



**NAPA COUNTY REGIONAL PARK &
OPEN SPACE DISTRICT**

Karen Bower Turjanis
Director, Ward One

Tony Norris
Director, Ward Two

Brent Randol
Director, Ward Three

Dave Finigan
Director, Ward Four

Barry Christian
Director, Ward Five

AGENDA

BOARD OF DIRECTORS REGULAR MEETING

Monday, April 8, 2019 at 2:00 P.M.

Napa County Board of Supervisors Chambers, 1195 Third Street, 3rd floor, Napa, CA

General Information

Agenda items will generally be considered in the order indicated below, except for Set Matters, which will be considered at the time indicated. Agenda items may from time to time be taken out of order at the discretion of the President.

The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the District Secretary. Requests for disability related modifications or accommodations, aids, or services may be made to the Secretary's office no less than 48 hours prior to the meeting date by contacting 707.259.8603.

Any member of the audience desiring to address the District on a matter on the Agenda, please proceed to the rostrum and, after receiving recognition from the President, give your name, address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the President.

State law requires agency officers (Directors and Officers) to disclose, and then be disqualified from participation in, any proceeding involving a license, permit, or other entitlement for use, if the officer has received from any participant in the proceeding an amount exceeding \$250 within the prior 12 month period. State law also requires any participant in a proceeding to disclose on the record any such contributions to an agency officer.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Directors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the NCRPOSD Office at 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 4:30 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code §§6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

1. Call to Order and Roll Call

2. Public Comment

In this time period, anyone may address the Board of Directors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the President. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

3. Set Matters

NONE

4. Administrative Items

- a. Consideration and potential approval of minutes for Board of Directors meetings on March 11, 2019.
- b. Consideration and potential approval of position on Assembly Bill 782 (Berman).
- c. Consideration and potential adoption of District Personnel Manual.
- d. Receipt of report on expenditures, encumbrances, donations, and grants approved by District staff.
- e. Review of the District Projects Status Report.
- f. Receipt of monthly report for Bothe-Napa Valley State Park and the Bale Grist Mill State Historic Park.

5. Announcements by Board and Staff

In this time period, members of the Board of Directors and staff will announce meetings, events, and other matters of interest. No action will be taken by the Board on any announcements.

6. Agenda Planning

In this time period, members of the Board of Directors and staff will discuss matters for possible consideration at future meetings. Other than to determine whether and when such matters should be agendaized, no action will be taken by the Board on these items unless specifically noted otherwise.

8. Adjournment



**NAPA COUNTY REGIONAL PARK &
OPEN SPACE DISTRICT**

Karen Bower-Turjanis
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Barry Christian
Director, Ward Five

MINUTES

BOARD OF DIRECTORS REGULAR MEETING

Monday, March 11, 2019 at 2:00 P.M.

Napa County Board of Supervisors Chambers, 1195 Third Street, 3rd floor, Napa, CA

1. Call to Order and Roll Call

Directors present: Karen Bower-Turjanis, Barry Christian, Dave Finigan, Tony Norris, Brent Randol
Staff present: John Woodbury, Chris Cahill, Rick Fessenden, Teresa Bledsoe

2. Public Comment

Elaine De Man thanked John and the Board for their hard work and made specific suggestions for achieving one of the goals in the draft Master Plan Update involving expanding the District's naturalist program through education. Kellie Anderson also expressed appreciation for the letter John wrote last month regarding the Le Colline project.

3. Set Matters

Consideration and potential release of draft Master Plan Update for public comment.

John Woodbury made presentation. He proposed an extensive comment period of 3-4 months. Directors commented. Public Comment was opened. Elaine De Man expressed enthusiastic support of the proposed phase 2 expansion of Camp Berryessa, especially to the central dining facility and would appreciate, if possible, a little cove at the far end of the lake designated for the Camp that would be off limits to motorized boats and jet skis. Eve Kahn mentioned the LAFCO meeting she attended this morning and their brief discussion about agricultural and open park spaces and how they might be able to share utilities with urban areas. She also mentioned the importance of public outreach so that the Public can become aware of what specific areas NCRPOSD is responsible for as opposed to, for example, the City of Napa's Parks and Recreation Department. Charlotte Williams, President of Napa Vision 2050, thanked the Board for suggesting a much longer review period so that any individual or organization concerned would have time to review it and respond thoughtfully and not reactively. She also had a suggestion for outreach by posting on the Nextdoor Website.

Directors voted to authorize release of the draft Master Plan Update for public comment.

DF-TN-KBT-BC-BR

4. Administrative Items

- a. Consideration and potential approval of minutes for Board of Directors meetings on February 11, 2019.

Minutes for the February 11, 2019 meeting were approved.

BC-DF-TN-KBT-BR

- b. Consideration and potential authorization to dispose of surplus property
Directors voted to authorize the disposition of a 1973 Chevrolet truck and a 1970 International Harvester Lodestar Boom truck.
KT-DF-BC-TN-BR

- c. Consideration and potential approval of Amendment N° 2 to Agreement N° 18-04 with Matt Greene Forestry and Biological Consulting, increasing the not-to-exceed amount by \$32,750 to a maximum of \$97,750.
Directors voted to approve Amendment No. 2 to Agreement No. 18-04.
KT-TN-BC-DF-BR

- d. Consideration and potential authorization for the General Manager to apply to the State Coastal Conservancy for an Explore the Coast grant
Directors voted to authorize the General Manager to apply to the Coastal Conservancy for an Explore the Coast grant.
KT-BC-DF-TN-BR

- e. Receipt of report on expenditures, encumbrances, donations, and grants approved by District staff.
Directors received report.

- f. Review of the District Projects Status Report.
John Woodbury gave reports on Amy's Grove, Berryessa Vista, Camp Berryessa, Mt. Veeder-The Cove, Lake Hennessy-North Shore Trails, Moore Creek Park, Montesol West, Oat Hill Mine Trail and Skyline Park.

- g. Receipt of monthly report for Bothe-Napa Valley State Park and the Bale Grist Mill State Historic Park.
John Woodbury gave the report.

- 4. Announcements by Board and Staff
 - Barry Christian announced that the American Canyon Community Parks Foundation has organized a hike at the Napa River Bay Trail for Sunday, May 19th @ 9:30 AM. They will be meeting at the salt flats site at the end of Green Island Road.
 - Tony Norris mentioned the Cal Fire updated report on community wildfire prevention that he handed out at today's meeting and how it will be a good companion reference to go alongside of the California Native Plant Society information he handed out months ago on a similar subject as together they provide a rather thorough, well researched set of documents addressing the need for better urban wildland interface zones for fire safety in light of our responsibility as a principle property owner in Napa County. Regarding Funding: Tony has been in discussions with a number of organizations and elected officials about grant prospects and hopes to be able to report more on this later.
 - Tony Norris also mentioned a fundraiser for the Vine Trail that Barry had attended this last Saturday night at Copia and the positive comments about what NCRPOSD is doing to help in connecting bike trails throughout the County.

- Barry Christian announced that the Napa County Bicycle Plan has been released for Public comment and is being supervised by the Napa Valley Transportation Authority. They will be hosting a meeting tomorrow night in American Canyon at the Boys and Girls Club. More information is available on their website.

6. Agenda Planning

- Ab 1234 ethics training and filing of Form 700- The form 700 is due by April 2, 2019.
- Possibility for Cal Fire to enter into an MOU agreement with NCRPOSD
- Proposed resolution recognizing the urgency of climate change

7. Adjournment

Adjourned to the Regular NCRPOSD Board Meeting April 8, 2019.

BRENT RANDOL, Board President

ATTEST:

TERESA BLEDSOE, Acting District Secretary

Key

Vote: TN = Tony Norris; KBT = Karen Bower-Turjanis; DF = David Finigan; BC = Barry Christian; BR = Brent Randol

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under vote: N = No; A = Abstain; X = Absent



STAFF REPORT

By: John Woodbury
Date: April 8, 2019
Item: 4.B
Subject: Consideration and potential approval of position on AB 782 (Berman)

RECOMMENDATION

Authorize the District to express its support for AB 782

ENVIRONMENTAL DETERMINATION

The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND

All public actions that may have an impact on the environment are subject to the California Environmental Quality Act, unless those actions fall into one of the statutory or categorical exemptions adopted by legislation or by the Secretary of Resources. Categorical Exemption 15316 (Transfer of Ownership of Land in Order to Create Parks) has been used by our District in the past when approving real property acquisitions. Under this exemption, the acquisition itself is not subject to CEQA; instead, CEQA is performed prior to any physical or programmatic changes are made to the property subsequent to acquisition. This exemption as adopted only applies in circumstances where the management plan for the park has not been prepared.

A recent trial court case out of Marin County invalidated the use of this exemption. Since it was a trial court case, it is not at this time binding on other decisions (only appellate or higher court decisions are precedent setting), the decision establishes a very problematic precedent. The trial court decision was based on the interpretation that a grant proposal that describes the reasons for acquiring a piece of land indicated the agency had already made its mind up about what to do with the property, that this was the functional equivalent of a master plan, and that therefore CEQA needed to be complete prior to acquiring the land.

The trial court decision if applied to all projects would make it very difficult for public agencies to acquire open space lands. Potential sellers are rarely willing to delay a property sale for 1-2 years while a master plan is developed and CEQA completed. Potential sellers are also typically very reluctant to subject themselves to public scrutiny of their personal situation and finances, as could happen if CEQA had to be completed before the transaction could be finalized.. Public agencies would be required to expend considerable time and money performing CEQA on projects that may or may not come to completion.

AB 782 would add a new statutory exemption to CEQA such that the acquisition of open space would not in and of itself trigger CEQA; rather, CEQA review would not be required until such time as the agency desires to make physical changes to the property.

AMENDED IN ASSEMBLY APRIL 2, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 782

Introduced by Assembly Member Berman

February 19, 2019

An act to add Section 21080.28 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 782, as amended, Berman. California Environmental Quality Act: exemption: public agencies: ~~property~~ *land* transfers.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

This bill would exempt from CEQA the ~~acquisition,~~ *acquisition*, sale, or other transfer of ~~property interest in land~~ by a public agency for certain purposes, or the *granting or acceptance of funding* ~~of that acquisition, sale, or other transfer by a public agency,~~ *by a public agency for those purposes*, if the public agency conditions those transactions on ~~compliance~~ *environmental review in accordance* with CEQA before

making physical changes to the transferred property: *land before making those changes.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. It is the intent of the Legislature in enacting this*
2 *act to clarify the timing of the environmental review required*
3 *pursuant to the California Environmental Quality Act (Division*
4 *13 (commencing with Section 21000) of the Public Resources*
5 *Code) where a public agency is involved in the funding, acquisition,*
6 *sale, or other transfer of interests in land for purposes set forth in*
7 *subdivision (a) of Section 21080.28 of the Public Resources Code.*
8 *This act is not intended to otherwise alter the applicability of the*
9 *California Environmental Quality Act to an action that may cause*
10 *a physical change in the environment.*

11 ~~SECTION 1.~~

12 *SEC. 2.* Section 21080.28 is added to the Public Resources
13 Code, to read:

14 21080.28. (a) Subject to subdivision (b), this division does
15 not apply to either of the following:

16 (1) ~~Acquisition.~~ *The acquisition, sale, or other transfer of interest*
17 *in land by a public agency of the following: for any of the following*
18 *purposes:*

19 (A) ~~Areas for the preservation.~~ *Preservation* of natural conditions
20 existing at the time of transfer, including plant and animal habitats.

21 (B) ~~Areas for the restoration.~~ *Restoration* of natural conditions,
22 including plants and animals.

23 (C) ~~Areas for the continuing.~~ *Continuing* agricultural use of the
24 ~~areas.~~ *land.*

25 (D) ~~Areas for the prevention.~~ *Prevention* of encroachment of
26 development into flood plains.

27 (E) ~~Areas for the preservation.~~ *Preservation* of historical
28 resources.

29 (F) ~~Areas for the preservation.~~ *Preservation* of open space ~~of or~~
30 lands for park purposes.

31 (2) The granting or acceptance of funding by a public agency
32 for purposes of paragraph (1).

1 (b) This section only applies if the public agency conditions the
2 ~~funding~~ or the acquisition, sale, or other transfer of the ~~property~~
3 *interests in land and, if applicable, the granting or acceptance of*
4 *funding, on ~~compliance with~~ environmental review under this*
5 *division ~~before making~~ of any physical change to the transferred*
6 *property. land before that change occurs to determine if the*
7 *physical change may have a significant effect on the environment.*

8 (c) *If the lead agency determines that an activity is not subject*
9 *to this division pursuant to this section and the lead agency*
10 *determines to approve or carry out the activity, the lead agency*
11 *shall file a notice with the Office of Planning and Research and*
12 *with the county clerk in the county in which the land is located in*
13 *the manner specified in subdivisions (b) and (c) of Section 21152.*



STAFF REPORT

By: Chris Cahill
Date: April 8, 2019
Item: **4.C**
Subject: Consideration and potential adoption of District Personnel Manual.

RECOMMENDATION

Rescind the Interim District Personnel Policies, Practices, and Procedures Manual (adopted 4/9/2018) and adopt the District Personnel Manual.

ENVIRONMENTAL DETERMINATION

The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND

In April 2018, the Board adopted an Interim Personnel Manual in order to provide the rules and policies necessary to hire our first District employees. The Interim Manual was interim both because it takes some time to formulate a comprehensive set of employment policies (more time than we had last spring, while the pressing needs of seasonal hiring at the State Park pressed) and also because we needed Richard Rybicki, our counsel on employment matters, to fully vet and update the document before final adoption.

In the year since the Interim Personnel Manual was first adopted, the District has hired nineteen employees onto its own books, of whom four (Rob Grassi, Jessica Ardizzone, Rick Fessenden, and Sarah Clark) are full time regular employees with Board-allocated positions. We have also met repeatedly with County Payroll and Human Resources staff to work out the many details necessary to implement a set of rules that are closely related to, but not always the same as, the County's own personnel policies.

The Personnel Manual before the Board for adoption today is comprehensive and up to date and we are confident that it will provide a workable foundation for our organization as we grow. At 69 pages, it is also relatively streamlined. The Board should, however, expect to see many revisions over coming years as we assemble a benefits package, fill out our org chart, and attempt keep up with the never settled world of public sector employment law.



NAPA COUNTY REGIONAL PARK &
OPEN SPACE DISTRICT

Personnel Manual

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CHAPTER 1
INTRODUCTION

Section 1.1 Overview of Personnel Policies

1.1.1 Statement of Policy

The following employment policies, procedures and rules for the administration of employer/employee relations will be referred to as the “Personnel Manual.” This Personnel Manual is for the guidance of the management and supervisory staff and for employees of the District.

1.1.2 Construction and Limitations

The Personnel Manual shall be subject to the following limitations, conditions, constructions, and interpretations:

- A. The District reserves the right to rescind, revise or supplement the Personnel Manual at any time and from time to time.
- B. The Personnel Manual does not constitute a contract with any employee.
- C. All employees not employed under an express written contract, approved by the District Board of Directors, providing for termination only upon cause are employed “At Will” and have the right to terminate employment with District at any time, with or without advance notice and with or without cause. District, as the employer, likewise has the right to terminate the employment of an At Will employee at any time, with or without advance notice and with or without cause. No one in the District other than the District Board of Directors may alter that At Will arrangement, or enter into an agreement for employment for a specified period of time, or make any agreement contrary to this provision. To the extent any policies and/or procedures set forth in this Personnel Manual are contrary to or inconsistent with the At Will status of an employee, such policies and/or procedures shall not apply to such employee.
- D. This Personnel Manual supersedes and replaces any earlier policies, rules, regulations, handbooks, manuals, guidelines and practices relating to employment with the District.
- E. In the event any section or provision of this Personnel Manual is declared invalid by a court of competent jurisdiction or is contradictory to any federal or state law or regulation, the remaining provisions shall not be invalidated and shall remain in full force and effect.

1.1.3 Implementation of the Policies

The General Manager is responsible for developing and amending the administrative procedures that provide the steps and guidelines for carrying out the policies contained in this document.

CHAPTER 2
EMPLOYMENT STATUS

Section 2.1 Definitions

For the purposes of these rules the following definitions shall apply:

Applicant: A person who has made a formal request on a prescribed form in order to qualify for District employment.

Appointment: The offer to a person, and his/her acceptance of a position in accordance with the provisions of these rules.

At Will: An employment relationship which either party (employer or employee) has the right to terminate at any time, with or without prior notice and with or without cause. This arrangement is called "employment At Will". An At Will employee serves at the pleasure of the District Board of Directors. An At Will employee holds no property interest in his or her employment or continued employment.

Board or Board of Directors: The Board of Directors of the Napa County Regional Park and Open Space District.

Compensation: Any salary, wage, or other emolument paid to an employee for performing the duties of a position.

Continuous Employment: Employment uninterrupted from the date of appointment, except for authorized absence.

Demotion: A change from a position in one class to a position in a lower class.

Discharge: The termination of employment of an employee for disciplinary purposes.

District: Napa County Regional Park and Open Space District

GM: General Manager

Eligibility List: A list of names of candidates who have been qualified for a specific job.

Employee: Any person who is employed by the District (excluding, for example, vendors and independent contractors not in an employment relationship with the District).

Exempt Employee: An employee who is not subject to the overtime provisions of the federal Fair Labor Standards Act or other applicable law.

Human Resources Department: The employee(s) or contactor(s) selected by the General Manager to provide personnel-related services for the District, as provided for by the District's Personnel Manual.

Layoff: An actual separation from District service, an involuntary permanent reduction in work hours, or a demotion in lieu of layoff.

Leave-of-Absence: Permitted absence from duty for a specified period of time.

Minimum Qualifications: Standards of education and experience, knowledge, skills and abilities, and personal and physical characteristics as are prescribed in the class specifications.

Non-Exempt Employee: An employee who is subject to the overtime provisions of the federal Fair Labor Standards Act or other applicable law.

Position: A group of current duties and responsibilities assigned or delegated by competent authority requiring the full-time or part-time employment of one person.

Promotion: Changing from a position in one class to a vacant position in a higher class with a higher salary range without a break in service.

Regular Position: This includes all full or part time employees who are not Temporary Employees. All Regular Positions must be allocated by the Board as part of the approved budget for the District. Employees in Regular Positions remain At Will employees and do not possess property rights in their employment or continued employment.

Resignation: Separation of an employee made at the request of the employee.

Salary Step Increase: An increase in salary of one step within the salary range prescribed for the class, based upon "satisfactory" or better performance during the first six months of employment as established through performance evaluation, unless initially appointed above the minimum step, and annual adjustments thereafter based upon "good" or better performance as established through performance evaluation until attainment of the top step of the salary range.

Separation: Any termination of employment.

State: The State of California.

Status: The condition of an employee's appointment, such as part-time, At Will, or introductory, regular, or temporary.

Suspension: An enforced leave of absence without pay for disciplinary purposes.

Temporary Employees: Temporary Employees are employed for a temporary period (limited term) to perform a specific task, job or assignment. Such employees are not entitled to holiday pay and shall not earn vacation or personal leave. In addition, temporary employees shall not be entitled to participate in the District's retirement program. Temporary employees serve At Will.

Termination: Ending the employment of an employee by the District.

Transfer: A change from one position to another in the same or similar class without any break in service. Such change in classes must have the same salary range and similar qualifications.

Vacancy or Vacant Position: Any unfilled allocated position in the District. A position shall be deemed vacant when it is not filled by an employee in the class to which the position has been allocated.

Section 2.2 Hiring Process

2.2.1 Statement of Policy

This process sets forth procedures to follow when filling position vacancies other than the General Manager. A vacancy occurs when a job opening will be filled by adding staff or by replacing an employee by either hiring an employee from outside the District or by transfer of an existing employee.

2.2.2 Personnel Request

A. Initiation

A request for personnel will be initiated by the General Manager when a vacancy is to be filled.

2.2.3 Employee Selection

A. Job Vacancy Posted

Job vacancies may be posted on appropriate District bulletin board(s) for the purpose of informing existing employees who may wish to submit an application.

B. Advertising

Job vacancies will be advertised as deemed best by the General Manager or his/her designee and, if necessary, listed with the California Employment Development Department.

C. Employment Application

All applicants, internal and external, will be required to complete an employment application for each vacancy to which they are applying. Employment applications are available in the District's central office and on the District web page.

D. Screening Applicants

The Human Resources department shall submit appropriate screening criteria and interview questions to the General Manager for approval. The General Manager, or his/her designee, will screen the applications to identify those that meet the criteria.

E. Interviewing

The General Manager, or his/her designee, and an additional panel of interviewers if appropriate, will interview employees and applicants that have been selected from the screening process. Interviewers not able to fairly assess the applicant due to a personal relationship or other reason will be disqualified from participating on the panel.

F. Documenting the Interview

During or immediately after each interview, each interviewer shall complete the Interview Rating Sheet, which is provided to assist in arriving at a final decision. Appropriate numerical values representing the degree of each evaluation factor, based on the interview, job-related experiences or skills, or other pertinent criteria depicting the

candidate's qualifications, shall be entered on the Interview Rating Sheet form. The order of qualified candidates shall be from the highest to the lowest total point value.

G. Selection

The decision concerning which candidate to select rests with the General Manager.

H. Notification.

Once the decision to hire or promote has been approved, it will be the responsibility of the Human Resources department to notify the prospective employee of his/her acceptance (pending any required background check) and the unsuccessful applicants of their rejection.

I. Conversion of Contract Employees.

Where a contract employee functions as an agent of the District and where the Board of Directors allocates a position within the regular District service to do the same or preponderantly similar work, the General Manager may offer the position to the contract employee without first posting or advertising the vacancy. In such cases, screening, interviewing, and other steps in the formal District selection process may be required at the General Manager's discretion. For purposes of this sub-section, should the allocated position be that of General Manager, the Board of Directors shall act in the General Manager's stead.

2.2.4 Placing Employee on the Payroll

A. Duties of the General Manager or Designee:

1. The prospective employee will be given a conditional offer of employment conditioned upon the successful completion of a background check. The background check will comply with applicable law, and any adverse information obtained will be handled consistent with applicable law.
2. A background check may be conducted. If the prospective employee passes this part of the screening process, he or she may be required to take a medical exam.
3. Upon successful completion of the background check and medical exam, both where and as required, the following steps will be taken:
 - (a) The General Manager, or his/her designee, will send an offer letter to the prospective employee, which must be signed and returned.
 - (b) A start date is coordinated with the Human Resources department.
 - (c) The prospective employee will be given an orientation interview covering the information identified in Section 2.3.2 of these Policies and Procedures.

Section 2.3 New Employee Orientation

2.3.1 Statement of Policy

All new employees will participate in a new employee orientation meeting with representatives from District administration and the employee's Supervisor.

2.3.2 Content of Orientation

The subjects that should be covered during such orientation, as applicable, include the following:

- Job description
- Workplace orientation
- Workplace harassment policies/training
- Personnel Manual
- Personnel records and files
- Wages and salaries
- Performance evaluation
- Safety
- Employee communications and office decorum
- General working conditions
- Organizational chart
- Group insurance programs if any
- Employee's retirement and deferred compensation plans if any
- Workers' Compensation medical and disability coverage
- Payroll forms such as W-4, automatic deposits, etc.
- Introduction to fellow workers
- Organization and purpose of the District
- Specific job duties, training and performance standards
- Attendance
- Financial conflicts of interest
- Political activity during employment
- Other related policies and procedures applicable to the employee

Section 2.4 Introductory Period

2.4.1 Statement of Policy

The introductory period is the final and most important phase of the selection process and is used for assessing the performance, District management to observe and assess performance and for individuals to assess their own abilities and satisfaction with their new position. Completion of the introductory period does not affect an employee's At Will status and creates no additional property or other rights to continues employment.

2.4.2 Duration of Introductory Period

A introductory period shall be for one year for all subject employees, and shall begin on the first date of employment or promotion.

The term “continuous service” as used in this section means a period of one year of work uninterrupted by a leave of absence. Where such interruptions occur, the District may extend the introductory period.

2.4.3 Termination of Introductory Period

A introductory employee may be separated by the District from service at any time during the introductory period consistent with At Will employment status.

2.4.5 Effect of Leaves of Absence on Introductory Period

An employee who is on leave of absence without pay during his/her introductory period may have the introductory period extended by his/her supervisor. The extension may be up to the amount of time of the leave without pay. The District shall notify the employee of the extension in writing prior to the end of the introductory period as provided in Section 2.4.2.

Section 2.5 Job Classification

Excepting the General Manager position, which is defined by and serves at the pleasure of the Board of Directors, it is recognized that the creation and/or redesign of job classifications for all Employees, including the establishment of duties and the qualifications required therefore, are exclusive functions of District management.

All positions are evaluated according to necessity, relative skills required to do the work, and in some case, the market. Positions that are similar in type of work, level of difficulty and level of responsibility are grouped together in the same class. All positions in the same class are treated alike in such matters as salary and minimum qualifications.

The General Manager and Human Resources will periodically review the work performed by employees to determine whether they are appropriately classified. If the duties of a position are found to have changed substantially, or the need for maintaining the position is at issue, the supervisor may recommend that the position be re-evaluated, reclassified, or abolished. Similarly, job descriptions will be prepared for any new positions which will be evaluated and classified according to their relative worth.

Section 2.6 Job Descriptions

Job descriptions define essential and other duties that an employee is required to perform in each classification as a condition of continued employment. They are not intended to limit the work which may be performed since other tasks may be assigned that are similar in nature or as needed. Excepting the General Manager position, which is defined by and serves at the pleasure of the Board of Directors, job descriptions are subject to adoption, review, and change at the discretion of the General Manager.

Full job descriptions and salary ranges are available for review on the District web site.

Section 2.7 Assignment, Transfer, Promotion

2.7.1 Statement of Policy

While it is management's intent to schedule work and assign personnel in such a manner as to achieve maximum utilization of the respective employee's abilities, and while it is management's further intent to encourage an employee's progression upward in the same line of work, it is recognized that conditions which affect District's operations will require flexibility in work assignments to permit cross-training, to stabilize the workload and to respond to unanticipated circumstances. It is therefore also recognized that as conditions require, management will assign, and Management Employees and Non-Management Employees will perform, duties which may not be within the usual scope of classification responsibilities. It is the intent of the District to fill vacancies by internal promotion of qualified District employees when and if the combination of experience and competency makes an internal candidate the best choice for the District.

2.7.2 Temporary Assignments

If an employee is temporarily assigned to the full duties and responsibilities of a higher classification, he /she will be paid the higher rate for the entire period when working in the higher wage classification. If assigned to a lower wage classification, the employee will not earn less than he or /she would normally earn in a pay period in his/her regular classification. Temporary assignments may not be for more than one year.

A temporary job classification assessment form must be submitted to and approved by the General Manager in advance.

Section 2.8 *Reserved*

Section 2.9 Non-Fraternization Policy

2.9.1 Statement of Policy

The District's policy is to hire, promote and transfer employees on the basis of individual merit and to avoid any hint of favoritism, conflict of interest, or discrimination in making such decisions.

2.9.2 Application of the Policy

In order to promote the efficient operation of the District and its business and to avoid misunderstandings, complaints of favoritism, other problems of supervision, security and morale, and possible claims of sexual harassment, the following policies shall apply: Managers and supervisors are forbidden from dating or pursuing romantic or sexual relationships with employees whom they supervise, whether that supervision be direct or indirect. Managers and supervisors are likewise forbidden from managing, supervising or otherwise directing the work of immediate family members, spouses, domestic partners, or those with whom they have a financial interest as prohibited by applicable law.

Employees who violate these policies will be subject to discipline, up to and including discharge.

Section 2.10 Performance Evaluation

An employee serving a one year introductory period shall receive evaluations from their immediate supervisor at the end of six months and also prior to the completion of the employee's introductory period. If the employee's overall performance review at the end of the one year is at "Below Standards" or "Unsatisfactory", then that employee shall be terminated. The performance evaluations for introductory employees are for informational purposes only, and do not affect the District's ability to separate introductory employees at any time, for any or no stated reason, as provided in Section 2.4.

Thereafter, evaluations shall be completed annually. Such evaluations shall be on forms and under procedures prescribed by the General Manager. Appraisal scores shall be, in descending order: Excellent, Good, Satisfactory, Below Standards, and Unsatisfactory.

Salary movement through the steps of a pay grade will be based on performance as follows. In each case part time employees will have the opportunity for a step increase when they reach the full time hour equivalent.

- At six months- a half step increase if employee's most recent overall performance review meets or exceeds "Satisfactory".
- At one year- a half step increase if employee's most recent overall performance review meets or exceeds "Satisfactory".
- Each year thereafter until the employee reaches the top salary step- a full step increase if employee's overall performance review meets or exceeds "Good".

Pay grade ranges are approximately 25% from beginning step to the top of the pay grade and will be established for each position by resolution of the Board of Directors. Once an employee reaches the top of their pay grade they will still be subject to annual performance reviews.

Subject to approval by the District Board of Directors, the pay grades will be adjusted annually and indexed to the Bay Area Consumer Price Index (CPI) for all Urban Wage Earners and Clerical Workers within Napa County. This policy may be modified or eliminated at any time in the sole discretion of the Board of Directors.

The results of the performance evaluation shall be taken into account in the following ways:

1. A discretionary leave of absence will be granted only to an employee whose last evaluation was at least satisfactory.

2. The general record of service as well as specific and immediate disciplinary charges will be taken into account when disciplinary action against an employee is proposed and the discipline, if any, is assessed.
3. If a non-introductory employee receives an overall rating of “Below Standards” or “Unsatisfactory” that employee will be evaluated again within three months. Continued failure to meet performance expectations will lead to further disciplinary action up to and including discharge.

Section 2.11 Resignation

Though not required, the District requests that any employee wishing to leave service in good standing file with the District a signed written resignation giving at least two weeks notice of his/her intention to leave the service, unless the District consents to an earlier separation.

The written resignation shall be forwarded to the General Manager. The General Manager, or his/her designee, may request an exit interview with the separating employee.

Any employee who leaves service without so filing a written resignation shall have such fact entered in his/her service record and may, by action of the General Manager, be denied employment opportunities with the District in the future.

Section 2.12 Layoff

2.12.1 Statement of Policy

When it is necessary to reduce the working staff of the District for lack of work or lack of funds or for other causes outside of the worker’s control, the District shall consider the classes of positions in which the reduction is to be made and the number of positions to be affected. The District may depart from any of the procedures in this Section, in its sole discretion, when it considers it necessary. In general, the District plans to consider reductions in staff within the designated classes of positions in the following order:

1. Employees who are introductory.
2. Part-time regular employees.
3. Full-time regular employees.

2.12.2 Layoff Order

The General Manager shall determine the employees to be laid off within a class of positions on the basis of an employee’s performance and/or special qualifications needed by the District.

2.12.3 Notice

The General Manager will give regular employees notice of any reduction in staff at least two weeks prior to the effective date.

2.12.4 Reinstatement after Layoff

Full-time employees who are laid off will be given the right of first refusal in filling future vacancies in the position from which he/she was laid off for a period of one year.

2.12.5 Benefits

During periods of lay off, health care coverage remains available if premiums are paid by the employee in accordance with carrier regulations and limitations and COBRA/Cal-COBRA laws as applicable. Such benefit will be available for a period of time consistent with COBRA/Cal-COBRA.

Section 2.13 Personnel Files

2.13.1 Statement of Policy

The District maintains personnel files on all employees. The files contain confidential information such as job applications, resumes, documentation of performance, salary changes, benefit elections, and other employment records.

2.13.2 Employee Responsibility to Ensure Accuracy of Personnel Records

The accuracy of personnel records is essential for the proper handling of many items of great importance to employees, including the emergency notification of family, income tax deductions, insurance coverage, and other fringe benefits from the District. It is the employee's responsibility to keep the District updated on personal information so that the District may effectively handle those programs and tasks which are for the employee's benefit.

In order that the District may keep complete and current records, it is mandatory that the employee notify the District central office immediately whenever there is a change in any of the following employee information:

1. Address
2. Telephone Number (Note: As a condition of employment, it is necessary that the employee present a telephone number where they can be reached by their Supervisor directly without having to go through other parties.)
3. Person to notify in the event of an emergency.
4. Name, through marriage or otherwise.
5. Marital status
6. Number of dependents

7. Insurance beneficiary
8. Military Status
9. Driver's license number and date of expiration, as well as any suspension or cancellation of the license, for any employee who drives on public roads while on District business.

2.13.3 Duty to Provide Accurate Information

Any misrepresentations, falsifications, or material omissions by an employee on his or employment documents may result in disciplinary action up to and including termination of employment.

2.13.4 Access to Personnel Files

An employee may request to review his or her personnel file by submitting a written request in advance to the General Manager or his /her designee. If an employee disagrees with any item contained in his or her personnel file, the employee may add a document containing his or her version of the disputed item.

CHAPTER 3

HOURS OF WORK AND COMPENSATION

Section 3.1 Work Schedules

3.1.1 Work Schedules

New employees will be advised of their work schedules when they commence employment with the District. From time to time, it may be necessary for the District to change employee work schedules. Employees are expected to cooperate with these changes and are expected to arrange their personal schedules to comply with their assigned work hours.

3.1.2 Standard Work Schedule

The standard work schedule for full-time employees is forty hours. The standard hours and/or days of a standard work schedule may be altered upon request by the supervisor and with approval of the General Manager. **Alternate Work Schedules** (e.g. 9-80's, 4-10's, and flex time) may be authorized by the General Manager and any approval of such will be placed in the employees personnel file.

3.1.3 Standard Work Week

The Standard workweek is a seven-day period beginning at noon Friday and ending at 11:59:59 a.m. the following Friday.

Section 3.2 Meal and Rest Breaks for Non-Exempt Employees

3.2.1 Meal Breaks

Employees shall take an unpaid 30 or 60 minute meal break. Where staffing coverage necessitates schedule predictability, such meal break shall be scheduled at approximately the same time every workday. Employees shall attempt to take meal breaks that are at least 30 minutes long; in unusual cases, employees may take an unpaid meal break of at least 20 minutes so long as the break is used to eat a meal.

3.2.2 Rest Periods

Employees are permitted one paid 10-minute rest period for each four (4) hour work period. Where staffing coverage necessitates schedule predictability, these breaks should be scheduled at approximately the same time every workday.

3.2.3 Meal and Rest Breaks May Not Be Combined or Postponed

Rest and meal periods are provided so the employees may rest, obtain nourishment, and rejuvenate during the workday. Except as may be approved by the General Manager, employees may not combine rest periods or add them to meal breaks nor may employees postpone their rest or meal periods to the end of the workday in order to leave earlier.

Section 3.3 Compensation

3.3.1 Statement of Policy

As a public entity, the District is committed to rendering the highest level of service possible at a fair and reasonable cost. The District's ability to achieve this objective is affected by a number of factors, one of which is the quality performance of District employees. In order to attract and retain highly competent employees, promote continuous superior performance, and give full recognition to District financial constraints, the following criteria will be considered in establishing employee compensation:

1. The impact of compensation on the cost of services, the ongoing financial health of the District, and overall operational cost.
2. Compensation paid for similar work in other public and private organizations.
3. The general and specific performance of employees.
4. Status of the labor force, economic conditions, recruitment and retention experience, and other factors influencing the maintenance of a stable and efficient work force.

The General Manager or his/her designee shall develop an annual Salary and Benefits package for submission to the Board each year. The schedule shall set forth the positions approved by the Board, together with proposed salary ranges and employee benefits, for the upcoming fiscal year beginning July 1. Salary ranges and employee benefits are to be

reviewed and considered by the Board for adjustment for each fiscal year as part of the budget adoption.

3.3.2 Wage Rates

Employees will be paid within the salary range established for their job classification. A list of job classifications and applicable salary rates is maintained in the District's central office. From time to time, should the General Manager find that the salary range for an individual classification is not competitive with comparable local agencies, the General Manager may complete a salary survey with comparable local agencies and bring a revised salary scale based on said survey to the Board of Directors for their review and approval. For purposes of this section, comparable local agencies shall be: Marin County, the Marin Municipal Water District, Sonoma County, the Sonoma County Agricultural Preservation and Open Space District, Solano County, and the Santa Clara County Open Space Authority.

Annually, District-wide salary rates may be adjusted to reflect inflation, deflation or other cost of living changes. The Bay Area Consumer Price Index (CPI) for all Urban Wage Earners and Clerical Workers within Napa County as published at the time of the General Manager's development of the recommended annual Salary and Benefits package shall be referred to in considering the possible adjustment of salary rates. Nothing herein shall constitute an implied or specific agreement by District to grant cost of living increases or as to the amount of any such increase. The purpose of this provision is to provide a framework for the development of the annual Salary and Benefits package that is subject to review and approval by the Board.

Until such time as the District has contracted for an employee benefits package including health care benefits, the District will provide each Board allocated full time District employee with a payment in-lieu of District-provided health insurance equivalent to \$740.88 per month. Temporary employees, contractors, and Napa County employees working on contract to the District shall not be eligible for this payment.

All compensation, including but not limited to annual raises or other wage rates, are subject to the sole discretion of the Board.

3.3.3 Pay Schedule

Wages will be paid on a bi-weekly basis. Wages will be paid within fourteen calendar days following the end of the pay period. If paid by check in lieu of direct deposit, such paychecks not picked up by 4:00 p.m. on payday will be mailed.

3.3.4 Payroll Deductions

An employee's earnings and payroll deductions are shown on a check stub with the employee's paycheck. The check stub should be examined and retained for personal records.

The District will make the following deductions from an employee's earnings:

A. Mandatory Deductions

1. Federal Income Tax (Withhold Tax)
2. State Income Tax
3. State Disability Insurance (S.D.I.)
4. Garnishments/Wage Attachments
5. Social Security if any
6. Retirement deductions, if any

B. Employee Authorized Deductions

1. Employee deferred compensation contributions
2. Medical and dental insurance contributions
3. Jury duty payments to an employee who was provided paid time off for jury service
4. Other Deductions Agreed Upon in Writing by the Employee and permitted by law.

3.3.5 Updating Payroll Information

During the course of employment, changes affecting payroll status will probably occur from time to time. Examples are changes in marital status, name change due to marriage, changes in number of dependents and changes required to adjust an excessive or insufficient tax withholding situation. Questions concerning these changes should be directed to the Human Resources department.

Section 3.4 Timekeeping

3.4.1 Employees

A. Time Sheet

Each employee is responsible for preparing an individual time sheet weekly. The employee should accurately record regular and authorized overtime hours worked and leave usages. Time sheets must also show all of the following for each job performed during the week:

1. Work locations.
2. Job or task number category.

B. Submission of Time Sheets

Each employee must electronically submit his or her time sheets, verifying its accuracy, and have the time sheet reviewed and approved by his/her supervisor, unless the General

Manager authorizes an alternative method of submitting time records. Employees are expected to submit their time sheets promptly as directed by the General Manager, or his/her Designee.

3.4.2 Consequences of Falsifying Time Records

Falsification of time sheets will result in disciplinary action up to and including discharge.

Section 3.5 Overtime

3.5.1 Statement of Policy

From time to time, overtime work may be necessary to complete a work assignment or tend to the public's needs. Overtime must be required by and authorized by the General Manager. All regular employees will be expected to work overtime under specific circumstances which shall be defined by the General Manager. Refusal to work, after requested to do so under those circumstances, will be grounds for disciplinary action.

3.5.2 Exclusion from Policy

For purposes of determining entitlement to overtime pay under the federal Fair Labor Standards Act (FLSA), employees will be either classified as exempt or non-exempt based upon the nature of their duties. Exempt employees, such as management positions, are not entitled to overtime pay.

3.5.3 Overtime Pay

An employee who works overtime shall be compensated at a rate of one and one half (1 ½) times the employee's regular rate of pay. Any arrangement for compensatory time off in lieu of overtime is subject to advance District approval and then-current District policy.

Unless otherwise provided below, overtime is defined as any time actually worked in excess of forty (40) hours in a single workweek.

Overtime pay must be approved in advance by the General Manager prior to performing the work.

CHAPTER 4 STANDARDS OF CONDUCT

Section 4.1 Equal Employment Opportunity

4.1.1 Statement of Policy

The Napa County Regional Park and Open Space District is an equal opportunity employer. The District does not discriminate against qualified applicants or employees with respect to any terms or conditions of employment based on an applicant's or employee's race, color, national origin, ancestry, religion, physical disability, mental disability, medical condition, marital status, domestic partner status, sex (including pregnancy, childbirth and related medical conditions), gender (including gender identity), age (over 40), sexual orientation, political affiliation, veteran's status, or any other characteristic protected by federal, state, or local law.

The District subscribes to all federal and state laws that are intended to protect the right and opportunity of all persons to seek, obtain and hold employment without discrimination or abridgment because of the foregoing characteristics.

4.1.2 Employee, Supervisor and Management Responsibilities

All employees are charged with the responsibility of furthering equal employment opportunity by identifying and reporting incidents of discrimination. District managers and supervisors are further required to ensure that principles of equal employment opportunity and non-discrimination are followed with regard to recruitment, hiring, placement, promotion, transfer, demotion, layoff, termination, pay and other forms of compensation, training and general treatment of employees during employment.

In any instance where an employee believes that this policy has been violated, that employee is encouraged to consult with the District's General Manager, or if the alleged violator is the General Manager, District Counsel or the President of the Board of Directors with the assurance that no reprisals (retaliation) or otherwise adverse action will be taken against the employee.

Section 4.2 Anti-Harassment/Discrimination Policy

4.2.1 Statement of Policy

The District is committed to providing a work environment free from harassment and discrimination as defined by this policy. District policy prohibits discrimination, sexual harassment and harassment because of race, color, national origin, ancestry, religion, religious creed (including religious dress and grooming), citizenship, physical disability, mental disability, medical condition or information (including genetic information), marital status, domestic partner status, sex (including pregnancy, childbirth and related medical conditions), gender (including gender identity, transgender identity or transitioning), gender expression, sexual stereotyping, age (over 40), sexual orientation, political affiliation, military caregiver status, military status, family care or medical leave status, veteran's status, or any other characteristic protected by federal and state law. All such harassment and discrimination is prohibited. Persons protected from harassment and discrimination under this policy includes job applicants, employees and independent

contractors. Applicants, employees or independent contractors are protected from harassment that is perpetrated by District officials, managers, supervisors, employees, and by non-employees when the harassment occurs in the course of District work. Employees or contractors who violate this policy will be subject to disciplinary action, up to and including termination.

4.2.2 Definitions

A. “Discrimination”

For purposes of this policy, discrimination may occur by either:

1. Treating members of a protected class less favorably because of their membership in that class.
2. Having a policy or practice that has a disproportionately adverse impact on protected class members.

B. “Harassment”

Conduct which constitutes harassment in violation of this policy includes, but is not limited to:

1. Making or using derogatory comments, slurs, jokes or epithets motivated or related to an individual’s protected status.
2. Assaulting, touching, impeding or blocking movement, making derogatory gestures, or any physical interference with normal work movement which is motivated or related to an individual’s protected status.
3. Displaying derogatory posters, letters, poems, graffiti, cartoons or drawings that involve or relate to an individual’s protected status.
4. Sexual harassment.
5. Retaliation against an employee, or person who provides services to District pursuant to a contract or other covered individual who:
 - a) Files or responds to a bona fide complaint of harassment or discrimination; or
 - b) Acts as a witness or otherwise cooperates in the investigation of a harassment or discrimination complaint; or
 - c) Serves as an investigator in processing complaints of harassment or discrimination.

C. Sexual Harassment

1. For purpose of this policy, sexual harassment is any behavior that includes unwelcome sexual advances and other verbal or physical conduct of a sexual nature when:

- a) Submission to, or rejection of, such conduct is used as the basis for employment decisions that influence or affect an individual's career (such as promotions, salary, employment conditions or other aspects of a career development); or
 - b) Such conduct unreasonably interferes with an individual's job performance;
 - c) Creates an intimidating, hostile, or offensive work environment.
2. All of the conduct described above, when it is of a sexual nature; or
 3. Deliberate, repeated or unwelcome sexual advances, offering employment benefits in exchange for sexual favors or making or threatening reprisals after a negative response to sexual advances.

Sexual harassment can occur between employees of the opposite or same sex. It is prohibited for males to sexually harass females or other males, and for females to sexually harass males or other females.

4.2.3 Zero Tolerance

The District maintains a zero tolerance stance regarding violations of this policy. This means that serious cases of employee harassment, discrimination, or retaliation related to a complaint made pursuant to this policy will lead to immediate dismissal by the General Manager.

Conduct of the nature prohibited by this policy will be considered misconduct and may subject an offending employee to disciplinary action even if the conduct does not rise to the level of legally actionable harassment, discrimination, or retaliation.

4.2.4 Complaint and Investigation Procedure

Employees and contractors should not wait until a situation becomes severe or pervasive or impairs their work performance before reporting harassment or discrimination. The District's goal is to prevent harassment and, if it does occur, to stop it at the earliest opportunity.

If the employee believes that he/she has been harassed or discriminated against under this policy, or if the employee believes he/she has witnessed harassment or discrimination, the employee should inform his/her supervisor, or the General Manager of the District as soon as possible after the incident. The complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. Supervisors or management employees who are aware or have been notified of any alleged incident of harassment or discrimination must immediately refer all such complaints or reports to the General Manager.

If the General Manager is the accused harasser, the employee can report the harassment/discrimination to District Counsel and/or the President of the Board of Directors. If the employee does not feel comfortable reporting the incident to his/her

supervisor or the General Manager he/she may report the incident to any other supervisory or management employee or the President of the Board of Directors.

Whenever the District is made aware of a complaint or report of harassment/discrimination under this policy, the District will conduct an immediate, thorough, and objective investigation of the situation using an impartial and qualified investigator. Cooperation with such investigations is required of all employees and contractors. The District will inform the complainant or alleged victim of the progress of the investigation and provide timely notification of the results.

If the District determines that harassment/discrimination prohibited by this policy has occurred, effective remedial action will be taken in accordance with the circumstances involved. Any employee determined by the District to have engaged in prohibited harassment/discrimination will be subject to appropriate disciplinary action, up to and including termination.

In addition to the foregoing methods of complaint, an applicant, employee or contractor may choose to file a harassment/discrimination complaint with the California Department of Fair Employment and Housing at <http://www.dfeh.ca.gov> or the federal Equal Employment Opportunity Commission at <http://www.eeoc.gov/>.

4.2.5 Retaliation Prohibited

The District strictly prohibits retaliation against any applicant, employee, or contractor who complains of harassment or discrimination or participates in any manner in an investigation into workplace harassment/discrimination. Examples of retaliation prohibited by this policy include the following:

- Disciplining a complainant or rejecting a complainant for employment because it is believed the allegation of harassment is untrue or the allegation of harassment/discrimination is not supported by subsequent findings of an investigation, unless the complainant is found to have knowingly falsified information;
- Subjecting complainants or witnesses to materially adverse employment decisions because of their participation in a workplace harassment/discrimination complaint or investigation;
- Ostracizing or demonstrating hostility to a complainant or witnesses because of their participation in a workplace harassment/discrimination complaint or investigation.

If the District finds that any employee, including a supervisor or manager, has engaged in retaliation, he or she shall be subject to disciplinary action, up to and including discharge.

4.2.6 Prevention

Prevention is the best method for avoiding harassment, discrimination and retaliation. Supervisory and managerial employees are charged with the responsibility of taking steps to prevent harassment/discrimination and retaliation from occurring in the workplace. Failure to take appropriate action to prevent and/or correct harassment/discrimination or retaliation shall be deemed a violation of this policy and shall subject the offender to disciplinary action up to and including discharge. If the General Manager is the harasser, the employee can report the harassment/discrimination to District Counsel and/or the President of the Board of Directors who will investigate the complaint in the same manner that the General Manager would investigate complaints filed by other employees. If the employee does not feel comfortable reporting the incident to his/her supervisor, or the General Manager, he/she may report the incident to any other supervisory or management employee or the President of the Board of Directors.

Section 4.3 Mutual Respect and Courtesy Rule

It is the District's philosophy and practice to treat one another with respect and courtesy. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

Section 4.4 Reasonable Accommodation

In furtherance of the District's policy to provide equal employment opportunity, the District will provide reasonable accommodation to allow people with physical or mental disabilities to apply for employment and perform their jobs.

Section 4.5 Appearance, Conduct, and Hygiene

4.5.1 Statement of Policy

District employees often come into contact with the public, which may judge the quality and efficacy of the District by the appearance and behavior of its employees and has the right to expect appropriate clothing, neat appearance, and good manners. Therefore, District employees will be expected to adhere to the following guidelines.

4.5.2 Guidelines on Appearance Conduct and Hygiene

1. All employees are expected to exercise good hygiene and be well groomed.
2. Employees must dress in a manner that is professional, functional, and affords them safety from unnecessary risk of injury.
3. When, on occasion, employees have to deal with discourteous persons, it is especially important for them to maintain their friendly attitude.

Continuing courtesy on the part of employees will do much to promote an excellent relationship between the District and the community.

Section 4.6 Attendance and Punctuality

4.6.1 Statement of Policy

In order to offer high quality service, the District's operations must be appropriately staffed. Absenteeism and tardiness cause undue burdens on co-workers and impede the service the District provides to the community. Therefore, regular attendance and punctuality are job requirements for all employees of the District.

4.6.2 Reporting Requirements

1. Employees are expected to report to work on time and ready for duty at the time prescribed.
2. Employees may not leave work without prior supervisory approval during working hours or prior to the end of a scheduled work time.
3. Employees who foresee the need to be absent, tardy, or leave early from work should notify their supervisor of the anticipated absence as far in advance as practicable and obtain approval for such absence.
4. An employee who will be absent or late to work must notify their supervisor prior to the start of the employee's shift. This process must be repeated daily unless the employee is on an approved leave of absence. An employee must keep their supervisor informed of when he or she plans to return to work. An employee who does not return to work from a leave of absence on the approved date shall be deemed absent without leave (AWOL) and may be subject to automatic discharge.
5. An employee who is physically unable to provide notice of an absence prior to the start of the employee's work day must provide notice as soon as practicably possible.
6. Absences, including tardiness, must be accurately reported on time sheets in 15 minute increments. Employees who are tardy will not be paid for the time they are absent.

4.6.3 Discipline

Failure to provide a supervisor with advance notice of an absence or late arrival for work, frequent or prolonged absenteeism or tardiness, or falsification of time records may result in disciplinary action up to and including discharge.

Employee absences which are protected by law (e.g., military leave, workers compensation leave, family medical leave, "kin care" leave, pregnancy disability and other approved disability leaves, witness or jury duty leave, voting leave, court appearances for

crime victims, and leave for certain school activities) shall not be counted in determining whether the employee is meeting job requirements for attendance.

Section 4.7 Secondary Employment

4.7.1 Statement of Policy

The District expects its employees to devote full attention to their District responsibilities during regularly scheduled work hours. The District will not tolerate effects of secondary employment which interfere with the performance of duties for the District including, but not limited to, the following:

1. Actual conflict in hours of employment;
2. Being tired or unfit for duty because of outside employment;
3. Where the secondary employment creates an actual or apparent conflict of interest in regard to District employment.

Section 4.8 Causes for Discipline

4.8.1 Statement of Policy

The purpose of this policy is to establish standards of conduct and work performance for employees that are consistent with the efficient and effective delivery of public services. When conduct or job performance does not meet these standards, the District will endeavor to provide employees with a reasonable opportunity to correct the deficiency in the District's sole judgment.

4.8.2 Standards of Conduct

The standards set forth below are intended to provide employees with notice of what is expected of them and provide examples that may lead to disciplinary action, up to and including discharge. This list is not meant to be exhaustive or all inclusive, but rather it is a set of examples of unacceptable behavior for which disciplinary action could result

1. Poor performance; unsatisfactory work quality or quantity;
2. Neglect of duty, including sleeping on the job;
3. Insubordination;
4. Excessive absenteeism or tardiness;
5. Unexcused absences, failing to properly report absences, or leaving work early without permission;
6. Failure to keep supervisor aware of employee's whereabouts during duty time when availability may be required;
7. Misuse of or damage to District tools, vehicles, equipment, or other property;

8. Moving violations or accidents in a District vehicle;
9. Violation of safety rules or practices;
10. Falsifying, altering or making a material omission on employment, medical, financial, payroll, timekeeping, or other District records;
11. Performing non-District work during work hours;
12. Dishonesty;
13. Special treatment or favoritism of one customer over another;
14. Use or being under the influence of alcoholic beverages, marijuana, or illegal drugs while on the job or other violation of the drug and alcohol policy, but not including responsible consumption of alcoholic beverages in conjunction with District events where alcohol is served;
15. Violation of the anti-harassment or discrimination policies;
16. Fighting, engaging in violent or threatening behavior or other conduct in violation of the District's workplace violence policy;
17. Discourteous treatment of the public or other employees, as defined by the Mutual Respect and Courtesy Rule (Section 4.3);
18. Conviction of a crime that reflects unfitness for the employee's position or unfitness to work around the District's employees, property or the public;
19. Other failure of good behavior during or outside of duty hours which is of such a nature that it causes discredit to the District and his or her employment; and
20. Other violation of District policies or rules.

Section 4.9 Discipline

4.9.1 Statement of Policy

The purpose of this policy is to establish procedures for the discipline of employees. These procedures are not binding on the District and are not meant to create property or due process rights, as they do not affect employees' At Will status.

When the job performance or the conduct of an introductory or regular employee falls below standards set by the District, including the Standards of Conduct set forth in Section 4.8, then depending on the severity of the misconduct or performance problem, the District may take disciplinary action, up to and including discharge.

4.9.2 Progressive Discipline

The District will endeavor to afford the employee with an opportunity to improve when dealing with performance or conduct problems. Different types of discipline may be utilized as determined appropriate in the sole discretion of the District and discipline need

not adhere to a sequential order of progressive discipline. Types of discipline may include: verbal or written warnings, written reprimands, suspension without pay, demotion and discharge.

A. Suspension without Pay

For more severe violations or continued, uncorrected performance or misconduct problems, an employee may be suspended without pay.

B. Demotion

The District may impose a demotion to a position having a lower salary range for disciplinary purposes. A disciplinary demotion may be utilized for continued, uncorrected performance deficiencies.

C. Discharge

Discharge will be considered for severe violations, failure to respond appropriately to prior performance improvement plans, and/or multiple disciplinary infractions in a short period of time. Where misconduct is severe and egregious, immediate discharge may be imposed.

4.9.3 Administrative Leave

In cases involving alleged severe employee misconduct, or where the presence of the employee may interfere with the investigation into the employee's alleged misconduct, or where the interests of public or workplace health and safety or the District's business operations may be jeopardized by the employee's presence, the General Manager may place the employee on paid administrative leave pending an investigation into the circumstances. During such administrative leave, the employee will be required to be available by telephone to the District during regular business hours and to promptly respond to requests for information by the District. The employee shall not enter District premises during administrative leave without permission by the General Manager.

CHAPTER 5

HEALTH AND SAFETY ON THE JOB

Section 5.1 Job Safety

5.1.1 Statement of Policy

The Board of Directors desires to maintain a safe place of employment for District employees, and to that end District management will make all reasonable provisions necessary for the safety of employees in the performance of their work.

5.1.2 Employee Responsibility

It is the obligation of employees to become familiar with the provisions of the District Safety Manual and the Illness and Injury Prevention Program and to work accordingly.

Further, employees are required to report to their supervisor all unsafe conditions encountered during the course of their work.

5.1.3 Injury Reporting - Prompt Reporting

All employees of the District are covered by Workers Compensation Insurance and any injury or disability arising out of and in the course and scope of employment, however slight, shall be reported by the injured employee to their supervisor as promptly as possible following its occurrence.

Section 5.2 Workplace Violence Prevention

5.2.1 Statement of Policy

The District is committed to the safety and security of its employees, customers, and visitors to its workplace. The District has a policy of zero tolerance for violence in the workplace. To prevent workplace violence, the District will address behavior that suggests a propensity for violence even prior to any violent behavior occurring.

5.2.2 Employee Responsibilities

The District expects its employees to employ civility and mutual respect for all persons encountered in the course of District business including co-workers, customers, and visitors. Any employees who engage in violent or threatening behavior in the workplace will be subject to disciplinary action, including discharge.

5.2.3 Conduct Prohibited By This Policy

“Violence,” “violent behavior” and “threatening behavior” includes, but is not limited to the following conduct:

- Fighting, shoving, pushing, choking, inflicting physical harm on another person, or other battery or assault.
- Intimidating, menacing, harassing, or stalking another person.
- Making verbal threats to physically harm another person or persons, whether joking or not.
- Possession of any weapon or firearm on District premises, during work hours, or while conducting District business, unless related to and required by their work duties, as determined and authorized by the employee’s supervisor.
- Intentionally damaging the property of another.
- Other behavior that suggests a propensity towards violence including belligerent speech, yelling, excessive arguing or swearing, offensive or threatening gestures, or a demonstrated pattern of refusal to follow policies and procedures.

The District will not tolerate these behaviors by its own employees or by third persons when such behavior is directed at District employees in the course of their work.

5.2.4 Reporting Procedure

Everyone has the responsibility to prevent violence in the workplace. Employees are encouraged to report any incident that may be a violation of this policy to a District manager or supervisor as follows:

A. Emergencies

Where an injury has occurred, or it appears to an employee that there is an immediate danger of injury, the employee should call 911 immediately for help. Personal safety is the first priority. The employee should inform his or her supervisor or the General Manager as soon as possible.

B. Non-Emergencies

In all other cases where an employee is aware of any conduct that violates this policy, the employee should immediately report it to his or her supervisor or the General Manager.

5.2.5 Corrective Actions

All reports of workplace violence will be taken seriously and dealt with promptly. Any person who engages in violent or threatening behavior shall be subject to removal from the premises as quickly as safety permits, pending the outcome of an investigation. Employees who violate this policy will be subject to firm disciplinary action, up to and including discharge. In appropriate cases, the District may also seek temporary protective or restraining orders to keep offending individuals away from District facilities or employees.

The District will not tolerate retaliation or intimidation against any employee who makes a report of workplace violence or participates in an investigation of such a complaint.

Section 5.3 Alcohol and Drug Free Workplace

5.3.1 Statement of Policy

The District has a vital interest and obligation in maintaining safe, healthful and efficient working conditions for its employees and in providing services safely to the public. Except as specifically provided herein, employee possession of and/or being under the influence of drugs or alcohol on the job are inconsistent with these interests and obligations. This policy and procedure establishes the rules, rights and obligations of all employees and District contractors regarding the use, possession, sale, or transport of alcohol and drugs on District property or while conducting District business.

5.3.2 Definitions

A. Legal Drug

A legal drug includes prescribed drugs and over the counter drugs, which have been, under California law, legally obtained and are being used for the purpose for which they have been prescribed or manufactured.

B. Illegal Drug

An illegal drug includes any drugs and drug synthetics which have not been legally prescribed or obtained, such as: stimulants, depressants, hallucinogens, narcotics, volatile substances, and any substance by which its nature alters normal physical or mental functions.

C. Under the Influence

For purposes of this policy and procedure, “under the influence” means that employee performance is affected by a drug or alcohol or combination of both in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, or to obvious impairment of physical or mental ability such as slurred speech or difficulty in maintaining balance. A determination of influence can be established by a professional medical opinion, a scientifically valid test, and in some cases such as alcohol or marijuana, by management opinion.

D. District Property

District Property includes lands owned, leased or upon which the District has a right-of-way, buildings, facilities, vehicles, equipment, parking lots, and District owned property used by employees such as lockers, desks, cabinets, etc.

E. Reasonable Suspicion

Reasonable suspicion is a belief based on objective and documented facts or evidence sufficient to lead a reasonable, prudent person to suspect that an employee is under the influence of alcohol or drugs so that the employee’s ability to perform the duties of the job is impaired, or so that the employee’s ability to perform his/her job safely is reduced.

5.3.3 Reserved

5.3.4 Prohibition on Use of Alcohol or Drugs

A. Illegal Drugs, Marijuana, and Alcohol

Using or being under the influence of illegal drugs, marijuana, or alcohol by any employee while on the job or while conducting District business is prohibited. Reporting to work under the influence of illegal drugs, marijuana, or alcohol is also prohibited. The only exception is the responsible use of alcohol at a District event where alcohol is served,

provided the use does not in any way impair employee performance, as solely determined by the employee's supervisor or the General Manager.

B. Notification of Criminal Drug Conviction

Any employee who is convicted of or pleads guilty or no contest to a drug-related crime occurring in the workplace must immediately report such conviction or plea to the General Manager.

C. Legal Drugs

Excepting marijuana, which is addressed at 5.3.4.A, above, the use of or being under the influence of any legally obtained drug by any employee while on the job, on District property, or while conducting District business is prohibited to the extent that such use or influence may affect the safety of the employee, co-workers, the public, the employee's job performance, or the safe and efficient operation of the District. An employee may continue to work even though under the influence of a legal drug if the employee's supervisor has determined, after consulting with the General Manager and the employee's doctor that the employee can work safely. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action determined by management.

D. Notification

An employee must notify his/her supervisor before commencing work when taking any medication or drug, prescription or nonprescription, which may interfere with safe and effective performance of duties and/or the operation of District equipment.

5.3.5 Reasonable Suspicion Testing

When a supervisor/manager has a reasonable suspicion that an employee is under the influence of drugs or alcohol, the employee may be directed to take a drug and alcohol test. The facts and circumstances of the supervisor's/managers reasonable suspicion shall be documented in writing and provided to the employee. The General Manager must approve the employee's referral for a drug and alcohol test.

A. Conduct of Test

All drug or alcohol tests shall be conducted by a reputable laboratory of the District's choice.

B. Valid Prescriptions

An employee shall have the right to provide, within 24 hours of the drug or alcohol test, a valid prescription for any medication or drug which may be identified during the test. The prescription must be in the employee's name and be prescribed by a licensed physician prior to the drug or alcohol test.

C. Refusal to Take Test

An employee who refuses to submit to a drug and alcohol test that has been approved by the General Manager, shall be relieved from duty without pay, and if intoxicated or

physically or mentally impaired, be taken to his/her place of residence. Refusal to take a test under this policy will subject the employee to disciplinary action, up to and including discharge.

5.3.6 Search or Inspection of District Property for Illegal Drugs or Alcohol

Employees have no expectation of privacy in District-owned equipment, including desks and cabinets. The General Manager may search or authorize the search of desks, cabinets, and other District owned equipment. The General Manager may authorize the search or inspection of District-owned lockers for drugs or alcohol whenever there is reasonable suspicion.

5.3.7 Disciplinary Action

Violations of the provisions of this policy and procedure will result in disciplinary action, up to and including discharge.

5.3.8 Drug and Alcohol Assistance Programs

A. Voluntary Assistance

The District encourages employees to voluntarily seek outside assistance for drug or alcohol abuse problems prior to the need for District action. Employees are invited to use the Employee Assistance Program (EAP) if such a program has been contracted for by the District. Administration also maintains a list of approved drug and alcohol abuse agencies and facilities, and a request may be made to the General Manager for assistance. Such requests will be held in strict confidence to protect the rights, privileges, benefits, and family of the employee. An employee's decision to seek assistance from an outside rehabilitation agency or facility will not be used as the basis for disciplinary action.

B. Seeking Assistance After Alcohol or Drug Related Misconduct

It is the responsibility of an employee to seek assistance before drug and alcohol problems lead to disciplinary action. Once a violation of this policy occurs, subsequently entering into a rehabilitation program will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action.

Section 5.4 Fitness for Duty

5.4.1 Statement of Policy

In furtherance of the District's goal to maintain a safe, healthful and productive environment, all employees reporting for work and during times when they are paid subject to call shall be fit for duty. "Fit for duty" means the ability to perform all required physical and mental tasks associated with the employee's job duties to a satisfactory level and without endangering self, others, or property.

5.4.2 Employee Responsibility

No employee shall report to work while unfit or remain on the job after becoming unfit (for any reason) to perform his/her job duties. Failure of an employee to comply with this requirement may result in disciplinary action, up to and including discharge.

5.4.3 Pre-Employment Medical Examinations

The General Manager may identify job classifications within the District that will require a pre-employment medical examination. Finalists for these positions will receive a conditional offer of employment that is contingent upon the candidate successfully passing a pre-employment medical examination. The purpose of the pre-employment medical examination is to determine if the candidate is fit to perform the duties of the job for which he or she is being considered.

A. Notice

All employment applicants for these positions will be informed of the medical testing requirements prior to receiving the conditional job offer. Usually, notice will be given in the job announcement and during the interview process.

B. Consent

Finalists who receive a conditional offer of employment will be asked to sign a consent form confirming their voluntary participation in these tests as a prerequisite to consideration for employment. A candidate who refuses to submit to any or all of these tests will not be considered for employment for the position for which he/she has applied.

C. Examination

All examinations will be performed by or at the direction of a physician designated by the District. The attending physician will determine if the candidate for employment is capable of performing all duties of the job as required by the job description and physical requirements checklist.

D. Examination Results

A candidate who is deemed unfit or unable to perform the duties of the job as a result of the medical examination will be informed of the results of the examination. The candidate may provide medical evidence that he/she is physically fit and able to perform the duties of the job, which will be considered before a final determination is made.

5.4.4 Post-Employment Fitness for Duty Examinations

If a supervisor/manager has a reasonable cause to believe that an employee is physically or mentally unfit to perform the duties of his/her job, the supervisor/manager may recommend that the employee to submit to a fitness-for-duty examination. The General Manager shall have the authority to approve the recommendation.

A. Reasonable Cause

Reasonable cause means that the supervisor/manager believes that the employee's ability to perform the functions of the job is impaired or that the employee's ability to

perform his or her job duties safely is reduced, and that the supervisor's belief is based upon observations or evidence that has been documented.

B. Examination

Any such examination will be performed by or at the direction of a physician designated by the District. The attending physician will determine if the employee is capable of performing all duties of the job as required by the job description and physical requirements checklist.

C. Examination Results

If the examining physician determines that the employee is fit for duty, the employee shall be released to return to work. If the examining physician determines that the employee is not fit for duty, the physician shall notify both the employee and the General Manager. The employee will not be permitted to return to work until he/she is released by the physician. One or more subsequent fitness-for-duty examinations may be required in order to determine that the employee is fit to return to work.

5.4.5 Confidentiality of Examination Records

All documentation of pre-employment and fitness for duty medical examinations will be maintained in confidential and secure medical files, separate from applicant hiring files and separate from employee personnel files.

Section 5.5 Driving

5.5.1 Statement of Policy

Observation of the law and safe driving practices shall be the top priority of all employees assigned to drive a District vehicle or who operate a personal vehicle in the performance of District business.

5.5.2 Driver's License Requirements

All employees who operate a District vehicle (not including equipment which is not driven on public roads, such as golf carts), or who operate a personal vehicle in the performance of District business, must possess and carry a valid, current California Driver's License of the proper class (and endorsements) for the vehicle operated.

A. Employee Responsibilities

1. Employees are responsible for maintaining a valid, current California driver's license of the proper class and endorsements before operating a District vehicle or driving a personal vehicle on District business. Any employee who operates a District vehicle or a personal vehicle in the performance of District business without a valid, current California Driver's License will be subject to disciplinary action up to and including discharge.

2. Employees who drive District vehicles or drive a personal vehicle on District business must notify their supervisor immediately in writing when their driver's license has expired or been suspended or revoked.

B. District Responsibilities

1. Managers shall notify the General Manager when they have notification that an employee's driver's license has expired or been suspended or revoked.
2. The General Manager shall not allow an employee with an expired, suspended or revoked driver's license to operate a District vehicle or a personal vehicle on District business.
3. It is the responsibility of District supervisors and managers to see that all employees are properly licensed for any vehicles they are to drive on District business.

C. Effect of Failure to Maintain Valid, Current Driver's License

Where the employee's applicable written job description requires driving a District vehicle or a personal vehicle on District business, and an employee fails to maintain a valid, current California Driver's License, the employee may be disqualified from such employment and terminated.

D. Reasonable Accommodation of Disabled Employees and Applicants

Where driving is a requirement for a particular position, an applicant or employee who does not possess a valid, current California Driver's License because of a disability may be eligible for reasonable accommodation. For example, if driving is a non-essential function of a particular position, the driving function may be reassigned as a reasonable accommodation for the disabled worker or applicant. If driving is an essential function of the employee's position, other accommodation such as reassignment to a different position may be feasible. Each situation will be addressed on a case by case basis. Requests for reasonable accommodation should be addressed to the General Manager.

E. DMV Automatic Pull Notice

For employees who drive a District vehicle or who drive a personal vehicle on District business, the District may obtain periodic reports from the Department of Motor Vehicles that reflect actions and activities on an employee's driver's license record. These reports will be forwarded to the employee and his or her manager for review and "initialing off" that it is true and accurate by both the manager and the employee. Afterwards, the Pull Notice is placed in the employee's personnel file.

5.5.3 Good Driving Record

Every employee authorized to drive a District vehicle or drive a personal vehicle while on District business must maintain an overall driving record that does not have an adverse influence on the District's insurance rates or otherwise create an unacceptable liability risk to the District. The District may at the time of employment, or from time to time thereafter, obtain a copy of an employee's driving record to assess the employee's suitability to drive.

5.5.4 Compliance with Traffic Laws

Employees driving District vehicles or driving personal vehicles while on District business must be familiar with and obey the State Vehicle Code. Such drivers must also obey local traffic rules, traffic control signs, posted speed limits and parking restrictions. Failure to do so will subject the employee to disciplinary action, up to and including discharge.

5.5.5 Use of Seatbelts

Seatbelts shall be worn by all occupants of District vehicles and by employees operating personal vehicles while on District business. The use of seatbelts is the law.

Section 5.6 Tobacco Use

In keeping with the District's intent to provide a safe and healthful work environment and in compliance with state and local law, tobacco use in District facilities or vehicles is strictly prohibited. Tobacco use is allowed only on authorized breaks and lunch breaks, and only outside of work facilities in allowed locations so as not to disrupt District operations. For the purposes of this policy, District facilities do not include District-owned residences leased for personal use. Employees who use District facilities as a member of the public, and not as an employee, shall be subject to the same rules that apply to the general public.

CHAPTER 6 EQUIPMENT AND PROPERTY

Section 6.1 Use and Care of District Property

6.1.1 Statement of Policy

The District provides its employees with the use of tools, equipment, property and facilities that are necessary for the performance of their work. Employees are expected to exercise care in the use of District property and to use such property only for authorized District business. Misuse or negligence in the care of District property may result in disciplinary action. District property issued to an employee must be returned at the time an employee terminates employment or when the employee's supervisor requests its return.

6.1.2 Damage or Loss of District Equipment

Employees must promptly report to their supervisor all damage to or loss of District equipment. Lost or broken tools, equipment and other gear will be replaced by the District, but excessive loss or breakage will result in the employee being subject to disciplinary action.

6.1.3 Key/Access Card Distribution

Keys/Access Cards to District locks are issued only to employees and other authorized individuals. Each key/Access Card is numbered and issued by the District to a specific individual. Exchanging keys/Access Card, giving keys/Access Cards out, or copying keys/Access Cards is expressly prohibited and may lead to disciplinary action.

6.1.4 Personal Use of District Property

District tools, vehicles, equipment and facilities are provided for use on District business only. Personal use of District property is prohibited.

6.1.5 Personal Tools or Property

The District will provide all tools and equipment reasonably required to perform the assigned work. The use of an employee's personal tools, vehicle, or other equipment is not required.

To deter theft or damage to personal property, employees are discouraged from bringing any personal property into the workplace and should not leave any personal belongings of value in the workplace. The District assumes no responsibility for loss or damage to the personal property of an employee.

6.1.6 District Access to Property

The District retains full title and control, including the right of inspection, over equipment, property and facilities provided for employee use. Employee privacy rights do not extend to work-related conduct or the use of District facilities, District owned equipment or property. All offices, work areas, desks, file cabinets, files, computers, data storage devices remain the property of the District. Therefore, any agent or representative of the District can inspect these items or areas at any time, with or without prior notice.

6.1.7 Purchasing

All purchasing of materials and services must adhere to the District's adopted Purchasing and Procurement Manual.

Section 6.2 Phones, Computers, and Other Electronic Equipment

6.2.1 Statement of Policy

The phone, voicemail and computer systems are District property. District phones, radios, computers and other electronic equipment (copiers, fax machines, District-provided smart phones, etc.) should be used for District business purposes only. The District reserves the right, in its sole discretion, to access these systems, including employee voicemail, e-mail and data stored on computers, at any time. Any personal or personally confidential activities should be conducted at home on personal equipment, not at work.

This Policy is also intended to notify employees that all District Information Systems and their contents are not confidential or private. That is, all data, including any that is stored electronically or printed as a document, is subject to audit, review, disclosure, and discovery. **Such data may be subject to disclosure pursuant to the Public Records Act (California Government Code Section 6250 et. seq.). Therefore, there is no expectation of privacy in the use of the District's Information Systems.**

The District reserves the right to access and monitor employee use of the District's Information Systems as well as any stored information created or received by employees with the District's Information Systems. The reservation of this right is to ensure that the District's Information Systems are used securely and appropriately in an ethical and lawful manner.

6.2.2 Phone Usage for Personal Reasons

While it is understood that the use of the District's telephones for personal reasons is occasionally necessary, this privilege must not be abused. Such conversations should be limited to exigent situations and must be kept brief. Personal toll calls are not to be charged to the District.

6.2.3 Internet Usage

Access to the Internet is provided for the benefit of the District and its employees in the performance of their work. It allows employees to connect to information resources around the world. Employees are responsible for seeing that the Internet is used in a productive, work-related manner.

The Internet shall not be used for personal gain, solicitation of non-District business, or advancement of individual views. Employees may not use District-provided Internet service to access sexually explicit or other material that would run afoul of the District's anti-harassment policy, nor to access gambling or gaming sites, or similarly inappropriate information.

Personal usage of the Internet must be kept to a minimum and during employee break or lunch time.

6.2.4 Decorum of Communications

Employees must conduct themselves professionally and in a businesslike manner when using District telephones, radios, voicemail, or e-mail systems. Employees are prohibited from using District telephones, radios, voicemail or e-mail systems in any way that is disruptive or offensive to others including, but not limited to, transmitting information derogatory of other employees, sexually explicit information, racial or ethnic slurs, or anything else that may be construed as harassment or disparaging of others. No messages shall be transmitted under an assumed name. Users may not attempt to obscure the origin of any message.

6.2.5 Installation or Duplication of Software

Employees may not add or install personal software programs on District computers without District approval. Further, the District prohibits illegal duplication of software and its related documentation. Employees may only use software contained on District computers according to the District's software licensing agreement.

6.2.6 Discipline

Violations of any aspect of this policy may result in disciplinary action up to and including discharge.

Section 6.3 District Vehicles

6.3.1 Statement of Policy

The District may provide employees with use of District-owned vehicles for performance of their duties. Observation of safe driving practices shall be the top priority of all persons assigned a District vehicle, as well as proper care of District equipment.

6.3.2 Operator Qualifications

Every driver of a District vehicle must have a valid and current California driver's license for the type of District vehicle driven and must be authorized by the applicable District management employee to drive a District vehicle.

Every authorized District driver must maintain an overall driving record that does not have an adverse influence on the District's insurance rates or otherwise create an unacceptable liability risk to the District. Conviction for driving under the influence, careless or reckless driving, or any similar moving offense of parallel gravity, whether or not in a District vehicle and whether or not on duty, may be the basis of termination of status as authorized driver.

6.3.3 Compliance with Law

All drivers must comply with all applicable motor vehicle laws when driving a District vehicle. Failure to do so will subject the employee to disciplinary action, up to and including discharge.

6.3.4 *Reserved*

6.3.5 Limitations on Use of Vehicles

The following rules shall apply to the use of all District vehicles:

- A.** District vehicles shall only be used for official District business. When an employee uses a District vehicle in any other manner, that employee shall be deemed to be not on official District business.
- B.** District vehicles shall only be driven by employees or officers of the District. With the approval of the General Manager, District vehicles may be used by non-employees, such as volunteers, consultants, or independent contractors, when it is determined to be in the best interest of the District.
- C.** District vehicles shall not be used to transport large personal items or for private towing or hauling of personal belongings or property of others.
- D.** Seat belts shall be worn by all occupants while riding in or operating District vehicles. The use of seat belts is the law.
- E.** The use of cellular phones and smart phones is prohibited while driving District owned vehicle(s), unless the phones are hands-free, the use complies with all laws, and the use is necessary for District business (such as use of a map program for wayfinding purposes).
- F.** All District personnel are required to keep their assigned District vehicles in a clean and safe operating condition at all times. No modifications, changes, additions, addition of any accessory, custom part or the removal of any factory or District item on any District vehicle shall be permitted without the express approval of the General Manager.
- G.** Each driver of a District vehicle will be responsible for calling any needed repairs or adjustments on his or her vehicle to the attention of appropriate District staff. Each driver will be responsible for verifying that his or her vehicle has proper and functioning brakes, lights, windshield wipers, etc.
- H.** All District personnel are required to report damage and defective District equipment as soon as possible after detection to ensure that damaged items or potentially damaged items are repaired and that service schedules are not exceeded.
- I.** Each employee will be responsible for immediately reporting to the General Manager any accident in which he or she is involved as a driver of a District vehicle. The employee will further prepare a detailed report of the accident, which report is to be submitted directly to the General Manager or designee. This includes any accidents while on District duty in a private vehicle.

- J. All District personnel shall lock and secure District vehicles when left unattended.
- K. District personnel involved in auto accidents should not volunteer information or admit liability, but merely respond as necessary to uniformed officers. They should request that their supervisor or the General Manager notify police or call for medical assistance at the scene when necessary.
- L. Authorized Passengers:
 - 1. Persons on District business, including District volunteers, are permitted to ride in District vehicles.
 - 2. Any individual who is not participating in District business is not permitted in District vehicles.

CHAPTER 7

TIME OFF AND LEAVES OF ABSENCE

Section 7.1 Holidays

7.1.1 Eligible Employees

Regular District employees are eligible for paid holidays as described herein.

7.1.2 Recognized Holidays

Eligible employees are entitled to the following holidays off with pay:

January 1 (New Year's Day)

The third Monday in January (Martin Luther King Jr.'s Birthday)

The third Monday in February (Washington's Birthday)

March 31 (Cesar Chavez's Birthday)

The last Monday in May (Memorial Day)

July 4 (Independence Day)

The first Monday in September (Labor Day)

November 11 (Veterans Day)

The fourth Thursday in November (Thanksgiving Day)

The day following Thanksgiving Day

December 24 (Winter Holiday)

December 25 (Winter Holiday)

- (1) When a recognized holiday falls on a Saturday, the day immediately preceding shall be deemed to be the paid holiday. When a recognized holiday falls on a Sunday, the next day shall be deemed to be the paid holiday.
- (2) Regular part-time employees shall receive the same holidays as regular, full time employees on a pro-rata basis, proportional to full-time employment

Holidays will be paid at eight (8) hour increments.

7.1.3 Board Ordered Holiday

The Board of Directors may from time to time declare additional paid holidays or half-day holidays at their sole discretion, and the granting of any such holiday shall not constitute a precedent for continued granting of such holiday or holidays.

7.1.4 Holidays Occurring During Unpaid Leave

Employees will not receive holiday pay for holidays that occur during an unpaid leave of absence from the District, or when the employee is on unpaid leave either the work day before the recognized holiday or the work day after the recognized holiday.

7.1.5 Working on Holidays

Temporary employees may be scheduled to work on holidays and would receive regular pay as they are not eligible for holiday pay.

FLSA non-exempt regular employees who are scheduled to and actually work on a holiday will be compensated at the time and a half overtime rate of pay for all time worked on such days. Standby shall not be construed as time worked.

FLSA exempt regular employees who are scheduled to and actually work on a holiday may, with prior approval from the General Manager, accrue flex-time or compensatory time-off at the time and a half rate for hours worked. Standby shall not be construed as time worked.

Section 7.2 Vacation

7.2.1 Purpose

District provides vacation to eligible employees for the purpose of rest, relaxation, and reinvigoration.

7.2.2 Eligibility

Regular full-time employees are eligible to receive vacation benefits. Regular part-time employees shall accrue vacation leave on a pro-rata basis, proportional to full-time employment. Vacation begins to accrue from the date of hire.

7.2.3 Accrual

A. Accrual Rates

Every regular, full-time employee shall accrue vacation leave, in accordance with the permitted maximums as provided in the schedule below. An employee shall not accrue vacation in excess of the permitted maximums. The General Manager shall give employees a reasonable opportunity to utilize such vacation within the year so as not to exceed the maximum accrual vacation leave accruals.

Years of Continuous District Service*	Hours of Vacation Accrued/ Pay Period	Maximum Accrual for Years of Continuous Service
Date of Hire through Year 3	3.8 hours	480 maximum hours
Year 4 through 9	4.8 hours	480 maximum hours
Year 10 through 14	6.2 hours	480 maximum hours
Year 15 through 19	7.2 hours	480 maximum hours
20 or more years	8.0 hours	480 maximum hours

* *For purposes of the above table, continuous service with the County of Napa immediately prior to transfer to District employment shall be credited to Years of Continuous District Service where said employee was contracted to the District by the County of Napa at the time of initial adoption of this manual.*

1. An employee’s new vacation accrual rate will be effective on the first day of the pay period following the anniversary date of the year referenced in the above schedule.
2. Each employee may, with approval of the General Manager, take vacation privileges as earned and in accordance with the provisions of this manual.
3. No person shall be permitted to work for compensation for the District in any capacity during the time of his/her paid vacation from District service.
4. Vacation leave does not accrue during periods of unpaid leave from the District or when an employee is on short or long-term disability or worker’s compensation leave.
5. Every regular employee shall be allowed to cash-out up to 40 hours of accrued vacation time once a calendar year provided the employee uses at least 40 hours of vacation leave during the calendar year in which the surrender of management leave occurs and has a total of 80 hours of accrued leave time remaining in their vacation, holiday, and compensatory time off leave banks after the cash out.

B. Management Employees

Full-time Management Employees of the District shall receive the following:

1. Eighty hours of management leave credited at the beginning of each fiscal year. The right to surrender up to sixty hours of management leave each year and be paid for same in cash at their current hourly rate; provided, however, that the management employee has used a minimum of forty hours of vacation or management leave during the calendar year in which the surrender of management leave occurs.
2. In the case of Management Employees who were not employed by the District at the time of their appointment, but were previously employed by a city, county, special District, state or federal government agency, the vacation accrual rate shall be the rate of vacation leave approved by the General Manager; providing, however, this rate shall not exceed the rate of vacation leave accrual the Employee enjoyed at the Employee's last place of public employment nor shall it exceed 8.0 hours per pay period.
4. The right to accumulate a maximum of 480 hours of vacation leave; the Employee may not earn any further vacation time while accrued, unused vacation remains at this maximum.

7.2.4 Scheduling

A. Notice

Vacation shall be scheduled with the General Manager or his/her designee, with due regard for the wishes of the employee and with particular regard for the needs of the District.

Vacations of five consecutive days or more must be scheduled a minimum of two weeks before the date of departure. Vacations of five consecutive days or less must be scheduled at least one week before departure. Under special circumstances, the General Manager may waive these notice requirements.

All vacation requests shall be submitted in writing on the designated District form.

B. Intervening Holidays

A holiday falling within a vacation shall not be counted as a day of vacation.

7.2.5 Termination or Retirement from District

Accrued but unused vacation at the time of an employee's termination or retirement shall be administered as follows:

A. Termination

If an employee terminates employment with the District, voluntarily or involuntarily, and has accrued and unused vacation, he or she shall be paid for accrued unused vacation.

B. Retirement

An employee who retires and has accrued and unused vacation may elect either of the following options:

1. Continue to work until the date of retirement and be paid for accrued and unused vacation; or
2. Discontinue working and take accrued and unused vacation time that would extend from last day worked up to the date of retirement.

If option (2) is selected, deductions from vacation pay will be the same as if the employee is actually on the job and health care coverage will continue to be provided under various group programs through the exhaustion of vacation time.

Section 7.3 Sick Leave

7.3.1 Purpose

The District provides paid sick leave in order to prevent a loss of earnings that may be caused by illness or injury. Paid sick leave is not intended to provide additional paid time off for reasons unrelated to injury or illness.

7.3.2 Eligibility

All employees are eligible for paid sick leave. Sick leave begins to accrue from the first day of employment.

7.3.3 Accrual

Each employee shall accrue 3.8 hours of sick leave for each full eighty hours pay period. There is no limit to the amount of sick leave an employee can accrue. Sick leave does not accrue during periods of unpaid leave from the District or when an employee is on short or long-term disability status or worker's compensation leave.

No sick leave shall be paid prior to it being accrued.

Sick leave accrued and unused is forfeited upon termination of employment. For vested employees, accrued and unused sick leave balances can be used to credit retirement health benefits if so provided for by the District contract with CalPERS.

Part-time employees shall accrue sick leave on a pro-rata basis, proportional to full-time employment.

7.3.4 Reserved

7.3.5 Sick Leave for the Care of an Ill Family Member

An employee may use their accrued and available sick leave benefits, up to a maximum of fifty hours per calendar year, for the care of their ill spouse, registered domestic partner, child, parent, parent-in-law, grandparent, grandchild, and sibling.

The requirements of 7.3.6, below are fully applicable to the Family Sick Leave allowed by this number.

For purposes of this Article, "spouse" means a partner in marriage as defined in California Family Code Section 3000; "registered domestic partner" means a partner in a domestic

partnership as defined in Family Code Section 297; “child” means a biological, foster or adopted child, a stepchild, a legal ward, a child of a person standing in loco parentis, or a child of a registered domestic partner; “parent” means a biological, foster, or adoptive parent, a stepparent, or a legal guardian; “parent-in-law: means a biological, foster, or adoptive parent, a stepparent, or a legal guardian of the spouse or domestic partner; “grandparent” means the biological foster, adoptive grandparent, or a step grandparent; “grandchild” means a biological, foster or adopted grandchild, a step grandchild or grandchild of a domestic partner; and “sibling” means biological, foster, or step sibling.

7.3.6 Employee Notice, Communication, Verification

An employee shall contact his or her supervisor by telephone prior to the employee’s starting time each day when absent due to illness or injury. Employees must follow this procedure every day of illness or injury, except in the case of a pre-approved leave of absence.

The General Manager or his/her designee may request an employee furnish a licensed physician’s certificate as proof of illness, indicating the length of time the employee was, or can expect to be, off work if the following criteria are met: An employee requesting sick leave, who has already used six days of sick leave in the given calendar year; and in the opinion of management, the employee is abusing or has abused sick leave privileges.

Employees on an approved leave of absence who do not return on their scheduled return date and who have failed, in advance of the return date, to obtain an agreed extension of leave from their supervisor or the General Manager, will be considered to have voluntarily abandoned employment and subject to separation from District employment.

Section 7.4 Workers’ Compensation Leave

7.4.1 Purpose

District employees are eligible for benefits under the Worker’s Compensation Laws of the State of California for injury or illness arising out of or in the course and scope of employment. Where such injury or illness necessitates an employee’s absence from work, an employee shall remain on paid status as provided herein.

7.4.2 Sick or Vacation Leave Supplementation

When an employee is off work due to an industrial injury, accrued sick leave or vacation pay may be paid for the first three (3) days. Thereafter payments made by Worker’s Compensation may be supplemented up to base wage entitlement of that employee to the extent that accumulated sick leave is available and, when authorized by the employee, vacation days.

7.4.3 Accrual of Benefits during Leave

During the time an employee is on “paid status” while absent from work, he or she shall continue to accrue all benefits. For the purposes of this section, “paid status” shall include

that period of time during which the District coordinates benefits; i.e., that period of time during which sick leave and vacation days are used to supplement employee earnings.

If worker's compensation leave is converted to long term disability leave, once vacation and sick leave balances are depleted, any health, dental, vision, and/or life insurance premiums will be paid entirely by the employee. In addition, while the employee is on long term disability status, vacation, holidays, and sick leave accruals will no longer accrue.

Section 7.5 Pregnancy Leave

7.5.1 Purpose

In an effort to further equal employment opportunity for women, employees who become disabled by pregnancy, childbirth or related medical conditions may be entitled to job-protected leave or other reasonable accommodation as provided by California's Pregnancy Leave Law.

7.5.2 Covered Employees

An employee is disabled from working due to pregnancy, childbirth, or a related medical condition in the following circumstances:

- Inability to work at all because of pregnancy or childbirth
- Inability to perform one or more essential functions of the employee's job without undue risk to the female, the successful completion of the pregnancy, or other persons
- Suffering from severe morning sickness
- Needing to attend pre-natal care appointments

7.5.3 Leave Rights

A covered employee is entitled to up to four months of leave during any period in which the employee is actually disabled. Such leave may be taken in a single block of time or on an intermittent basis or reduced leave schedule. This leave is in addition to, and does not run concurrent with, any leave the employee may be eligible for under the California Family Rights Act.

At the conclusion of an approved pregnancy disability leave, the employee will be restored to her original position or a comparable position in accordance with law.

7.5.4 Pay and Benefits

Pregnancy disability leave under this policy is unpaid. However, a covered employee may use accrued sick or vacation leave or other accrued time off to cover absences caused by a pregnancy-related disability.

Leave taken under this policy does not constitute a break in service for the employee.

7.5.5 Employee Notice Obligations

Whenever the need for leave is foreseeable, a covered employee must give the District thirty (30) days advance notice of the need for leave. Covered employees should make reasonable efforts to schedule any necessary medical treatment so as not to disrupt the operations of the District. The District may deny leave where such notice is not provided.

When the need for leave is not foreseeable, covered employees must provide notice of the need for leave as soon as practicable.

7.5.6 Medical Certification

An employee requesting such leave will be required to provide a medical certification from her health care provider verifying the disability, the date it commenced, and its probable duration.

Upon return to work, the employee will be required to provide a return-to-work certificate from her health care provider stating that she is able to resume the duties of her position.

7.5.7 Other Forms of Pregnancy-Related Disability Accommodation

An employee disabled by a pregnancy-related condition may also be eligible for a temporary transfer to a less strenuous or hazardous position or other form of accommodation. Requests for accommodation should be directed to the employee's Supervisor or the General Manager.

Section 7.6 Family and Medical Care Leave Act

7.6.1 Statement of Policy

This policy describes the circumstances and conditions under which an employee may take family care and medical leave as provided under the Federal Family and Medical Leave Act ("FMLA") and the California Family Rights Act ("CFRA"). This policy is meant to be read together with the FMLA (29 U.S.C. 2601 et seq.) and the CFRA (Government Code Section 12945.2) and the regulations adopted to implement them, all as they are now written or may hereafter be amended. This policy is separate and distinct from any other leave policies or procedures. The benefits accorded by these separate policies shall not be combined or otherwise construed as one policy.

7.6.2 Definitions

- A. "Family and Medical Care Leave"** means leave, whether paid or unpaid, taken by an employee on account of:
 1. The birth of a child of the employee.
 2. The adoption or foster care placement of a child by the employee.
 3. The serious health condition of a child, parent or spouse of the employee.

4. The serious health condition of the employee which makes the employee unable to perform the duties of the employee's position.
- B. **"Child"** means a biological, adopted or foster child, a stepchild, a legal ward or child of a person in loco parentis who is either under 18 years of age or a dependent adult. A dependent adult is a person who is over 18 years of age and is incapable of self-care because of a mental or physical disability.
- C. **"Health Care Provider"** means a person holding a physician's and/or surgeon's certificate or an osteopathic physician's and/or surgeon's certificate who directly treats or supervises the treatment of the serious health condition, or any other person determined to be capable of providing health care services under the FMLA/CFRA.
- D. **"Parent"** means a biological, foster or adoptive parent, a stepparent or legal guardian, or other person who stood in loco parentis to the employee when the employee was a child. Parent does not include a parent-in-law.
- E. **"Serious Health Condition"** means an illness, injury, impairment or physical or mental condition which involves either:
 1. Inpatient care in a hospital, hospice or residential health care facility; or
 2. Continuing treatment or supervision by a health care provider of more than three consecutive days; or
 3. Continuing treatment or supervision by a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated would likely result in an incapacity for more than three consecutive days.
- F. **"Spouse"** means a partner in marriage as defined in Family Code Section 300. It does not include unmarried persons living together, but does include persons who are legally married who do not live together. For the purposes of this policy, spouse is further defined as a registered domestic partner as specified in California Family Code Section 297.
- G. **"Employment in the Same or Equivalent Position"** means employment in a position that has the same or equivalent duties and pay that can be performed at the same or similar geographic location as the position held prior to the leave.

7.6.3 Family and/or Medical Care Leave

Except as hereafter provided, any employee with at least 12 months of service with the District, who has at least 1250 hours of service during the previous 12-month period, may take up to 12 weeks of family care and medical leave during a 12-month period with a

guarantee made at the time leave is granted that the employee will be able to return to the same or equivalent position.

- A. For this purpose, "12 month period" means the 12 months immediately preceding the date an employee takes family care and medical leave.
- B. Pregnancy disability leave taken by an employee will not be considered when counting the amount of leave an employee may take pursuant to this policy.
- C. While on leave under this policy, an employee will continue to be covered by the District's group health insurance to the same extent that coverage is provided while the employee is working.
- D. If an employee fails to return to work after the designated period of leave or when the leave entitlement has been exhausted or expires, the District shall have the right to recover its share of health plan premiums for the entire leave period, unless the employee does not return because of the continuation, recurrence, or onset of a serious health condition of the employee or his/her family member which would entitle the employee to leave under this policy, or because of circumstances beyond the employee's control.
- E. Leave under this policy may be granted on an intermittent basis (i.e., leaves taken in separate blocks of time due to a single qualifying reason) or a reduced work schedule to accommodate an employee qualifying for leave under this policy. An employee may take leave under this policy on an intermittent basis for his/her own serious health condition or for the serious health condition of a qualifying family member when it is shown to be medically necessary.
- F. Conditions for use of Family/Medical Care Leave:
 - 1. Notice of Leave. If the need for leave is foreseeable, an employee must provide the District with reasonable advance notice. For this purpose, "reasonable advance notice" means thirty (30) days' written notice, if practicable.
 - 2. Scheduling Leave. If the need for leave is foreseeable due to a planned medical treatment or supervision, the employee must make a reasonable effort to schedule it to avoid disruption of District operations.
 - 3. Medical Certification for Family Care Leave. A request for leave to care for a child, spouse or parent who has a serious health condition must be supported by a certificate of a health care provider which includes all of the following:
 - a) The date on which the health condition commenced;

- b) A statement as to whether a serious health condition of a family member exists:
 - i. However, the employee need not (but may, at the employee's option) identify the serious health condition involved (i.e., diagnosis).
 - ii. Failure to disclose the nature of the serious health condition may give the District reason to doubt the validity of the certification.
 - c) The probable duration of the condition;
 - d) An estimate of the time the employee needs to care for the individual;
 - e) A statement that the condition requires family participation to provide care during the period of treatment or supervision of the individual requiring care.
4. Medical Certification for Employee's Own Serious Health Condition. A request for leave for an employee's own serious health condition must be supported by a certificate of a health care provider which includes all of the following:
- a) The date on which the serious health condition commenced;
 - b) A statement as to whether the employee is unable to perform the essential functions of his or her normal position:
 - i. However, the employee need not (but may, at the employee's option) identify the serious health condition involved (i.e., diagnosis).
 - ii. Failure to disclose the nature of the serious health condition, may give the District reason to doubt the validity of the certification.
 - c) The probable duration of the condition.
5. Use of Accrued Leave:
- a) Vacation/Comp Time: An employee who takes family/medical care leave must use all of their accrued compensatory time off, if any, and then and all of their accrued vacation in excess of 80 hours.
 - b) Sick Leave: An employee who takes family/medical care leave may only use accrued sick leave as provided in the applicable under California law.

G. Limits on Family and Medical Care Leave

The District may refuse to allow family and medical care leave if:

1. The employee fails to furnish the District adequate medical documentation which satisfies the requirements under this policy or the FMLA or CFRA.
2. If both parents of a child are employed by the District, the District will not limit the family care leave for the birth, adoption or foster care placement of their child to a combined total leave of twelve (12) weeks in a 12-month period.

H. Challenge to Medical Certification

1. When the District doubts the validity of a medical certification submitted by an employee, it may require the employee to obtain at District expense the opinion of a second health care provider designated and approved by the District regarding any of the information in the original certification. Such second health care provider may not be one employed by the District on a regular basis.
2. If the opinion of the second health care provider differs from the first, the District may require the employee to obtain at District expense, the opinion of a third health care provider, designated or approved jointly by the District and the employee, concerning the information in the original certification. The opinion of the third health care provider will be final and binding on the District and the employee.

I. Employee's Obligation to Periodically Report on His/Her Condition

An employee on family or medical care leave may be required to periodically report on his or her status and intent to return to work. This will avoid any delay to reinstatement when the employee is ready to return to work.

J. Status of Employee Benefits While On Leave

1. Status of Employee. An employee on family/medical care leave retains employee status, and the leave does not constitute a break in service for purposes of longevity, seniority, or any employee benefit plan. For purposes of layoff, recall, promotion, job assignment, and seniority related benefits, an employee who returns from leave will have no less seniority than the employee had when the leave commenced.
2. Health Insurance. Except as hereafter provided, during family/medical care leave, the District will continue to offer the employee, and pay its share of the premium for, health insurance for up to twelve (12) weeks at the same level and under the same terms and conditions as coverage was provided while the employee was actually working for the District; provided that, if an employee fails to return from leave for reasons other than the

continuation, recurrence, or onset of the employee's own serious health condition or other circumstances beyond the employee's control, the District may recover the premiums paid by the District on behalf of the employee.

3. Other Benefits. During family/medical care leave, an employee will continue to be entitled to participate in employee health plans for any period during which coverage is not provided as required in Section 7.6.3.J.2 above, employee benefit plans, including life, short-term or long-term disability or accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as apply to an unpaid leave taken for any other purpose.

K. Return from Family and/or Medical Care Leave

1. The District may deny reinstatement of an employee from family and medical leave to the same or equivalent position where:
 - a) The employee refuses to return on the date agreed upon; or
 - b) As a condition of reinstatement of an employee whose leave was due to the employee's own serious health condition which made the employee unable to perform his/her job, the employee must obtain and present a fitness-for-duty certification from the health care provider that the employee is able to resume work. Failure to provide such certification will result in denial of reinstatement; or
 - c) The same or equivalent position has been eliminated for legitimate business reasons unrelated to the employee's family/medical care leave, in which case the employee will have the rights accorded in the layoff provision of the applicable District policy.
2. Reinstatement of Key Employees: The District may deny reinstatement of an employee from family and/or medical care leave to the same or equivalent position where:
 - a) The employee is among the highest paid 10% of the District's salaried employees; and,
 - b) Reinstatement would cause the District serious and grievous economic harm; and,
 - c) The employee was notified at the outset of leave that reinstatement could be denied.

Section 7.7 Military Exigency and Military Caregiver Leave

7.7.1 Military Exigency Leave

“Military exigency leave” may be requested when there is a qualifying military exigency arising out of the fact that an employee’s spouse, child, or parent is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces outside of the United States. Qualifying military exigencies include the following:

- Short-notice deployment where the employee may take leave to attend any issue that arises from the fact that a military member (whether in the Regular Armed Forces, National Guard, or Reserves) is notified of an impending call or order to active duty seven or less calendar days prior to the date of deployment. Leave taken for this purpose can be used for a period of seven calendar days beginning on the date the covered service member receives the notification.
- Military events and related activities where the employee may take leave to attend to any official ceremonies, programs or events related to the call to active duty and to attend to family support, assistance programs, or informational briefings related to the call to active duty.
- Childcare and school activities where the employee may take leave to arrange for alternative childcare or to provide childcare on an urgent, immediate need basis when the need arises from the call to active duty, to enroll or transfer a child to a new school, to attend meetings with school or daycare facility staff regarding disciplinary measures, parent-teacher conferences, or meetings with school counselors.
- Financial and legal arrangements where the employee may take leave to make or update financial or legal arrangements related to the covered servicemember’s absence, such as preparing powers of attorney, wills, transferring bank accounts, and the like, or appearing or acting on behalf of the absent servicemember in matters related to military benefits.
- Counseling where the employee may take leave to attend counseling, the need for which arises from the call to active duty of the covered servicemember.
- Rest and recuperation where the employee may take up to fifteen days of leave to spend time with a covered servicemember each time the servicemember is on short-term rest and recuperation leave during the period of deployment.
- Post-deployment activities where the employee may take leave for a period of up to 90 days following the termination of the deployment to attend arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs provided by the military, or to address issues that arise out of the death of a covered servicemember.

- Parental leave where the employee may take qualifying leave to care for the parent of a military member, or someone who stood in loco parentis to that military member, when the parent is incapable of self-care. To qualify as parental leave, the need for the leave must arise out of the military member's call to active duty. Further, the leave must be for one of the following purposes: (1) to arrange for alternative care for the parent; (2) to provide care for the parent on an urgent, immediate need basis; (3) to admit or transfer the parent of the military member to a care facility; or (4) to attend a meeting with staff at a care facility for the parent.
- Additional activities where the employee may take leave to address other events that arise out of the call to active duty as the District and the employee may agree as to both timing and duration.

7.7.2 Military Caregiver Leave

“Military caregiver leave” may be requested to care for a covered servicemember if the employee is the covered servicemember's spouse, child, parent, or next of kin. For purposes of this leave, a covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or (2) a covered veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness.

Section 7.8 Funeral and Bereavement Leave

7.8.1 Purpose

The District provides bereavement leave for its employees in the event of a death in the employee's family in order to handle family affairs and attend the funeral.

7.8.2 Conditions of Leave

A. Amount

An employee may take up to five days of sick leave (one of which shall be the date of the funeral) for the purpose of making necessary arrangements and attending the funeral.

An additional limited amount of time off to attend funeral services outside the State of California may be authorized with pay under special circumstances. The General Manager is vested with full discretion to evaluate the circumstances and make the determination.

Attendance at funerals requiring absences of more than five days may be charged to accrued vacation or personal leave accounts.

B. Covered Family Members

Leave shall be afforded under this policy for the death of the employee's spouse, child, mother, father, registered domestic partner, grandparent, grandchild, brother, sister, the corresponding step-relationship, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, or daughter-in-law.

C. Deceased Employees

In deference to the memory of a deceased colleague, a limited amount of time off to attend funeral services may be authorized with pay under special circumstances. The General Manager is vested with full discretion to evaluate the circumstances and make the determination.

Section 7.9 Jury Duty and Witness Leave

7.9.1 Purpose

The District encourages its employees to perform their civic duty to serve on a jury panel or as a subpoenaed witness and provides leave for such purposes as described herein.

7.9.2 Jury Duty Leave

A. Full-time Regular Employees

Time off without loss of pay of up to four (4) weeks shall be granted to full-time employees called for jury duty. Such employees who are required to serve on jury duty shall be paid the difference between their regular pay and the amount of the jury fee received for such duty. For the purpose of this calculation, the jury fee does not include any mileage allowance. Should jury duty extend beyond four (4) weeks, the employee will receive unpaid leave for the duration of the jury service. The employee may elect to use accrued vacation, compensatory time off, personal leave, or floating holiday leave to cover the remainder of the jury service.

B. Part-Time and Temporary Employees

Part-time and temporary employees will be granted time off without pay for jury duty service. These employees may elect to use accrued leave to cover the jury service.

C. Notice Requirements

All employees are required to provide their supervisor with reasonable advance notice of jury duty. Employees must provide their supervisor with a copy of their jury summons prior to the commencement of jury duty leave.

D. Return to Work

All employees released from jury duty prior to the end of a scheduled work day must report back to work within two (2) hours after being released from jury duty, unless there is less than two (2) hours remaining in the employee's work day at the time of release.

7.9.3 Witness Duty

All employees will be allowed time off without pay to appear in court as a witness pursuant to a valid subpoena or other court order. The employee must provide his or her supervisor with reasonable advance notice of the witness duty. Further, the employee is required to provide his or her supervisor with a copy of the subpoena or court order requiring the employee's attendance. The employee may elect to use accrued vacation, personal, or management leave to cover the time away from work.

All employees who are subpoenaed by court to appear in their capacity and scope as a representative of the District shall be allowed time off with pay for such witness duty.

Section 7.10 Military Leaves of Absence

7.10.1 Purpose

The District provides appropriate military leaves of absence, benefits and reinstatement rights to members of the military consistent with the provisions of the California Military and Veterans Code, the federal Uniformed Services Employment and Reemployment Rights Act, and any other applicable law.

7.10.2 Leave of Absence

Any District employee who is a member of the United States armed forces, the National Guard, the Naval Militia or the reserve corps is entitled to an unpaid leave(s) of absence for ordered military duty including active military training, inactive duty training, encampment or exercises.

7.10.3 Employee Notice Requirements

Employees must provide advance written or verbal notice of the need for military leave unless to do so is impossible or unreasonable. Generally, an employee should present their service papers to their supervisor as soon as they receive them. Employees should use their best efforts to arrange inactive duty or annual trainings at a time that is mutually convenient to the employee and the District.

7.10.4 Pay and Benefits While On Leave

A. Pay

Where the employee has been employed by the District for at least one year prior to the start of the leave, the first 30 calendar days of military leave will be paid. No minimum length of service is required to receive 30 calendar days of pay for a member of the National Guard who is called to active duty during a declared emergency.

Paid military leave shall not exceed 30 calendar days in any fiscal year.

After the first 30 calendar days, military leave will be unpaid. Any employee may, at his or her option, elect to use accrued vacation or floating holiday time to cover periods of unpaid military leave.

B. Health Care Coverage

For leaves with duration of 30 days or less, the District will continue the employee's health care coverage on the same terms as if the employee was working.

For leaves longer than 30 days, the employee may be eligible to continue health care coverage for self and dependents at the employee's own expense for up to 24 months. Employees returning from leave longer than 30 days will be restored to health care coverage upon their return to work without a waiting period.

C. Seniority

Any employee who takes military leave retains his or her original seniority date and all other seniority-based benefits as if continuously employed.

Employees on active duty military leaves will not accrue any vacation or sick leave during periods of the active duty, except that National Guard members will accrue vacation and holiday privileges, but not sick leave, for the first thirty days of active service regardless of length of employment with the District.

Time spent on military leave will be counted as time worked for purposes of determining eligibility for family and medical leave.

7.10.5 Reinstatement

The District will adhere to the applicable federal or state law that is most beneficial to the employee in determining reinstatement rights.

Generally, employees must provide timely notice of their intent to return to work after military service. An employee returning from military leave will be reinstated to employment in the position he or she would have held had there been no interruption for military service, if qualified. If reasonable efforts to so qualify the employee fail, he or she will be returned to the position held at the beginning of the leave, if qualified.

Reinstatement may be denied if the employee receives a dishonorable or other disqualifying discharge, fails to timely request reemployment, or the District's circumstances have so changed to make reemployment impossible or unreasonable.

7.10.6 Military Spouse Leave

Qualified California employees will be given up to 10 days leave during that time in which the employee's spouse or domestic partner is on leave from deployment in a combat zone with the active duty or reserve military or national guard during a period of military conflict. Employees may use accrued vacation time to cover this absence. If the employee has no accrued vacation, the employee must request time off without pay.

Qualifying employees are employees who work an average of 20 hours per week and have a spouse or domestic partner who is serving as (1) a member of the U.S. Armed Forces and who has been deployed during a period of military conflict to an area designated as a combat theater or combat zone by the President of the United States or (2) a member of the Armed Forces Reserve Components or the National Guard and has been deployed during a period of military conflict.

Qualifying employees who wish to request this leave must provide the District with a written request for such leave within two business days of receiving official notice that the military spouse or domestic partner will be on leave from deployment. The employee must also provide written documentation to the District certifying that the military member will be on military leave from deployment.

Section 7.11 Leave For Educational/Daycare Purposes

Employees will be granted time off without pay for up to 40 hours per calendar year, but no more than eight hours in any calendar month, to:

- participate in the activities of schools or licensed child daycare facilities attended by their children,
- find, enroll, or reenroll their children in a school or with a licensed child care provider, or
- address a child care provider or school emergency (i.e., the school or child care provider requested that the child be picked up, there is a behavioral or discipline problem with the child that needs to be addressed with the school or child-care provider, there is a closure or unexpected unavailability of the school or child-care provider, or that there is a natural disaster, such as an earthquake or fire, requiring that the child be kept home or picked up from the school or child-care provider).

Employees eligible for such leave are parents, step-parents, foster parents, grandparents, guardians or persons who stand in loco parentis (in the place of a parent) to a child.

Employees must substitute accrued vacation, [personal leave, or compensatory time off] for purposes of a planned absence under this Section.

Employees wishing to take time off under this Section must provide their supervisors with reasonable notice of the planned absence. If both parents of a child are employed by the District at the same worksite, the request for time off under this Section will be granted to the first parent to provide notice of the need for time off. The request from the second parent will be accommodated if possible.

The District reserves the right to request that the employee furnish written verification from the school or daycare facility as proof that the employee participated in school or

daycare activities on the specific date and at a particular time. Failure to provide written verification is grounds for disciplinary action.

The District prohibits any discrimination or discharge due to an employee taking time off under this policy.

Section 7.12 Volunteer Firefighter, Reserve Peace Officer, and Emergency Rescue Personnel

Nonexempt employees will be granted time off [without pay] to perform emergency duties as a volunteer firefighter, reserve peace officer, or emergency rescue personnel (which includes an officer, employee, or member of a disaster medical response entity sponsored or requested by the State). Such employees also are entitled for leave of up to 14 days per calendar year to attend fire, law enforcement, or emergency rescue training. Exempt employees who work any portion of a workweek in which they also perform such emergency duties or training will receive their full salary for that workweek. Otherwise, exempt employees will be granted time off without pay.

Employees may also take up to ten days per calendar year to respond to an emergency operational mission of the California Wing of the Civil Air Patrol. Leave for a single mission shall not exceed three days unless approved by the District. Leave may not be taken where the employee is already required to respond to the mission as a first responder or disaster service worker for a local, state or federal emergency.

Employees may substitute vacation pay for any unpaid portion of leave to perform such emergency duties or training.

The District prohibits discrimination against an employee because he or she takes time off under this policy.

Section 7.13 Voting Time Off

Employees who do not have sufficient time outside of their regular working hours to vote in a statewide election may request time off to vote. If possible, employees should make their request at least two days in advance of the election. Up to two hours of paid time off will be provided, at the beginning or end of the employee's regular shift, whichever will allow the freest time for voting and the least time off work.

Section 7.14 Leave Related To Domestic Violence, Sexual Assault, or Stalking

The District will provide time off to an employee who has been the victim of domestic violence, sexual assault or stalking to seek any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child. This includes time off for court proceedings, services from a domestic violence shelter, program or rape crisis

center, counseling, medical attention, and participation in safety planning programs. The District requires reasonable advance notice of the leave when feasible. If time off is taken due to an emergency, the employee must, within 15 days of the absence, provide the District with certification of the need for the leave such as a police report, court order, documentation from a healthcare provider, victims advocate, or counselor.

Employees eligible for paid sick leave benefits under California law may take any such available paid time off, consistent with such law, for the purposes set forth in this policy. For more information, please see the “Sick Leave” policy. In the event paid sick leave benefits are not available, employees taking leave under this policy may elect to apply accrued and unused vacation to such time.

Also, the District will provide a reasonable accommodation for an employee who is a victim of domestic violence, sexual assault, or stalking, and who has disclosed that status to the District, if the employee requests an accommodation for his or her safety while at work. [Such accommodations may include a transfer, reassignment, modified schedule, changed work telephone or work station, installed lock, assistance in documenting domestic violence, sexual assault, or stalking that occurs in the workplace, an implemented safety procedure, or another adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, or stalking, or referral to a victim assistance organization.] The District will engage, in good faith, in a timely and interactive process with the employee to determine an effective reasonable accommodation, and the District may request that the employee provide (i) a written statement, signed by the employee or someone acting on his or her behalf, certifying that the accommodation is for the purpose stated above, and (ii) a certification demonstrating the employee’s status as a victim of domestic violence, sexual assault, or stalking. Every 6 months after the date of the previous certification, the District may request recertification of such status. The District will maintain certifications as confidential if it identifies the employee as a victim of domestic violence, sexual assault, or stalking, and will disclose such information only as required by law, or as necessary to protect the employee’s workplace safety. The District will notify the employee before such disclosure.

The District prohibits discrimination, discharge, or retaliation against an employee for taking time off or requesting an accommodation under this policy, or based on the employee’s status as a victim of domestic violence, sexual assault, and/or stalking.

Section 7.15 Crime Victims’ Leave

The District will provide time off to an employee to attend judicial proceedings related to a crime, if that employee is a victim of crime, an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim. The District requires that where feasible, in advance of taking leave, the employee provide it with a copy of the notice of each scheduled proceeding that is provided to the

victim by the agency responsible for providing notice. If advance notice is not possible, the employee is required to provide the District with a copy of the notice within a reasonable time.

No employee who is absent from work pursuant to this provision will be discharged or otherwise discriminated against in compensation or other terms, conditions or privileges of employment, because of such absence. Such leave is unpaid. Employees taking leave under this policy may elect to apply vacation time to such leave.

CHAPTER 8

Benefits - *Reserved*



NAPA COUNTY REGIONAL PARK &
OPEN SPACE DISTRICT

STAFF REPORT

Date: April 8, 2019
Item: **4.d**
Subject: Receipt of report on expenditures, encumbrances, donations, and grants approved by District staff.

RECOMMENDATION

Receive the report.

BACKGROUND

Section III.A.(7) of the District By-laws authorizes the General Manager to bind the district for supplies, materials, labor, and other valuable consideration, in accordance with board policy and the adopted District budget, up to \$25,000, provided that all such expenditures are subsequently reported to the Board of Directors. Section III.A.(8) of the By-laws authorizes the General Manager to apply for grants and receive donations, subject to reporting such actions to the Board of Directors.

Attached is a report showing all District expenditures for March 2019.

In addition to these expenditures, the General Manager has authorized the following contracts using his signature authority:

None.

PARKS & OPEN SPACE DISTRICT -MARCH 2019 EXPENSE REPORT

General Admin - 85000-00

Date	Journal Line Description	Name	Monetary Amount
03/13/2019	Feb 2019 Invoice	CJ YIP & ASSOCIATES	\$ 17.22

Moore Creek Dept - 85010-00

Date	Journal Line Description	Name	Monetary Amount
03/08/2019	Supplies Feb. 19	ZELLER'S & CLARKS ACE HARDWARE	\$ 36.61
03/08/2019	PR2GL Pay End 2/22/19		\$ 308.18
03/08/2019	PR2GL Pay End 2/22/19		\$ 370.44
03/08/2019	port a potty 2/1/19-2/28/19	JOHNNY ON THE SPOT	\$ 162.38
03/08/2019	PR2GL Pay End 2/22/19		\$ 4,515.18
03/08/2019	PR2GL Pay End 2/22/19		\$ 84.75
03/08/2019	PR2GL Pay End 2/22/19		\$ 222.76
03/13/2019	Feb 2019 Invoice	CJ YIP & ASSOCIATES	\$ 705.55
03/13/2019	Feb 2019 Invoice	HERITAGE SYSTEMS, INC.	\$ 367.67
03/21/2019	March 2019 Invoice	HERITAGE SYSTEMS, INC.	\$ 367.67
03/22/2019	PR2GL Pay End 3/8/19		\$ 370.44
03/22/2019	PR2GL Pay End 3/8/19		\$ 236.78
03/22/2019	PR2GL Pay End 3/8/19		\$ 3,448.64
03/22/2019	PR2GL Pay End 3/8/19		\$ 96.97
03/26/2019	CV Feb. 19 supplies	CENTRAL VALLEY BUILDERS	\$ 149.40

Oat Hill Mine Trail Dept - 85010-01

Date	Journal Line Description	Name	Monetary Amount
03/13/2019	Feb 2019 Invoice	CJ YIP & ASSOCIATES	\$ 280.16

Camp Berryessa Dept - 85010-03

Date	Journal Line Description	Name	Monetary Amount
03/08/2019	Supplies Feb. 19	ZELLER'S & CLARKS ACE HARDWARE	\$ 36.61
03/08/2019	Water testing Feb. 19	CALTEST ANALYTICAL LABORATORY	\$ 47.00
03/08/2019	Trailer pump 2/7/19	BERRYESSA GARBAGE SERVICE AND	\$ 100.00
03/18/2019	PG&E 1/23/19-2/21/19	PACIFIC GAS & ELECTRIC CO	\$ 9.86
03/18/2019	Garbage pickup Feb. 19	BERRYESSA GARBAGE SERVICE AND	\$ 85.80

NRER Dept - 85010-05

Date	Journal Line Description	Name	Monetary Amount
03/08/2019	port a potty 2/1/19-2/28/19	JOHNNY ON THE SPOT	\$ 161.63
03/13/2019	Feb 2019 Invoice	NAPA VALLEY SUPPORT SERVICES	\$ 500.00
03/13/2019	Jan 2019 Invoice	NAPA VALLEY SUPPORT SERVICES	\$ 500.00
03/13/2019	Dec 2018 Invoice	NAPA VALLEY SUPPORT SERVICES	\$ 500.00

Putah Creek Dept - 85010-07

Date	Journal Line Description	Name	Monetary Amount
03/08/2019	2018 Water Assessment #20549	MBK ENGINEERS	\$ 9.80

State Park - 85010-08

Date	Journal Line Description	Name	Monetary Amount
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03/05/2019	Heartland credit card fees-USB		\$	28.34
03/06/2019	2/25/19 State Parks Summit	JORDAN,JASON GERALD ALLAN	\$	117.96
03/08/2019	PG&E 1/14/19-2/12/19	PACIFIC GAS & ELECTRIC CO	\$	170.88
03/08/2019	PG&E 1/15/19-2/13/19	PACIFIC GAS & ELECTRIC CO	\$	1,122.27
03/08/2019	oil filter	JOHN DEERE COMPANY	\$	86.16
03/08/2019	3/10/19 RecCrossTrng-JArdizzon	WOODBURY,JOHN ROBERT	\$	37.00
03/08/2019	2/26/19LifeguardTrng-JArdizzon	WOODBURY,JOHN ROBERT	\$	235.00
03/08/2019	Joshua Platt video production	WOODBURY,JOHN ROBERT	\$	250.00
03/08/2019	Alarm in. Visitors Center 2/19	BAY ALARM COMPANY	\$	200.97
03/08/2019	Monitoring fees 2/15/19	BAY ALARM COMPANY	\$	165.00
03/08/2019	PR2GL Pay End 2/22/19		\$	557.78
03/08/2019	PR2GL Pay End 2/22/19		\$	257.70
03/08/2019	PR2GL Pay End 2/22/19		\$	1,111.32
03/08/2019	port a potty 2/1/19-2/28/19	JOHNNY ON THE SPOT	\$	235.51
03/08/2019	PR2GL Pay End 2/22/19		\$	592.96
03/08/2019	PR2GL Pay End 2/22/19		\$	7,291.95
03/08/2019	torch kit, ties, sand disc	STEVES HARDWARE	\$	163.85
03/11/2019	Office Depot expenses		\$	155.69
03/18/2019	707-963-2236 1/28/19-2/27/19	AT&T	\$	19.90
03/18/2019	Heartland credit card fees-USB		\$	55.89
03/18/2019	Removal of dead trees 3/19	PACIFIC TREE CARE	\$	1,710.00
03/18/2019	Garbage pickup Feb. 19	UPPER VALLEY DISPOSAL SERVICE, INC.	\$	1,025.52
03/18/2019	Trash dump run 2/19	CLOVER FLAT LANDFILL	\$	56.00
03/18/2019	Ashes pickup 2/19	UPPER VALLEY DISPOSAL SERVICE, INC.	\$	343.58
03/18/2019	Septic pumping 3/6/19	AMERICAN SANITATION INC.	\$	950.00
03/19/2019	SALES TAX	DELL MARKETING LP	\$	62.96
03/19/2019	ENV FEE	DELL MARKETING LP	\$	6.00
03/19/2019	DELL OPTIPLEX 5060 SFF	DELL MARKETING LP	\$	788.83
03/19/2019	DELL 20" Monitor	DELL MARKETING LP	\$	151.99
03/21/2019	PARK180919 02/2019	JONATHAN EHLERS	\$	225.00
03/22/2019	PR2GL Pay End 3/8/19		\$	587.73
03/22/2019	PR2GL Pay End 3/8/19		\$	1,111.32
03/22/2019	PR2GL Pay End 3/8/19		\$	224.64
03/22/2019	PR2GL Pay End 3/8/19		\$	8,171.74
03/22/2019	PR2GL Pay End 3/8/19		\$	196.44
03/26/2019	Internet 2/10/19-3/9/19	AT&T	\$	330.24
03/26/2019	03/2019AmerRedCrossTrngs	ARDIZZONE,JESSICA JO	\$	341.04
03/26/2019	HP color laserjet Bothe	CDW GOVERNMENT INC	\$	396.12
03/26/2019	CV Feb. 19 supplies	CENTRAL VALLEY BUILDERS	\$	721.51

Suscol Headwaters Dept - 85010-09

Date	Journal Line Description	Name	Monetary Amount
03/26/2019	Mileage- week of March 18th	CAHILL,CHRISTOPHER MICHAEL	\$ 12.18

Amy's Grove - 85010-10

Date	Journal Line Description	Name	Monetary Amount
03/08/2019	Amy's Grove Survey Feb.19	REB ENGINEERING	\$ 1,455.46
03/13/2019	PARK180419 12/15/18-2/11/19	MATT GREENE FORESTRY & BIOLOGICAL	\$ 30,000.00
03/14/2019	3/3/19 gas for the cove	FESSENDEN,RICHARD TODD	\$ 15.46

03/18/2019	Amy's Grove Survey March 19	REB ENGINEERING	\$	1,885.00
03/26/2019	port a potty 3/18/19-4/14/19	JOHNNY ON THE SPOT	\$	138.91
03/26/2019	Mileage- week of March 18th	CAHILL,CHRISTOPHER MICHAEL	\$	48.72
03/26/2019	supplies 3/19 Amy's Grove	ZELLER'S & CLARKS ACE HARDWARE	\$	24.90

Other Projects - 85010-90

Date	Journal Line Description	Name		Monetary Amount
03/07/2019	Constant Contact Subcrp 2019	WOODBURY,JOHN ROBERT	\$	654.50
03/08/2019	3/7/19-3/7/22 Blue Host Server	WOODBURY,JOHN ROBERT	\$	395.28
03/13/2019	Feb 2019 Invoice	CJ YIP & ASSOCIATES	\$	1,625.00

Napa County Regional Park and Open Space District

Projects Status Report

8-Apr-19

<u>Name of Project</u>	<u>Description</u>	<u>Status</u>
Amy's Grove	Planning and permits for public use of Amy's Grove	The archaeological survey has been completed and did not find evidence of native American activity. The botanical survey has been completed and submitted for review. Much of Amy's Grove burned in the October 2017 fires, but the damage appears to be limited. In Sept 2018 the Board approved placing a restrictive covenant over a portion of Amy's Grove, accepting the donation of an adjacent 7 acres of land, approving an option to acquire 164 acres north of Amy's Grove, and applying for a grant to help fund the purchase. Grant awards are expected to be announced in mid-2019. A legal description of the conservation area covering the meadow at Amy's Grove has been completed.
Bay/River Trail -- American Canyon to Napa	An 8+ mile recreational trail generally following the Napa River and interior levees of associated wetlands. Phase 2-B--Pond 10 to Soscol Ferry Road	The design for the public crossing of the SMART tracks has been completed, and SMART, NRCA and the PUC have verbally agreed to allow the railroad crossing. A biological survey for the Fagan Marsh area has been completed, based on the results, CDFW has indicated they do not want the trail alignment to follow the levee on the north side of Fagan Marsh. District staff is reviewing the feasibility of an alternative alignment. At the request of the City of American Canyon, in August 2017 City and District staff met to discuss strategies for completing the trail and those discussions are ongoing. The Board President and General Manager met with CDFW staff on June 12, 2018 to discuss CDFW concerns. Senator Dodd organized a meeting in October with the City of American Canyon, County of Napa and the District in an attempt to move the project forward, and another meeting with District staff and CDFW staff on November 28, 2018.
Berryessa Estates	Acquire 480 acres next to Berryessa Estates from BLM at no fee through their Recreation and Public Purpose Act procedure. Would connect Lake Berryessa Estates to the District's Spanish Valley holdings.	The District in 2009 applied to BLM for a no-fee transfer of this property to the District for the no-fee transfer of this property. While this transfer has received conceptual approval by BLM staff, the formal approval has been delayed because of property title issues between BLM and BOR. The District has completed the donation to the District of a small, 0.2 acre property that provides critical access to the northeast corner of the property. In 2015 Reclamation said they have done their work to clear up the title issue and it is now up to BLM to finish the transfer. BLM thought they would complete their work by the end of 2015, but this did not happen, and a new date for completion has not been set. BLM's timeline has been extended because BLM has determined that not only these but other federal lands in the same general area also need to have their revocation process completed, and they wish to resolve all at the same time. At a meeting on April 14, 2016, the new Superintendent for the Ukiah District of BLM committed to completing the transfer. Because of staffing changes at BLM, as of October 2018 no progress had been made.
Berryessa Vista	Planning, stewardship and expansion of this wilderness park.	Volunteers working with the District have completed detailed GIS mapping showing all existing roads, creek crossings, vista points and potential campsites. The District sent a letter to all property owners in that area introducing the District, explaining the deed restriction prohibiting off road vehicles, and asking for their cooperation. Since then there has been less observed damage, although the problem is not resolved. Staff was planning on installing a gate to restrict OHV access, but this has proven infeasible. In 2014 the Land Trust acquired an 80 acre inholding between District and BLM land, based on a District Board action in November 2014 agreeing to acquire the property from the Land Trust at a later date when funding is available. District and Land Trust staff in April 2016 placed a camera on the property in an attempt to identify the off-road vehicle and motorcycle users who have been causing some damage to the property. Staff has been monitoring the cameras since spring 2016 and has noted a small decrease in illegal off road vehicle use; staff will continue to monitor the cameras. Staff is working on plans to create a formal boat-in backcountry camp at Berryessa Vista accessed from the BOR Capell Cove boat launch. The District is now waiting on the Bureau of Reclamation to complete their environmental review of the planned trail work that would occur on Reclamation land. Staff has been reviewing PG&E plans to grade and widen an access road to their high power lines that cross the property, to ensure the work does not cause future erosion nor increase vehicular trespass.

Camp Berryessa

Redevelopment of former Boy Scout Camp into a 64 bed group/environmental education camp with 8 tent cabins, 2 covered group activity centers, a canoe/kayak dock, a central amphitheater and campfire ring, and a shower and composting toilet restroom facility.

A grant for \$50,000 to help with construction was provided by the Mead Foundation, together with a \$1.7 million grant from the State Coastal Conservancy. Construction of Phase I, which includes beds for up to 64 campers was completed in June 2016. Jim Hankes, a Bureau of Reclamation maintenance employee and life-long Berryessa resident has moved his park unit trailer onto the property and become our first volunteer camp host. Tuleyme, the BOR, and Forest Trails Alliance are very close to completing the new North End Trail, running from +/- Camp Berryessa to the north end of the Lake, approximately 7 miles each way. In early October, 2017 Caltrans delivered (at no cost to the District) the disassembled and individually numbered pieces of a former Monticello Road stone arch bridge to Camp Berryessa for our eventual use somewhere. The County Fire, which ultimately burned 90,000+ acres on the east side of Lake Berryessa, spared the Camp but did lead to at least one cancellation. We have been working to resolve issues with the composting toilets that have led to several water leaks and most recently failures of septic pumps. Plumbing issues with the composting toilets have been resolved and the system is again fully operating. With the help of the Bureau of Reclamation, historic bridge stones have been placed around the property to restrict vehicle access and add character. We are planning to complete a fresh tree survey in early 2019 and if we find that our rental rates need to be updated, we will be bringing those to the Board. As of late February 2019, the lake is full and spilling at the Glory Hole.

(The) Cove at Mt. Veeder

Reconstruction of campground and trails

The Cove was severely burned in the October 2017 fires; since then staff has been working on cleanup. Most of the trees in The Cove are dead or will be soon and will need to be removed before the camp can be reopened. Staff talked most of the property in early January and confirmed that fire damage is severe and extensive. In early February the County Wildlife Commission toured the Cove to inspect fire impacts and discuss ways in which they might direct funding to fire recovery efforts County-wide. Staff is working with a forester to develop a plan for salvage logging after the rainy season is over to (a) remove hazardous dead trees in the campground area and (b) in the process also repair/improve the access road into the site. The Napa Girl Scout troops have already undertaken a number of projects to help restore the Cove, including new signage and rehabbing the campfire circle. Installation can, however, only happen once salvage logging is complete. Doug McConnell (NBC's Open Road) segment on The Cove (and Suscol Headwaters), comparing the effects of the fires in each location and lessons learned, was aired on Sunday June 24, 2018. Salvage logging commenced in late May, 2018 and is proceeding well. Active logging wrapped up during the week of July 23rd and the logger has completed his clean-up and erosion control operations. Road rebuilding is complete. Heavy rains in early 2019 (more than 5 inches in one day) happily did not wreak too much havoc at the Camp or on the new driveway. A State Employment Development Department funded crew of 4 (using fire emergency job training funds) started work on April 2, 2019; they will be available through the end of the calendar year. We will use them to complete cleanup of leftover fire and logging debris, replanting, and trail repair.

Lake Hennessey North Shore Trails

Would open up several miles of existing dirt access road, and construct approximately 1 mile of new single track trail, into a loop trail system on the north side of Lake Hennessey, and connecting to the planned Moore Creek Open Space Park trail system.

In November, 2009 the Napa City Council directed city staff to work with the District to finalize an agreement for the proposed Hennessey trails. The District approved a Mitigated Negative Declaration on February 14, 2011. A final lease agreement and operations plan was approved by the District Board in August 2012, and by the City Council in September 2012. Work was completed on the connector trail to Moore Creek in June 2013. Lake Hennessey North Shore Trails formally opened with a ribbon cutting on October 18, 2014. The Sam the Eagle Trail was completed in April 2015 and, in staff's opinion, turned out wonderfully. Forest Trails Alliance donated a hand carved wooden trail sign that was installed at the northern terminus of the new trail. District staff and volunteers installed the Harold Kelly bench in early June 2015 and constructed a short ADA-compliant access trail to it on July 11, 2015. The County Wildlife Conservation Commission awarded the District a +/- \$2,000 grant to fund installation of an interpretive birding trail developed in partnership with Napa Solano Audubon along the north shore of the lake, signage was installed in May 2015. A new bench along the shoreline was dedicated to former Director Harold Kelly on October 22, 2015. Napa Marble and Granite installed (well, carved) new trail signage for the Shoreline and Sam the Eagle trails in early September 2017. A new trail ("Old Man's Beard Trail") was completed in February 2018. In June 2018 we met with the City of Napa and received approval to modify several not-yet-built trail segments and discussed an alternate parking configuration for the Corn Valley Road terminus. In late August we flagged nearly 3 miles of new trail segments on the Hennessey Unit. Construction started in December 2018, and our trail crew is working hard in between the rain storms. It appears likely the final section of the new trail planned for the Lake Hennessey Unit will be funded through an Active Transportation grant and constructed by Conservation Corps North Bay under our direction.

Moore Creek Park Development

Development of open space park on 673 acres acquired by the District adjacent to City of Napa watershed lands at Lake Hennessey to protect habitat, provide recreational trails, and overnight camping facilities.

The park opened on June 30, 2013. Many miles of trails have been constructed, fencing installed, emergency communications capacity set up, repairs made to the two houses on the property, and invasive french broom removal has been ongoing. The eastern boundary survey and fencing project was completed June 2014. The property owner to the east of Moore Creek filed suit in June 2017 claiming the District owed additional money for the boundary survey and fence separating his property from ours. After several interim victories, the judge in early April 2018 issued the final ruling in support of the District's position; the District will now seek attorney's fees from the losing party. The "Dry Foot" Trail, including three small stone arch bridges, was completed in late January; this trail parallels the Moore Creek Trail but bypasses three stream crossings. Staff hosted trail scouting and trailbuilding volunteer events focused on the Madrone Trail in late May and early June, 2018. We have finalized leases with a tenants for the Gate House (effective Aug 1) and the Ranch House (effective September 1). There was a small fire on Chiles-Pope Valley Rd on Aug 25th, which caused the precautionary evacuation of the park. The Gate House was re-rooted in November 2018 using the Moore Creek maintenance/repair reserve fund. Staff coordinated w meeting with CalFire and a neighbor to determine what level of tree trimming is needed on the neighbor's property next to the ranch house to comply with Firewise regulations.

Montesol West

Acquisition of 1,254 acres west of Highway 29 north of Robert Louis Stevenson State Park

The District has the opportunity to purchase 1,254 acres west of Highway 29 adjacent to Robert Louis Stevenson State Park for a price of \$200,000. The area's conservation values have already been protected through an easement negotiated by the Trust for Public Land and now held by the Land Trust of Napa County. Purchase of fee title will permit the area to be used for public recreation. The District is preparing a Habitat Conservation Program grant application with assistance from TPL. A public presentation to the Middletown Area Town Hall was made on August 10, 2017, and to the Middletown Area Merchants Association on August 15 and September 14, 2017. With assistance from the Trust for Public Land, the District submitted a grant application to the State Habitat Conservation Fund for the remaining \$200,000 needed to complete the acquisition. We were awarded the grant in May, 2018; we attended a grant workshop in July 2018. We are working with the seller to work out final details. The option expired at the end of February without TPL exercising it. We were unable to provide the type of liability insurance the seller wanted to protect his interest in carbon credits that had been sold to the State for timber located on the property.

Oat Hill Mine Trail

Various improvements to the historic Oat Hill Mine Road

The District is continuing to work with Tuleyome on a project to clean up the Twin Peaks and Corona Mines. In the hopes this may enable the District to safely open the northern Oat Hill Mine Trail for public use. Staff and volunteers in February 2013 did a comprehensive evaluation of erosion issues on the trail, and experts from the RCD joined staff for another evaluation in early April. The Bay Area Ridge Trail did some cleanup and minor improvements in late October 2013 to the staging area, and the lower 4 miles of the OHMT was dedicated as part of the Ridge Trail on November 10, 2013. The 40 acre Randy Lee Johnson property donation was completed in December 2014. Volunteers made drainage improvements on the trail in late January 2015 and work parties to install drain dips to control erosion were held in January and April of 2016. A PG&E contractor attempted to drive an ATV up the OHMT in early June, and ended up going into a gully; they promptly removed the vehicle and repaired the trail damage. The first 1.3 miles of the trail was bulldozed as a result of CalFire efforts to suppress the October 2017 wildfires; one volunteer work party has already spent a Saturday remediating the damage. CalFire had agreed to come back to do more remediation, but subsequent fires in Southern California diverted their staff to help fight those fires. District staff and volunteers in February 2018 replaced the gate at the Calistoga trailhead that had been damaged by CalFire's fire fighting efforts. Staff has been tracking and participating in the City of Calistoga's trail and parkway redesign project at the Vire / Silverado/OHM Trail intersection, which may result in parking improvements and general beautification of the area. The lower 1/4 mile of the trail was repaired in early January 2019 by staff and volunteers, with an improved inboard drain, culvert and waterbars, to correct problems created by CalFire's bulldozing of the trail during the 2017 fire emergency. Another landslide occurred due to the heavy rains in late Feb 2019; staff and volunteers have been working on repairs.

Skyline Park

Permanent protection of Skyline Park

Three past legislative efforts to authorize sale to the County failed due to unrelated disagreements between the state legislature and administration. Separately, the County in September 2009 approved a new park overlay zone and an updated Master Plan for Skyline Park. A fourth legislative effort by Assembly member Evans in 2010, sponsored by Napa County and supported by the District, was approved by the legislature and signed by the Governor. The County and State General Services were unable to agree on the fair market value of the property, negotiations stalled, and the legislative authorization expired. A Draft EIR was released in late September 2013 for the proposed expansion of the adjacent Syar Quarry. The District Board approved comments on the DEIR at its October 2013 meeting. The Final EIR was released in November of 2014; the Planning Commission certified the EIR on October 21, 2015. On October 22, 2015, the State applied to the county to rezone Skyline Park by removing the Skyline Wilderness park Combining District overlay, which would make it easier for the State to sell for development and at a higher price. The Planning Commission certification for the quarry expansion was appealed to the Board of Supervisors by two organizations. The District in February 2016 submitted two letters to the Board of Supervisors, one requesting the setback between the quarry and the park be protected through a permanent conservation easement, and the other expressing support for the changes to the quarry project that were recommended by the County Planning Department, with additional protection for Pasini Ridge. In April 2016 the District presented its position to the Board of Supervisors. The Board of Supervisors rejected the appeals and approved the quarry expansion in July 2016. Legislation introduced by Senator Walk in January 2016 stalled when the State announced it was opposed to any sale of Skyline Park to the District until completion of a state planning process for future health and welfare services. Senator Dodd in December 2018 introduced SB 20, which would again authorize the State to sell Skyline Park to the District and/or county for the sole purpose of it continuing to be a public park. Ryan Gregory has made the purchase of Skyline a priority item for his 2019 term as Chair of the Board of Supervisors. In January 2019 the District sponsored the filming of a short feature for Doug McConnell's Open Road TV series to help build support for the purchase of Skyline. The District is working with SPCA to utilize a TBD grant obtained by the District to upgrade their web site including an on-line reservation system, improve their park map and brochure, and install an automatic pay machine on the River to Ridge Trail.

Smittle Creek

Planning and permits to open this 4.11 acre holding for public use

The District completed purchase of this property in December 2015. The next step is to conduct resource surveys, complete CEQA, and obtain permits. A botanist was retained in early 2016 to do a reconnaissance level survey of plant resources as the first step in planning for the property. His report was received in January 2017. The report describes the property as one of the best locations in the County for native grasses. US Geological Survey has requested permission to place a seismic monitoring station on the property; staff has worked with them to identify an appropriate location. In July 2016 the placement request was submitted to the Wildlife Conservation Board (WCB) for concurrence, which as the provider of the grant to acquire the property has the right to review such changes. WCB approved the request in August. An access agreement with USGS is before the District Board for approval at the September 2016 meeting. A group of 20+ people from Tuleyome were given a hiking tour of the property in December 2016, as a way to build interest in the property and build a pool of volunteers to help with restoration and improvement of the property. On March 4 2017, Tuleyome volunteers brushed the Iron Mountain trail (in the Cedar Roughs Wilderness, but accessed via Smittle Creek.) The State Fish and Wildlife Game Warden for this area has been most helpful in patrolling the property looking for illegal poaching. A well-attended volunteer clean up project was held on October 28th, more than filling a 30 yard dumpster with debris.

State Parks

Operate Bothe-Napa Valley State Park, Bale Grist Mill State Historic Park and RLS State Park

The District, with assistance from the Napa Valley State Parks Association, took over management of the parks on April 1, 2012. Since then the District has obtained permits and done improvements to the pool, installed 7 yurts, instituted recycling in the campground and day use areas, pumped all septic system tanks annually, repaired the historic Wright House for use as a rental property, restored 5 cabins, constructed a new shower/rolliet facility, and made a large dent in the backlog of deferred maintenance. District efforts to pass legislation allowing the sale of grain from the Bale Mill were unsuccessful. The District has de facto also taken on responsibility for Robert Louis Stevenson State Park, funding repairs to the Silverado House, working with State Parks to get a caretaker into that house to prevent vandalism. In 2014 the District started the process of extending the District's 5 year Operating Agreement and including RLS in the agreement; approval of that new agreement is still pending. The existing OA expired on March 31, 2017; the District is now operating the parks on a month-to-month basis until State Parks can complete the new agreement. The draft OA is now undergoing final review in Sacramento. The District is working with the Vine Trail on the proposed alignment of the Vine Trail through Bothe. More detail on current activities are contained in a separate Parks Report for Bothe and Bale. A storage area at the vacant Silverado House in RLS was broken into in May 2018; State Parks has agreed to let the District repair the house and place a camp host/caretaker on site to prevent further vandalism. The well and water tank was repaired in late 2018, and a District employee is now living on site and serving as the caretaker. A tree fell on the Silverado House in the late Feb 2019 storms; this was cleaned up last week, but the roof which was already in poor shape is now leaking.

Suscol Headwaters Preserve

Improvements to Suscol Headwaters Preserve

Having completed purchase of the Preserve in November, 2017 the District now needs to make improvements required by funders, acquire a Napa County Use Permit, and make improvements necessary to open and operate the eventual park. Improvements needed to satisfy funders include the construction of a California red legged frog (CRLF) breeding pond and various habitat improvements focused on, but not exclusively in, the pond area. Improvements necessary to open and operate the eventual park include in the planning and construction of a trail network, design and installation of signage, and the potential future construction of a parking lot and trailhead improvements off-property to the south, on or near Highway 12 in Jameson Canyon. On July 1st 2015 the board of the Napa Sanitation District approved an easement option agreement which may allow us to construct a trail and trailhead parking lot on their Kelly Road sprayfield property. Alternate off-site options are also being pursued. A portion of the property, mostly in Phase II, burned in the October 2017 firestorm; some trees were killed, and a perimeter grazing fence was destroyed, but otherwise damage was not catastrophic. Staff is working on a funding agreement with the County of Napa that would result in the District receiving the remaining \$196,000 needed to fund frog pond construction. We have installed **No Trespassing** signs adjacent to ranch roads descending off of Suscol Knob to further limit access to the lower portions of the preserve, where property lines are not necessarily well marked or fenced. As of November, Caltrans is once again working on plans and specs for the red legged frog pond. We plan to file a use permit to open the preserve to the public in early summer 2019, as soon as the biological survey update that is scheduled for this spring is complete. As of early April 2019 we have begun actively assembling a trail development plan and working on final CARLF pond plans and specifications with Caltrans.

A Class I bicycle/pedestrian path extending from Calistoga to the Vallejo Ferry Terminal sponsored by the Vine Trail Coalition, of which the District is a participating member.

The District has entered into an MOU with the Vine Trail Coalition to provide assistance as requested by the Coalition in receiving funds, preparing plans and environmental documents, constructing and operating the trail. The District, the Bay Area Ridge Trail, the San Francisco Bay Trail and the Vine Trail Coalition have prepared a joint Case Statement for the combined trail network for fundraising purposes. The District on February 5, 2010 submitted an appropriations request for FY 2011 to Senator Feinstein, and a similar request to Congressman Thompson on February 26, 2010 on behalf of the Vine Trail Coalition. The District in April 2013 approved and sent a letter of support for the City of Calistoga's request for a grant from the Coastal Conservancy to plan the trail through Calistoga. The Board President in early June 2014 sent a letter of support for a Vine Trail Federal "Tiger" grant to help construct the section of trail between Yountville and Napa. The District continues to coordinate with the Vine Trail on plans to route the Vine Trail through Bothe-Napa Valley State Park. A joint Vine Trail/Ridge Trail dedication event was held at Bothe on July 27, 2014. In March 2015 the Vine Trail initiated discussions with district staff about the possibility of the District providing maintenance for the entire Vine Trail, but in the end the cities and the county decided that each entity will maintain the section within their jurisdiction, rather than paying into a common fund for common maintenance. District staff joined with Vine Trail and State Parks staff in October 2016 to discuss the Vine Trail route through Bothe-Napa Valley State Park; the solution that State Parks is willing to accept will add an estimated \$600,000 to the cost of the Vine Trail. On behalf of the District, the GM in January 2017 wrote a letter of support for their application for funding from NVT/A. Caltrans is proposing to replace the aging bridge over Mill Creek; since the construction as proposed could have significant adverse effects for both the Vine Trail and the Bale Mill, District and Vine Trail staff meet with Caltrans and NVT/A to discuss ways to mitigate the impacts. In Sept 2018 the Vine Trail Coalition requested the District accept an easement to facilitate the trail connection between Kennedy Park and Napa Pipe. Staff met with the Vine Trail and Syar on March 6, 2019 to work out details related to the easement.

Completed Projects

Amy's Grove Creek	Donation of 50 acres along Dry Creek and Wing Creek	The donation of approximately 50 acres of open space from the Chamberlain family to the District closed in December 2015.
Bay Area Ridge Trail Realignment	Amendment to the proposed alignment of the Bay Area Ridge Trail extend north to the Cat Hill Mine Trail	In December of 2012 the Bay Area Ridge Trail Council approved the proposed realignment of the Ridge Trail through Napa County as requested by the District.
Bay Area Ridge Trail Napa-Solano Ridge Trail Loop	Assignment of Tuteur Ridge Trail easement from the Bay Area Ridge Trail to the District	The Bay Area Ridge Trail Council obtained a donated easement from the Tuteur family and constructed a section of Bay Area Ridge Trail adjacent to Skyline Park. In March 2018 the Ridge Trail Council transferred the easement to the District, and with the support of the Tuteur family revised the easement to facilitate an extension of the trail south onto the District's Suscol Headwaters Preserve.
Bay/River Trail -- American Canyon to Napa Phase I	Phase One--Eucalyptus Drive to Green Island Road	Constructed approximately 5 miles of Class I bicycle and pedestrian path in the vicinity of American Canyon along the Napa River was completed in April 2012, in partnership with the City of American Canyon, Department of Fish and Game and Napa Vallejo Waste Management Authority. A formal opening ceremony was held June 2, 2012.
	Phase Two-A Pond 10	DFW surfaced the existing levee with gravel and opened the gate to the public in spring 2015.
	Phase Three--Socol Ferry Road to Napa Pipe	Completed construction in spring of 2015 of 0.7 miles between Socol Ferry Road and the Napa Pipe property in the Napa Valley Corporate Park. The contractor will need to return in the summer of 2015 to reapply stabilizer in those spots where it didn't set up due to cold and wet weather.
Berryessa Peak Trail	Obtain right of way and construct trail to provide public access to extensive federal lands on Blue Ridge and to Berryessa Peak	Obtained donated trail easement from the Ahmann family to close gaps between existing public lands on Blue Ridge. A Negative Declaration and Use Permit hearing was approved December 16, 2009 by the County Planning Commission. An Operations and Management Plan has been approved by the property owner and the District. BLM's biologist inspected the alignment on September 17, 2011. There have been volunteer trail building work parties have been held numerous times between 2011 and the present, and the trail is now done except for signage and a fence crossing. District staff met with Fish and Game on June 15, 2012 to discuss signage at the trailhead on DFG property, and in November 2012 submitted signage language for DFG review. Staff contacted DFG (now DFW) in February of 2013, again in early April, and again in late summer to determine the status of their review. In January 2014 DFW staff responded with an alternative entry sign design, and accepted our fence stile design. Volunteers installed the fence stile in March 2014. DFW installed the trail sign in late June 2015, though the sign copy is missing some information required by the trail easement that the trail uses after leaving DFW property. See attached picture. Staff has prepared two new signs to be placed at the termini of the private land trail easement that clearly state the rules for using the easement, these were installed by volunteers in late December 2015.
Berryessa Vista Acquisition	Purchase of 224 acres from the Land Trust of Napa County for use as a public park completed in early 2008 using State Prop 12 funds.	
Cedar Roughs/Smitlle Creek	Acquisition of 443 acres providing public access to Cedar Roughs from Smitlle Creek Day Use Area	Purchase of the property closed in December 2015.
Connolly Ranch	Construction of patio, restrooms and cooking facilities completed in 2008 using State Prop 12 funds.	
The Cove at Mt Veeder	Acquisition of a 160 former Girl Scout Camp	The acquisition of The Cove was completed in December 2017.
Historic ROW Analysis	Study to determine location and status of historic road Rights-of-Way and their value as non-motorized recreational trails	Staff has completed a comprehensive review of historic rights-of-way, and is now focusing attention on those which have greatest potential.
Linda Falls Conservation Easement	Conservation easement accepted in spring 2008 from Land Trust of Napa County to provide additional protection for this 39 acre property, which is owned by the land trust	
Linda Falls Conservation Easement	Expansion of conservation easement to cover all of the property at Linda Falls owned by the Land Trust of Napa County	The District previously obtained a conservation easement on one of several parcels owned by the Land Trust of Napa County. The land trust desired to expand this conservation easement to include all of the land trust's holdings at Linda Falls. The purpose is to provide an additional layer of protection for the property. This is a continuation of a long-term project for the district and land trust to hold easements over each other's properties to protect against unforeseen circumstances that could threaten the conservation values of the properties. The District Board approved acceptance of the easement at its October 2016 meeting, and the easement was finalized and recorded in December 2016.

Master Plan Development
The Master Plan for 2008-2013 was approved in January 2009

Master Plan Update
First scheduled update to the Master Plan adopted in January 2009
Board adhoc committee appointed. Methodology for doing update has been agreed upon. Project was delayed due to compelling demands on staff time (primarily the effort to keep Napa's state parks from closing. A draft update has been prepared by staff working with the Board ad hoc committee for the Master Plan update, and released by the Board at the April 9, 2012 meeting for public comment. The plan update was adopted by the Board at its June 2012 meeting.

Milliken Reservoir Trails and Picnic Area Feasibility Study
Would construct approximately 3 miles of Bay Area Ridge Trail plus additional feeder and loop trails, along with a staging and picnic area
The feasibility study has been completed, and accepted by the Board of Directors. The Napa City Council in November, 2009 approved city staff recommendation to hold off on the Milliken Reservoir trails project until the Hennessey trail project is up and running.

Moore Creek Open Space Park
Acquisition of 673 acres in the Moore Creek Watershed completed in December 2008.

Napa River Ecological Reserve Improvements
Parking area paved, and rock barrier installed to control vehicular access in 2007. Trash enclosure constructed and entry signs restored by volunteers in 2008. The District in July 2008 assumed the County's role in managing the preserve under the joint management agreement with DFG. A new maintenance contract with the non-profit organization Options 3 was started in January 2009. The old deteriorated information kiosk, which had become a serious eyesore, was removed in November 2008.

Napa River Ecological Reserve Restoration
This multi-year project resulted in the removal of the bulk of the invasive teasel that had taken over the 5 acre meadow at the entrance to the Reserve, and the construction of a short native plant interpretive trail. Work was done by volunteers, students, and paid contractors. In doing this work, several thousand students received a day of environmental education about native and invasive plants and riparian ecology.

Napa River Flood Control Easement
Conservation easement accepted by District in 2007 to facilitate Flood District project and grant funding

Newell Preserve Improvements
Provide on-site water supply for group campground for cattle
As part of the arrangement with the land trust on the District's purchase of Berryessa Vista, the land trust was willing to use some of the proceeds from the transaction to fund a well pump and distribution system at the Preserve. However, the first well drilled by the City of American Canyon came up dry. The City has dropped plans for digging any more test wells.

Oat Hill Mine Trail
The Oat Hill Mine Trail was formally opened in May of 2008, after a major volunteer work party doing signage installation, brush removal and erosion control.

Oat Hill Mine Trail
Transfer of 40 acre parcel from BLM
The District in 2008 applied to BLM for a non-fee transfer to the District of a 40 acre parcel at Maple Springs on the Oat Hill Mine Trail; this application is pending. Staff met with BLM in February 2011 to discuss how to speed up this transfer; another meeting with the same topic was held August 5, 2011. The District is still waiting on BLM to process the application. BLM in April 2016 indicated they did not want to transfer this parcel, so the District's application will be dropped.

River to Ridge Trail Enhancements
Installation of animal silhouettes along the entryway fence illustrating the types of birds and mammals that can be found in the area completed by Eagle Scout candidate in 2008. In November 2008 five Valley Oak trees were planted at the Highway 221 entrance to the trail with the assistance of a volunteer from CNPS.

River to Ridge Trail
Deeds accomplishing the adjustment in property boundaries between Syar and the State have been recorded.

River to Ridge Trail
Lot line adjustment to legalize River to Ridge Trail as constructed (it currently encroaches on

River to Ridge Trail Entrance Enhancements
A new information kiosk was installed at the entrance in December 2008 as part of a Boy Scout project. Several Live Oak seedlings were donated by CNPS and have been planted at the entrance to improve its appearance.

River to Ridge Trail
Correct drainage problems to trail can be used
Two volunteer work weekends in March and April and two more in May of 2010 were organized by the District to clear brush, improve drainage, and year-round. surface about 300 feet of the trail with quarry fines to control problems with mud. Volunteers completed additional work in August 2011.

Skyline Park Road and Trail Improvements
Erosion control work on Lake Marie Road, and paving of campground loop road, completed in 2007 using State Prop 12 funds.

Skyline Park Concessionaire Agreement Renewal
District staff negotiated renewal of concessionaire agreement on behalf of the County. The renewal involved changes to the fee schedule and amendments to and approval of subagreements with three non-profit partner organizations.

Skyline Park Trail Improvements
Major volunteer event to reroute and repair trails
Staff worked with SPCA and V-O-CAL to sponsor a weekend work party on October 15-17, 2010. Approximately 110 volunteers worked to reroute and repair trails experiencing serious erosion problems. SPCA is donating \$1,000 toward expenses.

Skyline Park Facility Improvements
Partner-sponsored improvement include a second greenhouse and a covered equestrian arena.
The proposals for a second greenhouse and a covered arena were approved by the Department of General Services and by the County Board of Supervisors. The sponsors of these projects are now raising funds for implementation.

South Napa Wetlands Habitat Area
Transfer to the District those wetlands owned by the Napa County flood control district between the Napa River, Highway 29 and Newport Drive for use as habitat and nature-based recreation.
Transfer was approved in concept by the flood control district, and Park District staff prepared the first draft of a transfer agreement. Subsequently, attorney's for the flood district concluded it would be better from their perspective for the flood district to retain ownership of the property, due to their ongoing maintenance obligations.

Suscol Headwaters

Acquisition of 709 acres of the former Kirkland Ranch
The acquisition was completed in November 2017.

Trinchero Open Space Acquisition
Donation of 3,400 acres of open space to the District by Bob and Evalyn Trinchero
The donation was completed on December 29, 2010. A related granting of an access easement to the Lake Berryessa Resort Improvement District was completed in mid-January 2011.

Wild Lake Ranch
Assist land trust with planning and possible joint management.
The District participated in the development of a strategic plan for the property, together with other public lands in the area, that was led by the Land Trust of Napa County. The land trust has decided, at least for the near term, to manage the Wildlake-Duff property itself.

Deferred Projects

District Non-profit Foundation
Organize a non-profit foundation to raise funds for District projects
The District Board has approved the goals, objectives and basic structure for a non-profit foundation to assist the District with fundraising. Plans have been postponed while the District first focuses on increasing fundraising and outreach capacity without the challenges of establishing and supporting another legal entity, and to ensure what the District does is coordinated with fundraising efforts of other organizations.

Montesol West
Acquisition of 1,254 acres west of Highway 29 north of Robert Louis Stevenson State Park
The District had the opportunity to purchase 1,254 acres west of Highway 29 adjacent to Robert Louis Stevenson State Park. The area's conservation values have already been protected through an easement negotiated by the Trust for Public Land and now held by the Land Trust of Napa County. Purchase of fee title would permit the area to be used for public recreation. The District prepared and obtained a Habitat Conservation Program grant that, together with a Moore Foundation grant obtained by the Trust for Public Land, would fully fund the purchase. A public presentation to the Middletown Area Town Hall was made on August 10, 2017, and to the Middletown Area Merchants Association on August 15 and September 14, 2017. Unfortunately, the option expired at the end of February without TPL exercising it, because we were unable to provide the type of liability insurance the seller wanted to protect his interest in carbon credits that had been sold to the State for timber located on the property. Staff has begun discussions with other conservation partners about a strategy for changing the ARB carbon project rules so they don't prevent public ownership and access.

Rector Ridge/Stags Leap Ridge Trail
Construction of staging area and 6+ miles of Ridge Trail climbing east from Silverado Trail near Rector Creek.
CEQA on this project was completed several years ago, though it would need to be updated given the passage of time. The project concept was approved by the District Board, and was positively viewed by the Veterans Home administration. However, there were subsequently a series of changes and controversies within the Department of Veterans Affairs, which undid the progress we had made. The area in question also involves the Department of Fish and Wildlife, since they have an easement to allow hunters to use the area; the Department was initially supportive of the District

Vallejo Lakes
Discussions between the District, the Land Trust of Napa County, the County of Solano and the Solano Land Trust indicate a common desire to work

Possible purchase of 1100 acres of surplus Vallejo Water District lands, of which 200 acres are located in Napa County, and Lake Curry which is entirely in Napa County

together to purchase this property adjacent to Skyline Park. The City Council of the City of Vallejo has officially authorized staff to pursue surplussing of the property. The City of Vallejo has hired an appraiser to prepare an estimate of the property's fair market value, but this has not yet been released. The District GM, together with the County of Solano EO, in February 2012 each sent letters to the City of Vallejo formally expressing interest in the property and requesting notification per state law of any Planned surplussing of the property. Sale of the property by the City has been delayed because of complications related to questions about how best to supply water to residents in Green Valley. The Trust for Public Land has expressed interest in assisting with the purchase of this area. Staff from the District and its partners met with the Vallejo City Manager in April 2014; the surplussing process has become more complicated and the City does not anticipate any action in the near future, but meanwhile the City Manager appears open to working with us to figure out a mutually beneficial outcome. Staff had a very interesting meeting with City of Vallejo water division staff and a tour of Lake Curry in late May. The Lake Curry property can only be described as a jewel, and the City of Vallejo would clearly like to divest it. District staff is presently exploring a broad array of options. The Solano County Board of Supervisors has met in closed session to discuss the Lake Curry property. A meeting with Solano County representatives took place January 27, 2017. Solano County is investigating the feasibility of acquiring the lakes and managing their water supplies; as part of this investigation they are also looking at the feasibility of partnering with the District to manage public recreational access. Further progress on this project depends on the City of Vallejo and Solano County; the District cannot do more until they decide what direction to head.

Bothe-Napa Valley State Park/Bale Mill Report

March 2019

- State Parks ADA Construction Update: The lower restroom in the campground has been opened to the public! The contractor has finished some and has a few remaining punch list items.
- Naturalists led the third of the 2019 hike series on March 16th at Oat Hill Mind Trail. The Wildflower Hike had good interest with 28 attendees! The weather was great and many early season species were up and blooming.
- The annual Napa Trail Marathon was held on March 16th organized by EnviroSports Productions Inc. Approximately 200 participants ran one of the 10 K, half and full marathon distances on park trails. Staff spent a good amount of time pruning along trails, repairing ruts, and fixing damage on trails from February storms.
- A large Black Oak fell on the Silverado house roof in late February. Staff carefully cut the tree off the house to minimize further damage. A Project Evaluation Form is being prepared for State Park review to replace the already deteriorated roof.
- Staff went to the State Parks Archives in Sacramento to try to locate as-built plans and templates needed for water wheel replacement proposal to State Parks. A follow up visit to the district office is planned.
- Three Bale Mill Field trips were held in March, serving 56 students and 10 adults.
- Two Bothe Field Trips were held in March, serving 120 students and 16 adults.
- Planning is occurring for Dia del Nino/Earth day event on April 27th.
- The irrigation system in the Native American Plant Garden was repaired and replaced. Thanks to Bob for his efforts and expertise. Some replacement plants were planted.
- Not State Park related, but staff assisted with many volunteers to plant trees at the Cove as part of the restoration effort of the property.