s sites. All official social media postings by the District will be done solely on the District’s social media sites. Officers, employees and agents of the District representing it on District social media sites shall conduct themselves professionally and in accordance with all District policies. All District social media sites shall use authorized District contact information for account set-up, monitoring and access. Personal email accounts or phone numbers may not be used to set up, monitor, or post to a District social media platform.
- b) The District reserves the right to remove from its social media sites content that it finds to violate this policy or applicable law. Any participants on the District’s social media sites who are in continual violation of the postings/commenting guidelines may be barred from further use of the District’s site. The District will only post photos for which it has copyright or the owner’s permission.
- c) District social media platforms are subject to the California Public Records Act. Any content maintained on a District social media site that is related to District business, including a list of subscribers, posted communication, and communication submitted for posting, may be considered a public record and subject to public disclosure. All postings on District social media sites shall be sent to a District email account and maintained consistently with the Public Records Act, provided, however, that any material removed from a District social media site consistently with this policy shall be considered a preliminary draft, note or memorandum not retained by the District in the ordinary course of business and shall not constitute a public record of the District required to be retained consistently with the District’s records retention schedules.
- d) Chat functions in any social media sites should not be used.
- e) Links to all social media networks to which the District belongs will be listed on the District’s website. Interested parties wishing to interact with these sites will be directed to visit the District’s website for more information on how to participate.
- f) The District reserves the right to terminate any District social media site without notice or to temporarily or permanently suspend access to District social media as to some or all persons at any time. The District reserves the right to implement or remove any functionality of its social media platforms, in the discretion of the General Manager or his or her designee. This includes, but is not limited to, information, articles, pictures, videos, or any other form of communication that can be posted on a District social media platform
- g) District social media sites may contain content, including but not limited to, advertisements or hyperlinks over which the District has no control. The District does not endorse any hyperlink or advertisement placed on District social media sites by the social media site’s owners, vendors, or partners.



- h) Any person authorized to post items on any of the District's social media platforms shall review, be familiar with, and comply with this Policy and each social media platform's terms and conditions of use.
- i) Any person authorized to post items on behalf of the District to any of the District's social media platforms shall not express personal views or concerns through such postings. Instead, postings on any of the District's social media platforms on behalf of the District shall only reflect the views of the District.
- j) Posts must contain information that is freely available to the public and not be confidential as defined by any District policy or county, state or federal law.
- k) Posts may NOT contain any personal information, except for the names of persons being available for contact by the public as representatives of the District. Posts to District social media sites shall NOT contain any of the following:
- 1) Comments that are not topically related to the information commented upon;
 - 2) Comments in support of, or opposition to, political campaigns, candidates or ballot measures;
 - 3) Profane language or content;
 - 4) Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, or any other category protected by federal, State, or local law;
 - 5) Sexual content or links to sexual content;
 - 6) Solicitations of commerce;
 - 7) Conduct or encouragement of illegal activity;
 - 8) Information that may tend to compromise the safety or security of the public or public systems;
 - 9) Content that violates a legal ownership interest of any other party;
 - 10) Comments that are abusive, hateful, or intended to defame anyone or any organization;
 - 11) Comments with violent or threatening content; or
 - 12) Content advocating for alteration of hours, wages, and terms and conditions of employment (applies to District employees only).

Procedures:

- 2415.6 The General Manager or his designee will be responsible for responding to comments and messages as appropriate. The District will direct users to the District's website for more information, forms, documents or online services necessary to conduct business with the District.
- 2415.7 The District may invite others to participate in its social media sites. Such invitations will be based upon the best interest of the District as determined by the General Manager or his or her designee.

Responsibilities:

- 2415.8 It is the responsibility of employees and appointed and elected officials to understand the procedures as outlined in this policy.
- 2415.9 Employees who are not designated by the General Manager to access social media sites for District business are prohibited from accessing social media sites utilizing the District computer



equipment and/ or the District's web access. While at work, employees who are not granted access via District systems and computing equipment may use personal computing devices and personal web accounts to access social media sites only during non-working hours such as lunch periods and breaks. State law provides that more than occasional or incidental personal use of District resources is a crime.

- 2415.10 The General Manager will determine if a requested use of District social media sites or other District resources is appropriate and complies with this policy.
- 2415.11 All content on District social media sites must comply with District web standards, the rules and regulation of the social media site provider, including privacy policies, and applicable law. Employee or District confidentiality shall be maintained in accordance with all applicable laws and District policies. If a question arises regarding the use or posting of confidential information on a social media site, the matter shall be referred to the General Manager. The information in question shall not be posted, or if already posted, shall be removed until an opinion is rendered by General Manager or, at his or her request, Legal Counsel. Notwithstanding the opinion of the District counsel, the General Manager reserves the right to restrict or remove District information from a District social media site if the General Manager concludes the information does not serve the best interest of the District.
- 2415.12 All social media-based services to be developed, designed, managed by or purchased from any third-party source for District use requires appropriate budget authority and approval from the Board of Directors, in accordance with the District's Purchasing Policy.
- 2415.13 The CCSD Board of Directors reserves the right to change, modify, or amend all or part of this policy at any time.

POLICY TITLE: Operating Principles of the Board (Norms) POLICY NUMBER: 4005

4005.1 IMPLEMENTATION

- The Templeton Community Services District, hereinafter referred to as TCSD, is committed to practice these norms, whereupon we will evaluate, learn, and adjust according to what we learn.
- Upon the occasion of the occurrence of what appears to be a breach of these norms, we are committed to addressing this perception first to the individual(s) involved, before raising the issue with the Board itself. As an example, the Board President may call a break during the meeting for the purpose of privately discussing an apparent breach with another member of the Board. Because we value learning and improvement, we are committed to debriefing each of these at each of our Board meetings.
- Revisit and display these norms at each Board meeting.

4005.2 COMMUNICATION NORMS

- All communication will be accurate and to the point.
- Listen respectfully and actively when communicated with.
- Always Check Your Assumptions.
- Articulate thoughts professionally and respectfully.
- The Board President will be the spokesperson for the Board's official position when responding to inquiries from the media.

4005.3 PROCESS NORMS

- The Board shall address and resolve policy issues and set priorities by building consensus through orderly conduct.
- The Board and Staff are committed to TCSD's mission and to work as a team.
- The Board and Staff need to be responsive to the community.
- Staff needs to make available all information and analysis of alternatives so that the Board can make "reasoned decisions."
- The Board is committed to a high level of public engagement, public participation, and transparency.
- The Board will promote educational opportunities for continued learning, new technologies and best practices for the Board and Staff.
- All requests from the Board for information/agenda items will be directed to the General Manager and provided to all Board members.

4005.4 RELATIONSHIP NORMS

- Create an environment that promotes trust, respect and appreciation between the Board, Staff, Consultants, and citizens.
- Fundamental agreement that the focus of TCSD's mission is its accomplishments and future vision that meets the needs of its customers.
- Establish, accept and support common purpose and vision, and not undermine the authority of the Board after decisions are made.