

TWAIN HARTE COMMUNITY SERVICES DISTRICT Finance/Policy Committee Meeting

Chair: *Gary Sipperley*

Co-Chair: *Kathryn deGroot*

VIDEO TELECONFERENCE November 3, 2021 1:30 p.m.

IMPORTANT NOTICE:

To help slow the spread of COVID-19, the District's board room is closed to the public and this meeting will be held remotely by teleconference using Zoom:

- Videoconference Link: <https://us02web.zoom.us/j/83052817861>
- Meeting ID: 830 5281 7861
- Telephone: (669) 900-6833

ANYONE CAN PARTICIPATE IN THIS MEETING: see details at the end of this agenda.

AGENDA

1. Annual review of Policy #1015 – Identity Theft Prevention Program.
2. Annual review of Policy #2082 – Internet, Email and Electronic Communication Ethics, Usage and Security.
3. Discuss proposed revisions to Policy #4020 – Committees of the Board of Directors.
4. Review Policy #4025 – Director Remuneration.
5. Review Policy #4040 – District Owned Mobile Computing Devices for Board Members.
6. Discuss Tuolumne County COVID-19 conditions, District COVID-19 restrictions and potential continuation of remote meetings.
7. Adjourn.

HOW TO OBSERVE THIS MEETING:

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

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

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

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

FOR MORE DETAILED INSTRUCTIONS, CLICK [HERE](#)

HOW TO SUBMIT PUBLIC COMMENTS:

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

- **Before the Meeting:** If you cannot attend the meeting, you may:
 - Email comments to ksilva@twainhartecsd.com, write “Public Comment” in the subject line. In the body of the email, include the agenda item number and title, as well as your comments.
 - Mail comments to THCS Board Secretary: P.O. Box 649, Twain Harte, CA 95383
- **During the Meeting:** The public will have opportunity to provide comment before and after the meeting as follows:
 - Computer/Tablet/Smartphone: Click the “Raise Hand” icon and the host will unmute your audio when it is time to receive public comment. If you would rather make a comment in writing, you may click on the “Q&A” icon and type your comment. You may need to tap your screen or click on “View Participants” to make icons visible.



- Telephone: The host will provide a time during each public comment period where telephone participants will be unmuted and enabled to share comments.

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

ACCESSIBILITY:

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

WRITTEN MEETING MATERIALS:

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



Twain Harte Community Services District MEMORANDUM

DATE: November 3, 2021

TO: Board of Directors

FROM: Tom Trott, General Manager

SUBJECT: Annual Report – Identity Theft Prevention Program (Policy #1015)

Twain Harte Community Services District staff successfully implemented the Identity Theft Prevention Program (Policy #1015) over the last year of business. The following report summarizes Policy activities over the past year.

Actions:

- Detection. Employees looked for red flags identified in the Policy when opening new accounts, receiving requests to access account information, and in daily business activities with other staff, vendors and customers.
- Response. When red flags were detected, employees responded according to the Policy by asking for additional information. This prevented fraud in all cases related to customer or vendor interactions. It also helped quickly identify and respond to email hacking, which happened to two District employees. The hackers attempted to pose as the District employees, but fraud was quickly detected due to this policy. The employees and IT were promptly notified, and passwords were changed before any damage could occur.
- Personal Information Security Procedures. All procedures were followed.
- Training. Appropriate staff reviewed Policy 1015 and were trained on its contents and procedures to prevent fraud. Employees who had their email hacked were trained on creating strong, unique passwords.

Incidents:

ZERO incidents occurred in the last year related to District customers and vendors.

TWO incidents (email hacking) occurred in the last year related to District staff.

Recommendations:

The guidelines of this policy proved effective in preventing fraud; therefore, no Policy changes are recommended.

TWAIN HARTE COMMUNITY SERVICES DISTRICT

Policy and Procedure Manual

POLICY TITLE: Identity Theft Prevention Program
POLICY NUMBER: 1015
ADOPTED: June 11, 2009
REVIEWED: 10/9/2014, 10/10/2015, 10/6/2016, 10/12/2017, 10/10/2018, 11/12/2019, 11/12/2020
LAST AMENDED: March 11, 2020

1015.10 Purpose

This program is intended to identify red flags that will alert District employees when new or existing accounts are opened using false information, protect against the establishment of false accounts, methods to ensure existing accounts were not opened using false information and measures to respond to such events.

1015.20 Risk Assessment

This policy is based on an internal risk assessment conducted by the District to evaluate how at risk the current procedures are at allowing customers to create a fraudulent account and evaluate if current (existing) accounts are being manipulated. This risk assessment evaluated how new accounts were opened and the methods used to access the account information. Using this information, the District identified red flags that were appropriate to prevent identity theft for the following types of activities:

- New accounts opened in person for new construction
- New accounts opened via mail (copy of Grant Deed required)
- Account information accessed in person
- Account information accessed via telephone (person)

1015.30 Detection (Red Flags)

At a minimum, the following red flags will be used to detect potential fraud. These are not intended to be all-inclusive and other suspicious activity may be investigated as necessary.

- Identification documents appear to be altered.
- Photo and physical description do not match appearance of applicant.
- Other information is inconsistent with information provided by applicant.
- Other information provided by applicant is inconsistent with information on file.
- Application appears altered or destroyed and reassembled.
- Personal information provided by applicant does not match other sources of information (e.g. credit reports, SS# not issued or listed as deceased).

- ❑ Information provided is associated with known fraudulent activity (e.g. address or phone number provided is same as that of a fraudulent application).
- ❑ Information commonly associated with fraudulent activity is provided by applicant (e.g. address that is a mail drop or prison, non-working phone number or associated with answering service/pager).
- ❑ SS#, address, or telephone # is the same as that of another customer.
- ❑ Customer fails to provide all information requested.
- ❑ Personal information provided is inconsistent with information on file for a customer.
- ❑ Applicant cannot provide information requested beyond what could commonly be found in a purse or wallet.
- ❑ Identity theft is reported or discovered.

1015.40 Response to Potential Fraud

Any employee that may suspect fraud or detect a red flag will implement the following response as applicable. All detections or suspicious red flags shall be reported to senior management.

1. Ask applicant for additional documentation
2. Notify internal manager: Any Utility employee who becomes aware of a suspected or actual fraudulent use of a customer or potential customers' identity must notify Finance Officer or General Manager.
3. Notify law enforcement: The Utility will notify Sheriff's Department at Sonora, CA of any attempted or actual identity theft.
4. Do not open the account.
5. Close the account.
6. Do not attempt to collect against the account but notify authorities.

1015.50 Personal Information Security Procedures

The District shall implement the following security procedures:

1. Paper documents, files and electronic media containing secure information will be stored in locked file cabinets.
2. Only specially identified employees with a legitimate need will have keys to the office and cabinets.
3. Files containing personally identifiable information are kept in locked file cabinets except when an employee is working on the file.
4. Employees will not leave sensitive papers out on their desks when they are away from their workstations.
5. Employees store files when leaving their work areas.
6. Employees lock file cabinets when leaving their work areas.

7. Visitors who must enter areas where sensitive files are kept must be escorted by a District employee.
8. No visitor will be given any entry codes or allowed unescorted access to the office.
9. Access to sensitive information will be controlled using “strong” passwords. Employees will choose passwords with a mix of letters, numbers, and characters.
10. Passwords will not be shared or posted near workstations.
11. When installing new software, immediately change vendor-supplied default passwords to a more secure strong password.
12. Sensitive information that is sent to third parties over public networks will be encrypted.
13. Anti-virus and anti-spyware programs will be run on individual computers and on servers daily.
14. When sensitive data is received or transmitted, secure connections will be used.
15. Computer passwords will be required.
16. Usernames and passwords will be different.
17. The computer network will have a firewall where your network connects to the Internet.
18. Check references or do background checks before hiring employees who will have access to sensitive data.
19. New employees sign an agreement to follow the District’s confidentiality and security standards for handling sensitive data.
20. Access to customer’s personal identity information is limited to employees with a “need to know.”
21. Procedures exist for making sure that workers who leave your employ or transfer to another part of the company no longer have access to sensitive information.
22. Implement a regular schedule of employee training.
23. Employees will be alert to attempts at phone phishing.
24. Employees are required to notify the General Manager immediately if there is a potential security breach.
25. Employees who violate security policy are subjected to discipline up to, and including, dismissal.
26. Service providers notify you of any security incidents they experience, even if the incidents may not have led to an actual compromise of our data.
27. Paper records will be shredded before being placed into the trash.
28. Paper shredders will be available in the office.

29. Any data storage media will be disposed of by shredding, punching holes in, or incineration.

1015.60 Identity Theft Prevention Program Review and Approval

Annually, at each November board meeting, the General Manager will prepare and submit a report to the governing body that includes matters related to the program, the effectiveness of the policies and procedures, the oversight and effectiveness of any third party billing and account establishment entities, a summary of any identify theft incidents and the response to the incident and recommendations for substantial changes to the program, if any.

Appropriate employees will be trained on the contents and procedures of this policy.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Internet, Email and Social Media Use
POLICY NUMBER: 2082
ADOPTED: May 14, 2009
AMENDED: 3/8/2012, 1/10/2013, 9/8/2016
REVIEWED: 12/10/2015, 12/14/2017
LAST AMENDED: November 12, 2020

2082.10 PURPOSE

The District believes that employee access to and use of internet, email, social media and other electronic communications resources benefits the District. This policy is established to ensure that all District employees use internet, email and social media resources in an ethical, legal and appropriate manner. This policy defines acceptable and unacceptable use of internet, email and social media resources. It also establishes actions the District may take for inappropriate use of such resources, since misuse has the potential to harm the District's reputation and success.

2082.20 ACKNOWLEDGEMENT AND REVIEW

2082.21 Acknowledgment. All employees must read and adhere to the guidelines and requirements established herein. Employees shall verify that they have read the policy by signing a form that will be placed in their personnel file.

2082.22 Review. The District Board shall review this policy annually. At the same time as the Board's review or any time after the Board revises this policy, all District employees shall re-read the policy and acknowledge their review in writing.

2082.30 DEFINITIONS

2082.31 Email. All forms of electronic information sent over the internet, including but not limited to electronic mail and instant chat messages.

2082.32 Post. Content an individual shares on a social media site or the act of publishing content on a site.

2082.33 Profile. Information that a user provides about himself or herself on a social networking site.

2082.34 Social Media. A category of internet-based resources that enable the user to generate content and encourage other user participation. This includes, but is not

limited to, social networking sites: Facebook, Instagram, Twitter, YouTube and other sites. (There are thousands of these types of sites and this is only a short list.)

2082.35 Social Networks. Platforms where users can create profiles and share information with others using a range of technologies.

2082.36 Speech. Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

2082.40 NO RIGHT TO PRIVACY

2082.41 Employees do not have any right to privacy in District internet, email and social media use. This includes, but is not limited to internet sites visited, downloads and email messages produced, sent or received through the District's email system or the District's servers and network.

2082.42 The District maintains administrative controls to email and internet and may reset passwords to access accounts at any time. Employees must disclose passwords to systems, software and sites not directly controlled by the District.

2082.43 Employees access to and use of the internet, email and other electronic communications (including all associated content) will be monitored frequently to promote the administration of the District, its business and policies.

2082.44 The District retains backup copies of all documents, including email messages produced, sent, received, and deleted through the District's email system, in accordance with the District's Records Retention Policy.

2082.45 It is advisable for all employees of the District to remind customers/clients/contractors that email and/or documents sent to the District are not confidential.

2082.50 APPROPRIATE USE GUIDELINES

District employees and Board members shall adhere to the following guidelines of appropriate use of District internet, email and social media resources:

1. Correspondence with customers (and others) through the District's email system may be considered part of the District's public records and should be treated as such.
2. When employees communicate using email or other features of the internet, the employee must be extremely mindful of the image being portrayed of the District.
3. Email and any attachments are subject to the same ethical and legal concerns and standards of good conduct as memos, letters and other paper-based documents. Employees shall not transmit information in an email that should not be written in a letter, memorandum or document available to the public.

4. Be aware of the content placed within an email. Email, once transmitted, can be printed, forwarded and disclosed by the receiving party without the consent of the sender.
5. Employees shall take all necessary steps to prevent unauthorized disclosure of confidential or privileged information.
6. Employees are to be continually aware of phishing scams and other methods hackers use to compromise security and shall consider such scams before downloading or opening files and other items on their computers to prevent the introduction of computer viruses.
7. Emails that employees need to retrieve from their personal internet accounts must be retrieved via that user's personal internet account.
8. Employees will only access the internet using the approved internet browser. Any other browser being used on a workstation will be promptly removed.
9. Employees will only download information and/or publications for official business purposes.
10. Employees will respect all copyright and license agreements regarding software or publication that they access or download from the internet. The District will not condone violations of copyright laws and licenses and the employee will be personally liable for any fines or sanctions caused by the license or copyright infringement. Any software or publication, which is downloaded onto District computer resources, becomes the sole property of the District.

2082.60 INAPPROPRIATE USE RESTRICTIONS

District employees and Board members shall not engage in any of the following restrictions related to use of District internet, email and social media resources:

1. Accessing internet sites that contain pornography, exploit children or that would generally be regarded in the community as offensive, or for which there is no official business purpose to access.
2. Participating in any profane, defamatory, harassing, illegal, discriminatory or offensive activity or any activity that is inconsistent in any way with the District's policies (i.e. Policy #2002 Discrimination, Policy #2170 Sexual Harassment, Policy #2215 Harassment).
3. Using speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any protected class of individuals.
4. Using speech involving themselves or other District personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
5. Transmitting offensive messages of any kind.

6. Posting, downloading or viewing inappropriate pictures or images.
7. Using email or the internet to distribute copyrighted materials.
8. Using email, internet or social media for inappropriate or unauthorized advertising and promotion of the District or others.
9. Using email, internet or social media for personal commercial activity.
10. Using another employee's username/account without express permission of the user or systems administrator.
11. Receiving and/or downloading executable files and programs without express permission of the systems administrator. This includes, but is not limited to, software programs and software upgrades. This does not include email and/or documents received via email and the internet. All downloaded files must be scanned for viruses.
12. Exploiting security weaknesses of the District's computer systems and network and/or other networks or computers outside the District.
13. Using internet, email and/or social media in a manner that interferes with the timely and efficient performance of job duties. Access to these resources is not a benefit of employment with the District.

2082.70 PERSONAL USE OF SOCIAL MEDIA

2082.71 Purpose and Philosophy. Social media provides a valuable means of assisting the District and its personnel in gathering community information and other related organizational and community objectives. This section identifies possible uses of social media that may be deemed necessary by administrative and supervisory personnel.

2082.72 Employee Responsibility. The proper functioning of any public agency relies upon the public's confidence and trust in the individuals and the agency to provide effective service and protection. Any matter, which brings the integrity of District personnel into question has the corresponding effect of reducing public confidence and trust, impeding the ability to work and serve the public. While employees have the right to use personal/social networking web pages or sites, as members of the District, they are encouraged to remember their position of public responsibility, trust, and transparency when using personal social media. Employees shall maintain a level of professionalism in both on and off-duty conduct. Employees shall not engage in conduct that contradicts or impedes the mission of the District.

2082.73 Personal Use Cautions. Employees are cautioned to take into account the following when using social media for personal use:

1. Employees are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of

the District, impede the performance of duties, impair discipline and harmony among co-workers, or negatively affect the public perception of the District.

2. Employees are cautioned that their speech either on or off duty that has a nexus to the employee's professional duties and responsibilities may not necessarily be protected speech under the First Amendment.
3. Employees should assume that their speech and related activity on social media sites will reflect upon their position within the District and should be mindful that their speech becomes part of the worldwide web.
4. Employees should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the District at any time without prior notice.
5. Employees should not display department logos, uniforms, or similar identifying items on personal web pages without prior written permission.
6. Employees should not post any material that brings discredit to or may adversely affect the efficiency or integrity of the District.
7. Employees should not complain about their jobs, supervisors, or co-workers in a public forum. These comments reflect poorly on you, the organization and the persons that you criticize. Negative and derogatory comments may also lead to claims of defamation and slander.

2082.74 Personal Use Prohibitions. Employees are prohibited from the following types of personal use of social media:

1. Using of the Twain Harte Community Services District name, logos, or employee status on personal social media to imply directly, or indirectly, that your personal opinions or posts are an official position or opinion of the District.
2. Divulging information gained by reason of their authority as a District employee or making any statements, speeches, appearances, and endorsements, or publishing materials that could reasonably be considered to represent the views or positions of the District without express authorization.
3. Linking work activities to personal social media postings.
4. Posting inappropriate status updates that discuss your department, other staff members, or that may implicate unprofessional conduct.
5. Post photographs/images, video, audio files and/or any other information related to any emergency response activity conducted by this District.

6. Post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the General Manager or designee.
7. Using social media while engaged in District work activities, except when such use is directly related to performance of District work activities. Access to social media sites on a personal device should only occur during breaks or absolute down time (firefighters only) as you would use a personal cell phone when on duty. It is inappropriate to post statuses or to view social networking profiles while engaged in District work activity.

2082.80 VIOLATIONS

Failure to adhere to the guidelines and requirements of this policy may lead to disciplinary action, up to and including, immediate termination. Any employee becoming aware of or having knowledge of a posting or of any social media site or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action. Violation of this social media policy may result in suspension or termination.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Internet, Email and Social Media and Electronic Communication
Ethics, Usage and Security

POLICY NUMBER: 2082

ADOPTED: May 14, 2009

AMENDED: ~~March 8, 2012~~ 3/8/2012, 1/10/2013, 9/8/2016

AMENDED: ~~January 10, 2013~~

REVIEWED: ~~December 10, 2015~~ 12/10/2015, 12/14/2017

REVISED: ~~September 8, 2016~~

REVIEWED: ~~December 14, 2017~~

REVISED LAST AMENDED:
 November 12, 2020

2082.10 PURPOSE

~~The District believes that employee access to and use of the internet, email, social media and other electronic communications resources benefits the District. This policy is established to ensure that all District employees use internet, email and social media resources in an ethical, legal and appropriate manner. This policy defines acceptable and unacceptable use of internet, email and social media resources. It also establishes actions the District may take for inappropriate use of such resources, since misuse has the potential to harm the District's reputation and success.~~

~~2082.10 Twain Harte Community Services and makes it a more profitable and successful local public agency. However, the misuses of these resources have the potential to harm the District's short and long-term success.~~

~~2082.11~~

~~2082 The District has established this ethics, usage and security policy to ensure that all District employees use the electronic communication computer resources, which the District has provided its employees, such as the internet, specifically social media and email, in an ethical, legal and appropriate manner. This policy defines acceptable and unacceptable use of the internet, email and other electronic communications.~~

2082.20 ACKNOWLEDGEMENT AND REVIEW

~~2082.30 This policy also establishes the steps the District may take for inappropriate use of the internet and email.~~

~~2082.21 Acknowledgment. All employees must read and adhere to the guidelines and policies requirements established herein. Employees shall verify that they have read the policy by signing a form that will be placed in their personnel file. Failure to~~

~~follow this policy may lead to disciplinary action, up to and including, immediate termination.~~

~~2082.20~~**2082.22** Review. The District Board shall review this policy annually. At the same time as the Board's review or any time after the Board revises this policy, all District employees shall re-read the policy and acknowledge their review in writing.

2082.30 DEFINITIONS

2082.31 Email. All forms of electronic information sent over the internet, including but not limited to electronic mail and instant chat messages.

2082.32 Post. Content an individual shares on a social media site or the act of publishing content on a site.

2082.33 Profile. Information that a user provides about himself or herself on a social networking site.

2082.34 Social Media. A category of internet-based resources that enable the user to generate content and encourage other user participation. This includes, but is not limited to, social networking sites: Facebook, Instagram, Twitter, YouTube and other sites. (There are thousands of these types of sites and this is only a short list.)

2082.35 Social Networks. Platforms where users can create profiles and share information with others using a range of technologies.

2082.36 Speech. Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

2082.40 NO RIGHT TO PRIVACY

~~2082.40~~**2082.41** Employees do not have any right to privacy in ~~any~~ District internet, email and social media use. This includes, but is not limited to internet sites visited, downloads and email messages produced, sent or received through the District's email system or the District's servers and network.

~~2082.41~~**2082.42** ~~Employee access to the internet and email is controlled by use of a password. The existence of a password does not mean that employees should have any expectation of privacy.~~ The District maintains administrative controls to email and internet and may reset passwords to access accounts at any time. -Employees must disclose passwords to systems, software and sites not directly controlled by the District.

~~2082.42~~**2082.43** -Employees access to and use of the internet, email and other electronic communications (including all associated content) will be monitored frequently to promote the administration of the District, its business and policies.

THCSD 2082 Internet, Email and ~~Electronic Communication Ethics, Usage and Security~~Social Media Use

~~2082.43~~**2082.44** ~~The Deleting an email message does not necessarily mean the message cannot be retrieved from the District's computer system. For a specific period of time, the~~ District retains backup copies of all documents, including email messages produced, sent, ~~and~~ received, ~~and deleted on~~ through the District's ~~computer email~~ system, in accordance with the District's Records Retention Policy.

~~2082.44~~**2082.45** It is advisable for all employees of the District to remind customers/clients/ contractors that email and/or documents sent to the District are not confidential.

2082.50 APPROPRIATE USE GUIDELINES

District employees and Board members shall adhere to the following guidelines of appropriate use of District internet, email and social media resources:

1. Correspondence with customers (and others) through the District's email system may be considered part of the District's public records and should be treated as such.
2. When employees communicate using email or other features of the internet, the employee must be extremely mindful of the image being portrayed of the District.
3. Email and any attachments are subject to the same ethical and legal concerns and standards of good conduct as memos, letters and other paper-based documents. Employees shall not transmit information in an email that should not be written in a letter, memorandum or document available to the public.
4. Be aware of the content placed within an email. Email, once transmitted, can be printed, forwarded and disclosed by the receiving party without the consent of the sender.
5. Employees shall take all necessary steps to prevent unauthorized disclosure of confidential or privileged information.
6. Employees are to be continually aware of phishing scams and other methods hackers use to compromise security and shall consider such scams before downloading or opening files and other items on their computers to prevent the introduction of computer viruses.
7. Emails that employees need to retrieve from their personal internet accounts must be retrieved via that user's personal internet account.
8. Employees will only access the internet using the approved internet browser. Any other browser being used on a workstation will be promptly removed.
9. Employees will only download information and/or publications for official business purposes.

4.10. Employees will respect all copyright and license agreements regarding software or publication that they access or download from the internet. The District will not condone violations of copyright laws and licenses and the employee will be personally liable for any fines or sanctions caused by the license or copyright infringement. Any software or publication, which is downloaded onto District computer resources, becomes the sole property of the District.

2082.60 INAPPROPRIATE USE RESTRICTIONS

District employees and Board members shall not engage in any of the following restrictions related to use of District internet, email and social media resources:

1. Accessing internet sites that contain pornography, exploit children or that would generally be regarded in the community as offensive, or for which there is no official business purpose to access.
2. Participating in any profane, defamatory, harassing, illegal, discriminatory or offensive activity or any activity that is inconsistent in any way with the District's policies (i.e. Policy #2002 Discrimination, Policy #2170 Sexual Harassment, Policy #2215 Harassment).
3. Using speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any protected class of individuals.
4. Using speech involving themselves or other District personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
5. Transmitting offensive messages of any kind.
6. Posting, downloading or viewing inappropriate pictures or images.
7. Using email or the internet to distribute copyrighted materials.
8. Using email, internet or social media for inappropriate or unauthorized advertising and promotion of the District or others.
9. Using email, internet or social media for personal commercial activity.
10. Using another employee's username/account without express permission of the user or systems administrator.
11. Receiving and/or downloading executable files and programs without express permission of the systems administrator. This includes, but is not limited to, software programs and software upgrades. This does not include email and/or documents received via email and the internet. All downloaded files must be scanned for viruses.

12. Exploiting security weaknesses of the District's computer systems and network and/or other networks or computers outside the District.

13. Using internet, email and/or social media in a manner that interferes with the timely and efficient performance of job duties. Access to these resources is not a benefit of employment with the District.

~~2082.31 Employees shall not use the internet or email in an inappropriate manner. (If a question, refer to Department Head for determination of "inappropriate"). Inappropriate use of the internet and email includes, but is not limited to:~~

~~2082.31.1—Accessing internet sites that contain pornography, exploit children or that would generally be regarded in the community as offensive, or for which there is no official business purpose to access.~~

~~2082.31.2—Participating in any profane, defamatory, harassing, illegal, discriminatory or offensive activity or any activity that is inconsistent in any way with the District's policies (i.e. Policy #2170 on Sexual Harassment).~~

~~2082.31.3—Exploiting security weaknesses of the District's computing resources and/or other networks or computers outside the District.~~

~~2082.31.4—Use of the internet should not interfere with the timely and efficient performance of job duties. Access to the internet and email is not a benefit of employment with the District.~~

~~2082.34—Correspondence with The internet and email provide means by which employees of the District may communicate with its customers (general public). Messages to or from customers through the District's email system may be considered part of the District's public business records and should be treated as such.~~

~~2082.36—Email and any attachments are subject to the same ethical and legal concerns and standards of good conduct as memos, letters and other paper-based documents. Email can be forwarded to others, printed on paper and is subject to possible discovery during lawsuits in which the District may be involved.~~

~~2082.37—Currently, all District emails being sent are not encrypted. Unencrypted electronic mail is not a secure way of exchanging information or files. Due to the way internet data is routed, all messages are subject to "eavesdropping." Messages may be "stolen" as they temporarily reside on host machines waiting to be routed to their destination, or they may be purposefully intercepted from the internet during transfer to the recipient. It is possible for someone other than the intended recipient to capture, store, read, alter and/or re-distribute your message. Do not transmit information in an electronic mail message that should not be written in a letter, memorandum or document available to the public.~~

~~2082.38~~ Email, once transmitted, can be printed, forwarded and disclosed by the receiving party without the consent of the sender. Use caution in addressing messages to ensure that messages are not inadvertently sent to the wrong person.

~~2082.39~~ Use of electronic mail or the internet to distribute copyrighted materials is prohibited.

~~2082.40~~ Electronic Communication

~~2082.41~~ Each user should take the necessary steps to prevent unauthorized disclosure of confidential or privileged information.

~~2082.42~~ Use of electronic mail or the internet to send offensive messages of any kind is prohibited.

~~2082.43~~ Use of electronic mail or the internet for inappropriate or unauthorized advertising and promotion of the District is prohibited.

~~2082.44~~ When District employees communicate using electronic mail or other features of the internet, the employee must be extremely mindful of the image being portrayed of the District.

~~2082.45~~ Computer viruses can become attached to executable files and program files. Receiving and/or downloading executable files and programs via electronic mail or the internet without express permission of the systems administrator is prohibited. This includes, but is not limited to, software programs and software upgrades. This does not include email and/or documents received via email and the internet. All downloaded files must be scanned for viruses.

~~2082~~The District has established this ethics, usage and security policy to ensure that all District employees use the electronic communication computer resources, which the District has provided its employees, such as the internet, specifically social media and email, in an ethical, legal and appropriate manner. This policy defines acceptable and unacceptable use of the internet, email and other electronic communications.

2082.70 **PERSONAL USE OF SOCIAL MEDIA**

~~2082.30~~ This policy also establishes the steps the District may take for inappropriate use of the internet and email.

2082.71 Purpose and Philosophy. Social media provides a valuable means of assisting the District and its personnel in gathering community information and other related organizational and community objectives. This policy section identifies possible uses of social media that may be ~~evaluated and utilized as~~ deemed necessary by administrative and supervisory personnel. ~~This District also recognizes the role that social media tools may play in the personal lives of personnel. The personal use of social media can have an effect on personnel in their official capacity. This policy is a means to provide a precautionary nature, as well as restrictions and prohibitions on the use of social media by personnel. Failure to follow this policy may lead to disciplinary action, up to and including, immediate termination.~~

2082.72 Employee Responsibility. The proper functioning of any public agency relies upon the public's confidence and trust in the individuals and the agency to provide effective service and protection. Any matter, which brings the integrity of District personnel ~~, or this department,~~ into question, has the corresponding effect of reducing public confidence and trust, impeding the ability to work and serve the public. ~~Professionalism is the most significant factor in providing the highest level of service to the public, which in turn builds public trust and confidence.~~ While employees have the right to use personal/social networking web pages or sites, as members of the District, they are encouraged to remember their position of public responsibility, trust, and transparency when using personal social media. ~~are public servants who are held to a higher standard than the general public with regard to general conduct and ethical standards. It is the policy of the District to~~**Employees shall** maintain a level of professionalism in both on and off-duty conduct. Employees shall not engage in conduct that contradicts or impedes the mission of the District.

2082.73 Personal Use Cautions. Employees are cautioned to take into account the following when using social media for personal use:

1. Employees are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the District, impede the performance of duties, impair discipline and harmony among co-workers, or negatively affect the public perception of the District.
2. Employees are cautioned that their speech either on or off duty that has a nexus to the employee's professional duties and responsibilities may not necessarily be protected speech under the First Amendment.
3. Employees should assume that their speech and related activity on social media sites will reflect upon their position within the District and should be mindful that their speech becomes part of the worldwide web.
4. Employees should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the District at any time without prior notice.
5. Employees should not display department logos, uniforms, or similar identifying items on personal web pages without prior written permission.
6. Employees should not post any material that brings discredit to or may adversely affect the efficiency or integrity of the District.
7. Employees should not complain about their jobs, supervisors, or co-workers in a public forum. These comments reflect poorly on you, the organization and the persons that you criticize. Negative and derogatory comments may also lead to claims of defamation and slander.

2082.74 Personal Use Prohibitions. Employees are prohibited from the following types of personal use of social media:

~~2082.63 Definitions~~

~~**Blog:** A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. **Post:** Content an individual shares on a social media site or the act of publishing content on a site.~~

~~**Profile:** Information that a user provides about himself or herself on a social networking site.~~

~~**Social Media:** A category of internet-based resources that enable the user to generate content and encourage other user participation. This includes, but is not limited to, social networking sites: Facebook, Instagram, Twitter, YouTube, blogs and other sites. (There are thousands of these types of sites and this is only a short list.)~~

~~**Social Networks:** Platforms where users can create profiles and, share information and socialize with others using a range of technologies.~~

~~**Speech:** Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.~~

1. Using of the Twain Harte Community Services District name, logos, or employee status on personal social media to imply directly, or indirectly, that your personal opinions or posts are an official position or opinion of the District.
2. Divulging information gained by reason of their authority as a District employee or making any statements, speeches, appearances, and endorsements, or publishing materials that could reasonably be considered to represent the views or positions of the District without express authorization.
3. Linking work activities to personal social media postings.
4. Posting inappropriate status updates that discuss your department, other staff members, or that may implicate unprofessional conduct.
5. Post photographs/images, video, audio files and/or any other information related to any emergency response activity conducted by this District.
6. Post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the General Manager or designee.

7. Using social media while engaged in District work activities, except when such use is directly related to performance of District work activities. Access to social media sites on a personal device should only occur during breaks or absolute down time (firefighters only) as you would use a personal cell phone when on duty. It is inappropriate to post statuses or to view social networking profiles while engaged in District work activity.

~~2082.64 Personal Use - Precautions and Prohibitions~~

~~2082.64.1 District personnel shall be aware of the following when using social media:~~

~~a) District personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the District for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers or negatively affect the public perception of the District.~~

~~b) As public employees, District personnel are cautioned that their speech either on or off duty, and in the course of their official duties that has a nexus to the employee's professional duties and responsibilities may not necessarily be protected speech under the First Amendment.~~

~~c) District personnel should assume that their speech and related activity on social media sites will reflect upon their position within the District. District personnel should be mindful that their speech becomes part of the worldwide web.~~

~~d) Check your privacy and security settings and know privacy rules. Privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.~~

~~e) Use of the Twain Harte Community Services District name, logo, or employee status with the District on personal social media to imply directly, or indirectly, that your personal opinions or posts are an official position or opinion of the District.~~

~~Respect copyright and fair use laws. For your employer's protection as well as your own, it is critical that you respect laws governing copyright and fair use of copyrighted material owned by others, including your department or agency's copyrights, logos or images. Use citations early and often. f) Be particular about your "friends" and associations. You can't control what your friends post to your profile (although you can remove it once you see it), nor what they post to their own profiles or to those of mutual friends.~~

~~g) District personnel may be subject to civil litigation for publishing or posting false information that harms the reputation of another person, group, or organization otherwise known as defamation, including:~~

- ~~• Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern and would be offensive to a reasonable person;~~

• Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

~~h) District personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the District at any time without prior notice.~~

~~2082.64.2 District personnel are cautioned not to do the following:~~

~~a) Display department logos, uniforms, or similar identifying items on personal web pages without prior written permission.~~

~~b) Post personal photographs or provide similar means of personal recognition that may cause you to be identified as a firefighter, fire officer or employee of this District.~~

~~c) Post any material that brings discredit to or may adversely affect the efficiency or integrity of the District.~~

~~d) Misrepresent yourself or others. You should be careful that what you post about your training and education is accurate and consistent with information you have given to your employer.~~

~~2082.64.3 District personnel are prohibited from the following:~~

~~a) Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.~~

~~b) Speech involving themselves or other District personnel reflecting behavior that would reasonably be considered reckless or irresponsible.~~

~~c) District personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements, or publish materials that could reasonably be considered to represent the views or positions of this District without express authorization.~~

~~d) Posting inappropriate pictures or images.~~

~~e) Linking your work activities to your Facebook postings. For example, letting people know that you are a firefighter with ABC Fire Department and proceeding to trash talk the Chief, elected officials or other employees. Safety yes, trash no.~~

~~f) Complaining about your job, supervisors, or co-workers in a public forum. These comments reflect poorly on you, the organization and the persons that you criticize. Negative and derogatory comments may also lead to claims of defamation and slander.~~

~~g) Posting inappropriate "statuses". Avoid any status updates that discuss patient care situations, your department, or other staff members, or that may implicate unprofessional conduct.~~

~~h) Post photographs/images, video, audio files or any other information related to any emergency response or other activity conducted by this District.~~

~~i) District personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the General Manager or designee.~~

~~j) Using social networking while engaged in District work activities, except when such use is directly related to performance of District work activities. Access to social networking sites on your personal device should only occur during breaks or absolute down time (firefighters only) as you would use a personal cell phone when on duty. It is inappropriate to post statuses or to view social networking profiles while engaged in District work activity.~~

~~2082.65 Violations~~

2082.80 VIOLATIONS

Failure to adhere to the guidelines and requirements of this policy may lead to disciplinary action, up to and including, immediate termination. 2082.65.1—Any employee becoming aware of or having knowledge of a posting or of any social media site or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action. Violation of this social media policy may result in suspension or termination.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Internet, Email and Electronic Communication Ethics, Usage and Security

POLICY NUMBER: 2082

ADOPTED: May 14, 2009

AMENDED: March 8, 2012

AMENDED: January 10, 2013

REVIEWED: December 10, 2015

REVISED: September 8, 2016

REVIEWED: December 14, 2017

REVISED: November 12, 2020

2082.10 Twain Harte Community Services District believes that employee access to and use of the internet, email and other electronic communications resources benefits the District and makes it a more profitable and successful local public agency. However, the misuses of these resources have the potential to harm the District's short and long-term success.

2082.20 The District has established this ethics, usage and security policy to ensure that all District employees use the computer resources, which the District has provided its employees, such as the internet and email, in an ethical, legal and appropriate manner. This policy defines acceptable and unacceptable use of the internet, email and other electronic communications.

2082.30 This policy also establishes the steps the District may take for inappropriate use of the internet and email. All employees must read and adhere to the guidelines and policies established herein. Failure to follow this policy may lead to disciplinary action, up to and including, immediate termination.

2082.31 Employees shall not use the internet or email in an inappropriate manner. (If a question, refer to Department Head for determination of "inappropriate"). Inappropriate use of the internet and email includes, but is not limited to:

2082.31.1 Accessing internet sites that contain pornography, exploit children or that would generally be regarded in the community as offensive, or for which there is no official business purpose to access.

2082.31.2 Participating in any profane, defamatory, harassing, illegal, discriminatory or offensive activity or any activity that is inconsistent in any way with the District's policies (i.e. policy on sexual harassment).

2082.31.3 Exploiting security weaknesses of the District's computing resources and/or other networks or computers outside the District.

2082.31.4 Use of the internet should not interfere with the timely and efficient performance of job duties. Access to the internet and email is not a benefit of employment with the District.

2082.32 Employees do not have any right to privacy in any District computer resources, including internet sites visited, downloads and email messages produced, sent or received by District computers or transmitted via the District's servers and network. Employee access to the internet and email is controlled by use of a password. The existence of a password does not mean that employees should have any expectation of privacy. The District maintains administrative controls to email and internet and may reset passwords to access accounts at any time. Employees must disclose passwords to systems not directly controlled by the District. The District may monitor the contents of all email messages to promote the administration of the District, its business and policies.

2082.33 Employees access to and use of the internet, email and other electronic communications will be monitored frequently. Failure to follow the policy may lead to disciplinary action, up to and including immediate termination. Disciplinary action may include the removal of internet and email access from their computer or termination of employment with the District.

2082.34 The internet and email provide means by which employees of the District may communicate with its customers (general public). Messages to or from customers through the District's email system may be considered part of the District's public business records and should be treated as such.

2082.35 Deleting an email message does not necessarily mean the message cannot be retrieved from the District's computer system. For a specific period of time, the District retains backup copies of all documents, including email messages produced, sent and received on the District's computer system.

2082.36 Email and any attachments are subject to the same ethical and legal concerns and standards of good conduct as memos, letters and other paper-based documents. Email can be forwarded to others, printed on paper and is subject to possible discovery during lawsuits in which the District may be involved.

2082.37 Currently, all District emails being sent are not encrypted. Unencrypted electronic mail is not a secure way of exchanging information or files. Due to the way internet data is routed, all messages are subject to "eavesdropping." Messages may be "stolen" as they temporarily reside on host machines waiting to be routed to their destination, or they may be purposefully intercepted from the internet during transfer to the recipient. It is possible for someone other than the intended recipient to capture, store, read, alter and/or re-distribute your message. Do not transmit information in an electronic mail message that should not be written in a letter, memorandum or document available to the public.

2082.38 Email, once transmitted, can be printed, forwarded and disclosed by the receiving party without the consent of the sender. Use caution in addressing messages to ensure that messages are not inadvertently sent to the wrong person.

2082.39 Use of electronic mail or the internet to distribute copyrighted materials is prohibited.

2082.40

2082.41 Each user should take the necessary steps to prevent unauthorized disclosure of confidential or privileged information.

2082.42 Use of electronic mail or the internet to send offensive messages of any kind is prohibited.

2082.43 Use of electronic mail or the internet for inappropriate or unauthorized advertising and promotion of the District is prohibited.

2082.44 When District employees communicate using electronic mail or other features of the internet, the employee must be extremely mindful of the image being portrayed of the District.

2082.45 Computer viruses can become attached to executable files and program files. Receiving and/or downloading executable files and programs via electronic mail or the internet without express permission of the systems administrator is prohibited. This includes, but is not limited to, software programs and software upgrades. This does not include email and/or documents received via email and the internet. All downloaded files must be scanned for viruses.

2082.46 Use of another user's name/account to access the internet without express permission of the systems administrator is strictly prohibited.

2082.47 Personal use of the District's computer resources for personal commercial activity or any type of illegal activity is strictly prohibited.

2082.48 It is advisable for all employees of the District to remind customers/clients/contractors of these security issues when sending confidential electronic mail and/or documents to the District via electronic mail. If applicable, our customer/clients/contracts should be reminded to implement a security policy and make sure their employees understand the ramifications of sending privileged information via electronic mail.

2082.49 The District will not be responsible for maintaining or for payment of personal internet accounts or related software, in order to maintain the integrity/firewall protection of the District's network system, telephone system, modem pool or communication server to access the internet.

2082.50

2082.51 Emails that users need to retrieve from their personal internet accounts must be retrieved via that user's personal internet account.

2082.52 Employees will only access the internet using the approved internet browser. Any other browser being used on a workstation will be promptly removed.

2082.53 Employees will respect all copyright and license agreements regarding software or publication that they access or download from the internet. The District will not condone violations of copyright laws and licenses and the employee will be personally liable for any fines or sanctions caused by the license or copyright infringement. Any software or publication, which is downloaded onto District computer resources, becomes the sole property of the District.

2082.54 Employees will only download information and/or publications for official business purposes.

2082.55 Employees are to scan all downloaded materials before using or opening them on their computers to prevent the introduction of computer viruses.

2082.56 All list subscriptions should be for business purposes only. The employee will make sure List Servers are notified when the employee leaves the District.

2082.60 Personal Use of Social Media

2082.61 Purpose

To establish guidelines with respect to the use of personal web pages, internet postings, blogs, forums, and social networking web sites.

2082.62 Philosophy

Social media provides a valuable means of assisting the District and its personnel in gathering community information and other related organizational and community objectives. This policy identifies possible uses that may be evaluated and utilized as deemed necessary by administrative and supervisory personnel. This District also recognizes the role that social media tools may play in the personal lives of personnel. The personal use of social media can have an effect on personnel in their official capacity. This policy is a means to provide a precautionary nature, as well as restrictions and prohibitions on the use of social media by personnel.

The proper functioning of any public agency relies upon the public's confidence and trust in the individuals and the agency to provide effective service and protection. Any matter, which brings the integrity of District personnel, or this department, into question, has the corresponding effect of reducing public confidence and trust, impeding the ability to work and serve the public. Professionalism is the most significant factor in providing the highest level of service to the public, which in turn builds public trust and confidence. While employees have the right to use personal/social networking web pages or sites, as members of the District, they are public servants who are held to a higher standard than the general public with regard to general conduct and ethical standards. It is the policy of the District to maintain a level of professionalism in both on and off-duty conduct. Employees shall not engage in conduct that contradicts or impedes the mission of the District.

2082.63 Definitions

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments.

Post: Content an individual shares on a social media site or the act of publishing content on a site.

Profile: Information that a user provides about himself or herself on a social networking site.

Social Media: A category of internet-based resources that enable the user to generate content and encourage other user participation. This includes, but is not limited to, social networking sites: Facebook, Instagram, Twitter, YouTube, blogs and other sites. (There are thousands of these types of sites and this is only a short list.)

Social Networks: Platforms where users can create profiles, share information and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

2082.64 Personal Use - Precautions and Prohibitions

2082.64.1 District personnel shall be aware of the following when using social media:

- a) District personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of the District for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers or negatively affect the public perception of the District.
- b) As public employees, District personnel are cautioned that their speech either on or off duty, and in the course of their official duties that has a nexus to the employee's professional duties and responsibilities may not necessarily be protected speech under the First Amendment.
- c) District personnel should assume that their speech and related activity on social media sites will reflect upon their position within the District. District personnel should be mindful that their speech becomes part of the worldwide web.
- d) Check your privacy and security settings and know privacy rules. Privacy settings and social media sites are constantly in flux, and they should never assume that personal information posted on such sites is protected.

e) Respect copyright and fair use laws. For your employer's protection as well as your own, it is critical that you respect laws governing copyright and fair use of copyrighted material owned by others, including your department or agency's copyrights, logos or images. Use citations early and often.

f) Be particular about your "friends" and associations. You can't control what your friends post to your profile (although you can remove it once you see it), nor what they post to their own profiles or to those of mutual friends.

g) District personnel may be subject to civil litigation for publishing or posting false information that harms the reputation of another person, group, or organization otherwise known as defamation, including:

- Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern and would be offensive to a reasonable person;
- Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

h) District personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the District at any time without prior notice.

2082.64.2 District personnel are cautioned not to do the following:

a) Display department logos, uniforms, or similar identifying items on personal web pages without prior written permission.

b) Post personal photographs or provide similar means of personal recognition that may cause you to be identified as a firefighter, fire officer or employee of this District.

c) Post any material that brings discredit to or may adversely affect the efficiency or integrity of the District.

d) Misrepresent yourself or others. You should be careful that what you post about your training and education is accurate and consistent with information you have given to your employer.

2082.64.3 District personnel are prohibited from the following:

- a) Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
- b) Speech involving themselves or other District personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
- c) District personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements, or publish materials that could reasonably be considered to represent the views or positions of this District without express authorization.
- d) Posting inappropriate pictures or images.
- e) Linking your work activities to your Facebook postings. For example, letting people know that you are a firefighter with ABC Fire Department and proceeding to trash talk the Chief, elected officials or other employees. Safety yes, trash no.
- f) Complaining about your job, supervisors, or co-workers in a public forum. These comments reflect poorly on you, the organization and the persons that you criticize. Negative and derogatory comments may also lead to claims of defamation and slander.
- g) Posting inappropriate "statuses". Avoid any status updates that discuss patient care situations, your department, or other staff members, or that may implicate unprofessional conduct.
- h) Post photographs/images, video, audio files or any other information related to any emergency response or other activity conducted by this District.
- i) District personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the General Manager or designee.
- j) Using social networking while engaged in District work activities, except when such use is directly related to performance of District work activities. Access to social networking sites on your personal device should only occur during breaks or absolute down time (firefighters only) as you would use a personal cell phone when on duty. It is inappropriate to post statuses or to view social networking profiles while engaged in District work activity.

2082.65 Violations

2082.65.1 Any employee becoming aware of or having knowledge of a posting or of any social media site or web page in violation of the provision of this policy

shall notify his or her supervisor immediately for follow-up action. Violation of this social media policy may result in suspension or termination.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Committees of the Board of Directors
POLICY NUMBER: 4020
ADOPTED: September 17, 1996
AMENDED: 1/10/2008, 2/10/2011, 12/11/2014, 12/14/2017
LAST AMENDED: September 11, 2019

4020.10 Ad-Hoc Committees

4020.11 The Board President shall appoint ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

4020.20 Standing Committees:

4020.21 The following shall be the standing committees of the Board:

- Fire Committee
- Park and Recreation/Citizens' Oversight Committee
- Water & Sewer Committee
- Finance/Policy Review Committee

4020.22 General Purpose. The primary purpose of Standing Committees is to improve the Board's effectiveness by providing a platform for action items to be vetted or formulated in detail prior to Board meetings. The work of Standing Committees should result in the removal of most routine and undeveloped items from the Board's agenda, such as detail-oriented planning and oversight, initial formulation of policies and other written documents and procedures, evaluation and/or formation of options for the Board's consideration, preliminary development and evaluation of ideas that may evolve into Board action items in the future.

Standing Committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns. Said assignments may be made by the Board President, a majority vote of the Board, or on their own initiative as long as it supports the Board's work.

Standing Committees will act in an advisory capacity to the Board and will make recommendations on actions to be taken by the Board.

4020.23 Specific Purpose. In addition to the general purposes presented above, each Standing Committee shall serve the following specific purposes:

4020.23.1 Fire Committee: This committee will consider, evaluate and review matters concerning fire protection and rescue services provided by the District.

4020.23.2 Park and Recreation/Citizens' Oversight Committee: This committee will consider, evaluate and review matters concerning the District's Park and Recreation facilities and services. The committee shall include at least one public member to review projects and expenditures funded by assessments.

4020.23.3 Water & Sewer Committee: This committee will consider, evaluate and review matters concerning water and wastewater services provided by the District.

4020.23.4 Finance/Policy Review Committee: This committee is responsible for formulating, reviewing and updating policies for approval by the Board. It will also oversee management and development of the District's budget, reserves and investments and will consider, evaluate and review matters concerning District finances and assets.

4020.24 Authority. Standing Committees do not have authority to make decisions on behalf of the Board, except for routine tasks that have been delegated to a specific Standing Committee by an adopted policy or resolution.

4020.25 Schedule. Standing Committees will be normally scheduled for the first Wednesday of each odd-numbered month (i.e. January, March, May, etc.), but will only be held if there is a need required by Policy or if the Board's agenda will be better served by first discussing items in a Committee. Committee schedules for each calendar year, including any exceptions to the normal schedule, will be approved by the Board each year as part of the Board's annual meeting calendar.

4020.26 Members. Standing Committee members shall be selected and serve as follows:

4020.26.1 Board Members: Two Board members shall serve on each

Standing Committee. The incoming Board President shall appoint the members of the Standing Committees for the ensuing year no later than mid-December. Board members shall serve on their assigned standing committee(s) for a term of January 1 through December 31.

Selection of Standing Committee Board members should be selected to best serve the Board's work. Generally, Standing Committee members will be selected based on personal expertise or skills related to the specific purpose of the assigned committee. However, a member may be assigned to a Standing Committee to broaden that individual's experience or expertise in a specific area.

4020.26.2 Public Members: At least one member of the public shall serve on the Park and Recreation/Citizens' Oversight Committee. Public members shall own property within the District and have no conflicts of interest related to the District's Park and Recreation services or facilities. If desired, the Board may also appoint public members to other Standing Committees.

Public members will be nominated by one of Twain Harte's organized citizen groups and appointed by the District's Board. If no nominations are made, the District may solicit interest from District residents. Public members shall commit to a minimum term of two years, but may continue to serve indefinitely.

Appointed public members must attend at least one Standing Committee meeting each calendar year. Failure to meet the minimum attendance requirement will be considered as a resignation from serving on the Standing Committee.

The Board of Directors may take action to revoke a public member's Standing Committee appointment for any reason, at any time.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Committees of the Board of Directors

POLICY NUMBER: 4020

ADOPTED: September 17, 1996

AMENDED: ~~January 10, 2008~~ 1/10/2008, 2/10/2011, 12/11/2014, 12/14/2017

~~AMENDED: February 10, 2011~~

~~AMENDED: December 11, 2014~~

~~AMENDED: December 14, 2017~~

LAST AMENDED: ~~September 11, 2019~~

4020.10 Ad-Hoc Committees

4020.11 The Board President shall appoint ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

4020.20 Standing Committees:

4020.21 The following shall be the standing committees of the Board:

- Fire Committee
- Park and Recreation/Citizens' Oversight Committee
- Water & Sewer Committee
- Finance/Policy Review Committee

4020.22 General Purpose. The primary purpose of Standing Committees is to improve the Board's effectiveness by providing a platform for action items to be vetted or formulated in detail prior to Board meetings. The work of Standing Committees should result in the removal of most routine and undeveloped items from the Board's agenda, such as detail-oriented planning and oversight, initial formulation of policies and other written documents and procedures, evaluation and/or formation of options for the Board's consideration, preliminary development and evaluation of ideas that may evolve into Board action items in the future.

Standing Committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns. Said assignments may be made by the Board President, a majority vote of the Board, or on their own initiative as long as it supports the Board's work.

Standing Committees will act in an advisory capacity to the Board and will make recommendations on actions to be taken by the Board.

- 4020.23** Specific Purpose. In addition to the general purposes presented above, each Standing Committee shall serve the following specific purposes:
- 4020.23.1** Fire Committee: This committee will consider, evaluate and review matters concerning fire protection and rescue services provided by the District.
 - 4020.23.2** Park and Recreation/Citizens' Oversight Committee: This committee will consider, evaluate and review matters concerning the District's Park and Recreation facilities and services. The committee shall include at least one public member to review projects and expenditures funded by assessments.
 - 4020.23.3** Water & Sewer Committee: This committee will consider, evaluate and review matters concerning water and wastewater services provided by the District.
 - 4020.23.4** Finance/Policy Review Committee: This committee is responsible for formulating, reviewing and updating policies for approval by the Board. It will also oversee management and development of the District's budget, reserves and investments and will consider, evaluate and review matters concerning District finances and assets.
- 4020.24** Authority. Standing Committees do not have authority to make decisions on behalf of the Board, except for routine tasks that have been delegated to a specific Standing Committee by an adopted policy or resolution.
- 4020.25** Schedule. Standing Committees will be normally scheduled for the first Wednesday of each odd-numbered month (i.e. January, March, May, etc.), but will only be held if there is a need required by Policy or if the Board's agenda will be better served by first discussing items in a Committee. Committee schedules for each calendar year, including any exceptions to the normal schedule, will be approved by the Board each year as part of the Board's annual meeting calendar.

4020.26 Members. Standing Committee members shall be selected and serve as follows:

~~4020.25.1~~4020.26.1 Board Members: Two Board members shall serve on each Standing Committee. The incoming Board President shall appoint the members of the Standing Committees for the ensuing year no later than mid-December. Board members shall serve on their assigned standing committee(s) for a term of January 1 through December 31.

Formatted: Underline

Selection of Standing Committee Board members should be selected to best serve the Board's work. Generally, Standing Committee members will be selected based on personal expertise or skills related to the specific purpose of the assigned committee. However, a member may be assigned to a Standing Committee to broaden that individual's experience or expertise in a specific area.

4020.26.2 Public Members: At least one member of the public shall serve on the Park and Recreation/Citizens' Oversight Committee. Public members shall own property within the District and have no conflicts of interest related to the District's Park and Recreation services or facilities. If desired, the Board may also appoint public members to other Standing Committees.

Formatted: Underline

Public members will be nominated by one of Twain Harte's organized citizen groups and appointed by the District's Board. If no nominations are made, the District may solicit interest from District residents. Public members shall commit to a minimum term of two years, but may continue to serve indefinitely.

Appointed public members must attend at least one Standing Committee meeting each calendar year. Failure to meet the minimum attendance requirement will be considered as a resignation from serving on the Standing Committee.

The Board of Directors may take action to revoke a public member's Standing Committee appointment for any reason, at any time.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Committees of the Board of Directors

POLICY NUMBER: 4020

ADOPTED: September 17, 1996

AMENDED: 1/10/2008, 2/10/2011, 12/11/2014, 12/14/2017

LAST AMENDED: September 11, 2019

4020.10 **Ad-Hoc Committees**

4020.11 The Board President shall appoint ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

4020.20 **Standing Committees:**

4020.21 The following shall be the standing committees of the Board:

- Fire Committee
- Park and Recreation/Citizens' Oversight Committee
- Water & Sewer Committee
- Finance/Policy Review Committee

4020.22 General Purpose. The primary purpose of Standing Committees is to improve the Board's effectiveness by providing a platform for action items to be vetted or formulated in detail prior to Board meetings. The work of Standing Committees should result in the removal of most routine and undeveloped items from the Board's agenda, such as detail-oriented planning and oversight, initial formulation of policies and other written documents and procedures, evaluation and/or formation of options for the Board's consideration, preliminary development and evaluation of ideas that may evolve into Board action items in the future.

Standing Committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns. Said assignments may be made by the Board President, a majority vote of the Board, or on their own initiative as long as it supports the Board's work.

Standing Committees will act in an advisory capacity to the Board and will make recommendations on actions to be taken by the Board.

4020.23 Specific Purpose. In addition to the general purposes presented above, each Standing Committee shall serve the following specific purposes:

4020.23.1 Fire Committee: This committee will consider, evaluate and review matters concerning fire protection and rescue services provided by the District.

4020.23.2 Park and Recreation/Citizens' Oversight Committee: This committee will consider, evaluate and review matters concerning the District's Park and Recreation facilities and services. The committee shall include at least one public member to review projects and expenditures funded by assessments.

4020.23.3 Water & Sewer Committee: This committee will consider, evaluate and review matters concerning water and wastewater services provided by the District.

4020.23.4 Finance/Policy Review Committee: This committee is responsible for formulating, reviewing and updating policies for approval by the Board. It will also oversee management and development of the District's budget, reserves and investments and will consider, evaluate and review matters concerning District finances and assets.

4020.24 Authority. Standing Committees do not have authority to make decisions on behalf of the Board, except for routine tasks that have been delegated to a specific Standing Committee by an adopted policy or resolution.

4020.25 Schedule. Standing Committees will be normally scheduled for the first Wednesday of each odd-numbered month (i.e. January, March, May, etc.), but will only be held if there is a need required by Policy or if the Board's agenda will be better served by first discussing items in a Committee. Committee schedules for each calendar year, including any exceptions to the normal schedule, will be approved by the Board each year as part of the Board's annual meeting calendar.

4020.26 Members. Standing Committee members shall be selected and serve as follows:

4020.26.1 Board Members: Two Board members shall serve on each

Standing Committee. The incoming Board President shall appoint the members of the Standing Committees for the ensuing year no later than mid-December. Board members shall serve on their assigned standing committee(s) for a term of January 1 through December 31.

Selection of Standing Committee Board members should be selected to best serve the Board's work. Generally, Standing Committee members will be selected based on personal expertise or skills related to the specific purpose of the assigned committee. However, a member may be assigned to a Standing Committee to broaden that individual's experience or expertise in a specific area.

4020.26.2 Public Members: At least one member of the public shall serve on the Park and Recreation/Citizens' Oversight Committee. Public members shall own property within the District and have no conflicts of interest related to the District's Park and Recreation services or facilities. If desired, the Board may also appoint public members to other Standing Committees.

Public members will be nominated by one of Twain Harte's organized citizen groups and appointed by the District's Board. If no nominations are made, the District may solicit interest from District residents. Public members shall commit to a minimum term of two years, but may continue to serve indefinitely.

Appointed public members must attend at least one Standing Committee meeting each calendar year. Failure to meet the minimum attendance requirement will be considered as a resignation from serving on the Standing Committee.

The Board of Directors may take action to revoke a public member's Standing Committee appointment for any reason, at any time.



**California Special
Districts Association**



Districts Stronger Together

UNDERSTANDING SPECIAL DISTRICT BOARD MEMBER COMPENSATION

By: Richard D. Pio Roda and Anthony Felix, Meyers Nave

This paper is intended to help you understand compensation for special district board members in California. Specifically, it describes (1) the statutory authority behind board member compensation, (2) the maximum compensation board members can receive, (3) how board members can increase compensation, (4) board member reimbursements for job-related expenses, (5) the extent to which board members may receive benefits, and (6) how small community services districts typically compensate board members.

Under what authority can special districts compensate board members?

Typically, special district board member compensation is set by the Legislature. Special districts have the general authority to compensate board members for attendance at meetings under the California Government Code.¹ However, this general authority is limited by statutes specific to particular types of districts, which prescribe rates and conditions for board member compensation. Special districts are granted authority either under principal acts or special acts. Principal acts are codified in state laws and are generic statutes that apply to all special districts of a particular type. Special acts are often uncoded and are narrowly focused on governing one or a few special districts to fit the unique needs of those districts. A board member interested in learning more about their district's authority to compensate its board members should first reference their district's formation or enabling documents to determine whether the district is governed by a principal act or a special act. Identifying which statutes govern a district is important because such statutes often vary in provisions for the maximum amount of compensation a board member may receive, how and if board members can increase compensation, and provisions regarding reimbursements and board member benefits.

What is the maximum amount of compensation a special district board member may receive?

Principal act districts that have been codified in state law vary on the maximum amount a board member may be compensated. Most code sections set the maximum compensation rate at \$100 for each meeting attended by a board member or each day in which a board member is engaging in official duties. This includes special districts such as county water districts,² recreation and park districts,³ community services districts,⁴ public cemetery districts,⁵ and more. Other code sections explicitly provide that special district board members are to receive no compensation in their roles as board members. These

¹ Gov. Code § 53232.1(a).

² Water Code § 30507.

³ Pub. Res. Code § 5784.15(a).

⁴ Gov. Code § 61047(a).

⁵ Health and Safety Code § 9031(a).

districts include pest abatement districts,⁶ police protection districts,⁷ citrus pest control districts,⁸ port districts,⁹ river port districts,¹⁰ and memorial districts.¹¹ Many districts set maximum compensation rates at amounts smaller than \$100, such as \$10,¹² \$25,¹³ or \$50¹⁴ per meeting attended by the board member. Some code sections authorize a flexible compensation rate to be determined by the board members themselves. The California Water Code sections governing levee districts¹⁵ and reclamation districts¹⁶ provide that each board member shall receive compensation for their services "... as the board determines to be just and reasonable..." Generally, these districts still compensate board members at a rate under \$100 per meeting.

Can special district board members increase their compensation? If so, how can board members do so?

In addition to attending regularly scheduled board meetings, board members often must attend the meetings of other agencies or travel to conferences in order to better understand and fulfill their roles. In order to meet these often demanding and time-consuming duties, some special districts consider increasing the compensation of its board members. If a special district board is considering increasing the compensation of its board members it is important it starts by referencing its governing statutes or acts. A district's governing statutes or acts will determine whether board members can increase compensation, to what extent compensation can be increased, and how to increase compensation.

Many special districts can increase board member compensation pursuant to California Water Code section 20201, which both sets the maximum amount of compensation per meeting at \$100 but also authorizes board members to increase compensation above \$100.¹⁷ Although this may be welcome news to districts interested in increasing compensation, there are three notable restrictions on a district's ability to do so. If a special district board can increase compensation via section 20201: (1) it must do so via ordinance,¹⁸ (2) the increase may not exceed 5% for each calendar year,¹⁹ and (3) voters may petition for a referendum on the ordinance increasing compensation.²⁰ As part of the ordinance requirement, special district boards must hold a public hearing for discussion of the compensation increase and publish a notice of the hearing.²¹ Special districts should also note voter referendums may result in the ordinance appearing on a regular election or special election ballot for voter approval.²² If the ordinance is struck down by voters, the special district board will be prohibited from adopting a new compensation increase ordinance for at least one year.²³

⁶ Health and Safety Code § 2851

⁷ Health and Safety Code § 20069

⁸ Food and Ag. Code § 8508

⁹ Har. and Nav Code § 6251.

¹⁰ *Id.* at § 6836.

¹¹ Mil. and Vet Code § 1197.

¹² Wat. Code § 56031.

¹³ Pub. Res. Code § 13041(b).

¹⁴ Har. and Nav. Code § 7047.

¹⁵ Wat. Code § 70078.

¹⁶ *Id.* at § 50605(a).

¹⁷ *Id.* at § 20201.

¹⁸ *Id.*

¹⁹ *Id.* at § 20202.

²⁰ *Id.* at § 20204.

²¹ *Id.* at § 20203

²² Wat. Code § 20206.

²³ *Id.*

On the other hand, many statutes and acts governing special districts are silent on a district's authority to adjust board member compensation. As a result of lacking a statutory authority to adjust board member compensation, special districts falling into this category may be unable to do so. Therefore, it is important that special districts interested in increasing board member compensation reference its district's formation documents to identify if its governing statutes or acts allow such actions.

Can board members be reimbursed for job-related expenses?

Special district board members are often expected to attend a variety of events in the performance of their duties, including trainings, community outreach events, conferences, and local agency meetings. The expenses associated with these activities, including travel, lodging, and food costs, can be significant. Fortunately, the Legislature has recognized the costs associated with serving as a board member and granted special districts with the authority to provide reimbursements. In fact, the vast majority of special districts have the authority to reimburse board members for expenses related to fulfilling their duties as board members.

Again, the most important starting point to determine whether a special district may reimburse its board members is identifying the governing acts or statutes. Most districts have the statutory authority to reimburse board members but are required to abide by the reimbursement procedures set out in Government Code sections 53232.2- 53232.4. In order to comply with Government Code section 53232.2, special districts generally must only reimburse board members for actual and necessary expenses incurred in the performance of official duties and adopt a written policy that specifies the types of expenses that may be reimbursed. Other requirements on board members include the filing of expense reports with special district boards and providing brief reports on the meetings requiring reimbursement.²⁴ Special districts should note the misuse of reimbursement funds can result in the loss of reimbursement privileges, civil penalties, and even criminal penalties.²⁵ Therefore, special districts governed by Government Code sections 53232.2- 53232.4 should ensure its reimbursement policies are consistent with these sections and that board members are only being reimbursed for actual and necessary expenses.

Some districts are not directly governed by the statutory requirements of Government Code sections 53232.2- 53232.4 but instead follow a less stringent reimbursement procedure. For example, in reclamation districts a board member's claims for expenses incurred are to be presented to the board and then paid in the same manner as other indebtedness of the district.²⁶ Although citrus pest control district board members are not entitled to any compensation, they may be reimbursed for actual and necessary expenses when claims for those expenses have been approved by the board.²⁷ Still, other districts lack the statutory authority to provide any reimbursements for board members, including police protection districts.²⁸

To what extent can special district board members receive benefits?

Although only some special district board members may be entitled to compensation, all special district board members may receive group insurance benefits if the board elects to do so. Under Government Code section 53201 and 53205.1, a special district board may provide benefits to its board members,

²⁴ Gov. Code § 53232.3(a); Gov. Code § 53232.3(d).

²⁵ *Id.* at § 53232.4.

²⁶ Wat. Code § 50606.

²⁷ Food and Ag. Code § 8508.

²⁸ Health and Saf. Code § 20000 *et seq.*

retired board members, and the families of board members and retired board members. Benefits can include medical, dental, vision, and life insurance.²⁹

California state law is relatively silent on the procedures a special district must take to adopt a benefits policy for its board members. The Office of the Attorney General provides some guidance on the issue by declaring that no official declaration of policy is required for a special district to provide health benefits to its elective officers.³⁰ The Attorney General's opinion noted that no procedure or mode for providing the benefits is set forth in Government Code section 53201.³¹ The Attorney General concluded that a special district board may take action in any appropriate manner, whether by ordinance, resolution, motion, or otherwise.³² Therefore, whether a district must approve a benefits plan by ordinance or resolution comes down to what the enabling or principal act governing it requires. Beyond that, the Brown Act requires changes in compensation, including fringe benefits, to be made during an open meeting.³³

Special district boards should note that districts considering providing benefits to its board members have often received pushback from the community.³⁴ If a special district is considering providing a benefits program to its board members, it may be prudent for them to be transparent about the program's estimated costs and expected beneficiaries so the public is aware of the district's proposed expenditures.

With that being said, most of the principal acts governing special districts make no explicit mention of a board's authority to provide benefits to its board members. This is not to say these special districts may not provide benefits to its board members as Government Code section 53201, which grants districts the authority to provide benefits, still applies to them as well. The few special districts with principal acts that mention benefits separately (such as regional park and/or open space districts) note that board members are eligible for the same group medical or dental plans available to permanent employees of the district.³⁵

How do small community service districts typically compensate board members?

In addition to applicable statutory restrictions, board member compensation for a small district may also be restricted if the district has a small budget. If a particular community services district is governed by the principal act requirements set out in Government Code section 61047, it may provide its board members with \$100 each day for services provided. Community services districts may also increase board member compensation above \$100 in accordance with the authority and requirements set out in Water Code section 20201.

Most community services district do not compensate board members. Some community services districts compensate its board members as much as \$10,000 per year including the Phelan Pinon Hill Community

²⁹ Gov. Code § 53205.16.

³⁰ 86 Cal. Att'y Gen. Op. No. 92-1008 (May 5, 1993).

³¹ *Id.*

³² *Id.*

³³ Gov. Code § 5493(c)(3).

³⁴ Brad Branan, *Health benefits boost board compensation at Sacramento area special districts*, The Sacramento Bee (March 6, 2015, 6:20 PM), <https://www.sacbee.com/news/investigations/the-public-eye/article12892430.html>.; Paul Rogers, *Santa Clara Valley Water District considers idea for lifetime medical benefits for board members*, (August 27, 2012, 1:19PM), <https://www.mercurynews.com/2012/08/27/santa-clara-valley-water-district-considers-idea-for-lifetime-medical-benefits-for-board-members/>.

³⁵ Pub. Res. Code § 5536.

Services District³⁶ and the Rosamond Community Services District.³⁷ Many community services districts compensate board members at a rate consistent with Government Code section 61047, which amounts to \$4,800 a year assuming board members provide services or attend meetings four days a month.

How a small district compensates its board members will come down to what the district's budget and needs are. Although all community services districts have the statutory authority to compensate board members at a rate more than \$100 for each meeting attended, most small districts elect to compensate less than \$100 per meeting or not at all.

Moving Forward

The California Government Code, through principal or special acts, generally provides special districts with the authority to compensate its board members. Although most districts set the maximum board member compensation rate at \$100 for each meeting attended by a board member, some districts offer a flexible compensation rate, compensation under \$100, or no compensation at all. Many special districts can increase board member compensation pursuant to California Water Code section 20201, which both sets the maximum amount of compensation per meeting at \$100 but also authorizes board members to increase compensation above \$100. The vast majority of districts have the authority to reimburse board members for the actual and necessary expenses incurred on the job, subject to those districts and board members meeting certain requirements. All special districts board members may receive group insurance benefits, including medical, dental, vision, and life insurance. Lastly, most small community services districts compensate board members at a rate less than \$100 for each meeting attended or not at all, despite having the authority to compensate board members more than \$100. Moving forward, a special district interested in compensating its board members should reference its enabling statutes because such statutes will often determine the maximum amount of compensation a board member may receive, how and if board members can increase compensation, and whether board members may be provided reimbursements and benefits.

³⁶ Government Compensation in California, <https://publicpay.ca.gov/Reports/PositionDetail.aspx?employeeid=19490354>, (last visited June 19, 2019).

³⁷ Government Compensation in California, <https://publicpay.ca.gov/Reports/PositionDetail.aspx?employeeid=19955885>, (last visited June 19, 2019).

Richard D. Pio Roda is a Principal at the Meyers Nave law firm. Richard's legal practice is focused on strategic advice and counsel, and transactional legal services for municipalities and special districts throughout California. Richard is General Counsel to the Rodeo Hercules Fire Protection District, and the Mendocino County Community Development Commission. Richard also serves as Special Counsel to numerous special districts, including the West County Wastewater District, Rincon del Diablo Municipal Water District, San Ramon Valley Fire Protection District and the Twain Harte Community Services District. Richard frequently provides advice on a variety of issues that range from General Manager performance evaluation, negotiating all types of transactions from complex technology purchases to property leases, to emergency declarations, policies and procedures, to public official conflicts of interest. He can be contacted at 510.808.2000 or rpioroda@meyersnave.com

Anthony Felix is a second year law student at the University of California, Hastings College of the Law. During his second year at UC Hastings, Anthony will serve as the Admissions Chair for the UC Hastings La Raza Law Students Association and will be a staff editor of the Hastings Law Journal. Prior to attending law school, Anthony graduated from the University of California, Santa Barbara with a bachelor's degree in Political Science. Anthony is originally from National City, California and has interned at the City Attorney's office in National City. During the summer of 2019, Anthony was a Summer Fellow at Meyers Nave where he worked closely with Meyers Nave's Municipal and Special District Law Practice Group. He is interested in practicing municipal law after he graduates law school.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Director Compensation
POLICY NUMBER: 4025
ADOPTED: February 21, 2006
AMENDED: 7/10/2008, 3/10/2011
LAST AMENDED: August 11, 2016

4025.10 PURPOSE

The purpose of this policy is to prescribe the manner in which members of the Board of Directors may be compensated for their service.

4025.20 AUTHORITY

The Twain Harte Community Services District is authorized to provide compensation and reimbursement to member of its Board of Directors in accordance to Government Code Sections 61047 and 53232.2, which provide community services districts with guidelines that must be followed if such districts elect to compensate members of their board of directors for their service. Said guidelines generally include the following:

1. Each member of the Board of Directors may receive compensation in an amount not to exceed one hundred dollars per qualifying meeting attended.
2. A member of the Board of Directors may not receive compensation for more than six meetings per month.
3. A local agency may reimburse members of the board of directors for actual and necessary expenses incurred in the performance of qualifying official duties.

4025.30 DIRECTOR COMPENSATION

4025.31 Meetings Qualifying for Compensation. The District has elected to compensate members of its Board of Directors for the following meetings:

1. Agendized Board Meetings: \$100 per meeting
2. Agendized Committee Meetings: \$57.56 per meeting

4025.32 Meetings not Qualifying for Compensation. Although it is allowed by law, the District has elected to not compensate members of its Board of Directors for the following types of meetings:

1. Representation of the District at a public event.
2. Representation of the District at a public meeting or public hearing conducted by another public agency.
3. Representation of the District at a meeting of public benefit nonprofit corporation on whose board the District has membership.
4. Participation in a training program or conference (including training required by statute) on a topic that is directly related to the District.

4025.40 EXPENSE REIMBURSEMENT

District directors are eligible to receive reimbursements for travel, meals, lodging, and other reasonable and necessary expenses for attending any of the above meetings not qualifying for compensation on behalf of the District. Expenses will be reimbursed in accordance with Policy #2083, Travel Expense Reimbursement. The following requirements must be met to be eligible to receive reimbursement:

1. Official representation of the District at a public event, agency public meeting, agency public hearing, or nonprofit public benefit shall be approved by the Board of Directors prior to attendance.
2. Attendance of a training program or conference must first be approved according to the requirements of Policy #4090, Training Education and Conferences.
3. Directors receiving reimbursement for attending eligible functions must submit a written report to the Board of Directors at their next meeting, describing their attendance at the function.

4025.50 RIGHT TO REFUSE COMPENSATION

A Director may, at his/her discretion, refuse or return all or any portion of his/her compensation.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Director ~~Remuneration~~ Compensation
POLICY NUMBER: 4025
ADOPTED: February 21, 2006
AMENDED: ~~July 10, 2008~~ 7/10/2008, 3/10/2011
~~AMENDED: March 10, 2011~~
LAST AMENDED: August 11, 2016

4025.10 PURPOSE

The purpose of this policy is to prescribe the manner in which District members of the Board of Directors may be compensated for their service. ~~The Twain Harte Community Services District shall adhere to Government Code Sections 61047 and 53232 through 53232.4 when dealing with issues of director remuneration.~~

4025.20 SCOPE AUTHORITY

The Twain Harte Community Services District is authorized to provide compensation and reimbursement to member of its Board of Directors in accordance to Government Code Sections 61047 and 53232.2, which provide community services districts with guidelines that must be followed if such districts elect to compensate members of their board of directors for their service. Said guidelines generally include the following: This policy applies to all members of the Board of Directors.

1. Each member of the Board of Directors may receive compensation in an amount not to exceed one hundred dollars per qualifying meeting attended.
2. A member of the Board of Directors may not receive compensation for more than six meetings per month.
- ~~3.~~ A local agency may reimburse members of the board of directors for actual and necessary expenses incurred in the performance of qualifying official duties.

4025.30 DIRECTOR COMPENSATION

4025.31 Meetings Qualifying for Compensation. The District has elected to compensate members of its Board of Directors for the following meetings:

1. Agendized Board Meetings: \$100 per meeting
- ~~1.~~ 2. Agendized Committee Meetings: \$57.56 per meeting

THCSD 4025 Director Remuneration REV 2021-11-10 ~~THCSD 4025 Director Remuneration Compensation~~

~~Members of the Board of Directors shall receive a monthly "director's fee". This fee shall be \$100 for each agenda meeting of the full Board of Directors and \$57.56 for each agenda committee meeting.~~

4025.32 Meetings not Qualifying for Compensation. Although it is allowed by law, the District has elected to not compensate members of its Board of Directors for the following types of meetings:

1. Representation of the District at a public event.
2. Representation of the District at a public meeting or public hearing conducted by another public agency.
3. Representation of the District at a meeting of public benefit nonprofit corporation on whose board the District has membership.
4. Participation in a training program or conference (including training required by statute) on a topic that is directly related to the District.

~~4025.41 Director's fees shall be increased annually, at the same time and by the same percentage subject to limitations in state law, as the cost of living adjustment granted to other District employees.~~

~~4025.30 — 4025.42 A Director may, at his/her discretion, return all or any portion of his/her director's fees.~~

~~4025.43 Subject to the Twain Harte Community Services District's enabling code, a district director may be compensated for attending the following:~~

- a) ~~A meeting of the legislative body;~~
- b) ~~A meeting of an advisory body such as a committee; or~~

4025.40 EXPENSE REIMBURSEMENT

District directors are eligible to receive reimbursements for travel, meals, lodging, and other reasonable and necessary expenses for attending any of the above meetings not qualifying for compensation occurrences on behalf of the ~~Twain Harte Community Services~~ District. Expenses will be reimbursed in accordance with Policy #2083, Travel Expense Reimbursement. The following requirements must be met to be eligible to receive reimbursement:

1. Official representation of the District at a public event, agency public meeting, agency public hearing, or nonprofit public benefit shall be approved by the Board of Directors prior to attendance.
2. Attendance of a training program or conference must first be approved according to the requirements of Policy #4090, Training Education and Conferences.
3. Directors receiving reimbursement for attending eligible functions must submit a written report to the Board of Directors at their next meeting, describing their attendance at the function.

Commented [TT1]: To my knowledge, this has never been done. For board meeting compensation it would exceed the statutory \$100/meeting limit. Eventually the compensation for committee meetings might too. My suggestion is to set a fixed amount for committee meetings and either leave it or set up an annual review.

~~4025.51~~ Directors attending functions shall submit reports to Twain Harte Community Services District on the meeting(s), in conjunction with District Policy 40

4025.50 RIGHT TO REFUSE COMPENSATION

A Director may, at his/her discretion, refuse or return all or any portion of his/her compensation.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: Director Remuneration
POLICY NUMBER: 4025
ADOPTED: February 21, 2006
AMENDED: July 10, 2008
AMENDED: March 10, 2011
AMENDED: August 11, 2016

4025.10 Purpose. The purpose of this policy is to prescribe the manner in which District directors may be compensated for their service. The Twain Harte Community Services District shall adhere to Government Code Sections 61047 and 53232 through 53232.4 when dealing with issues of director remuneration.

4025.20 Scope. This policy applies to all members of the Board of Directors.

4025.30 Director Compensation. Members of the Board of Directors shall receive a monthly “director's fee”. This fee shall be \$100 for each agendized meeting of the full Board of Directors and \$57.56 for each agendized committee meeting.

4025.41 Director’s fees shall be increased annually, at the same time and by the same percentage subject to limitations in state law, as the cost of living adjustment granted to other District employees.

4025.42 A Director may, at his/her discretion, return all or any portion of his/her director’s fees.

4025.43 Subject to the Twain Harte Community Services District’s enabling code, a district director may be compensated for attending the following:

- a) A meeting of the legislative body;
- b) A meeting of an advisory body such as a committee; or
- c) A conference or organized educational activity conducted in compliance with Government Code Section 54952.2(c), including but not limited to ethics training required by Government Code Section 53234. As a cost control measure, the District Board of Directors has chosen not to compensate directors for attendance at such conferences or educational activities.

4025.50 Expense Reimbursement. District directors are eligible to receive reimbursements for travel, meals, lodging, and other reasonable and necessary expenses for attending the above occurrences on behalf of the Twain Harte Community Services District. Expenses will be reimbursed in accordance with Policy #2083, Travel Expense Reimbursement.

4025.51 Directors attending functions shall submit reports to Twain Harte Community Services District on the meeting(s), in conjunction with District Policy 4090.

TWAIN HARTE COMMUNITY SERVICES DISTRICT
Policy and Procedure Manual

POLICY TITLE: District-Owned Mobile Computing Devices for Board Members
POLICY NUMBER: 4040
ADOPTED: August 10, 2017
REVISIONS:

4040.01 PURPOSE

This policy sets forth parameters for providing mobile computing devices to Board Members to facilitate an efficient, paperless agenda process at the District.

4040.10 AVAILABILITY

4040.11 Offered to all Board Members. The District will offer to purchase a District-owned mobile computing device for any Board member wishing to utilize the device to access the District's electronic agenda packets. Specifications of the device will be appropriate for such use, as determined by the General Manager.

4040.12 Personal Mobile Computing Devices. Board Members may use a personal mobile computing device to access electronic agenda packets. All such devices must meet minimum specifications determined by the General Manager. Any Board Member wishing to utilize a personal mobile computing device rather than a District-owned device must bear all costs associated with that device, including any cellular data plan; however, the District will reimburse any such Board Member for the cost of special software applications necessary to conduct District business. Board Members opting to use a personal device are still bound to the requirements set forth in Section 4040.30, "Use during Meetings".

4040.20 BASIC INCLUSIONS

4040.21 Accessories. Any District-owned mobile computing device will include, at District expense, Wi-Fi capability, a protective case, any necessary software applications, charging cables.

4040.22 Training. The District will provide training and support as necessary to conduct District business.

4040.23 Internet Access. No cellular data plan will be provided. Wi-Fi internet access will be provided at District buildings; however, each Board Member will be

responsible for providing Wi-Fi internet access for mobile computing device use at other locations.

4040.30 USE DURING MEETINGS

4040.31 E-Communications during Meetings. Mobile computing devices are being provided to Board Members for use during Board and Committee meetings to access the District's paperless agenda materials. Use of electronic devices to communicate with other Board Members during any District public meeting is prohibited.

4040.32 Non-Business Use during Meetings. Board Members should be present and engaged in District public meetings. Use of mobile computing devices for purposes not related to District business is strongly discouraged during District public meetings.

4040.33 Public Records Act/Due Process. District records, whether paper or electronic, are governed by the public disclosure requirements of the California Public Records Act. In the event that a message is received by a member of the Board during a District public meeting regarding a matter that is on the agenda for said meeting, the content of the message shall be disclosed publically to the entire Board or Committee as it has been received during the consideration of the matter at an open and public meeting. It will become part of the public record.

4040.40 OTHER REQUIREMENTS

4040.41 Personal Use of Devices. Personal use of a District-owned mobile computing device is permitted at the discretion of the Board Member.

4040.32 Loss/Theft/Damage. Immediately after issuance of a District-owned mobile computing device, the Board Member is responsible for care of the device. If a District-owned mobile computing device is lost, stolen or damaged, the responsible Board Member must notify the Board Secretary immediately. All District-owned devices are required to have a password to block access to the device if stolen.

4040.33 End of Board Member Tenure. Upon conclusion of a Board Member's tenure, any District-owned mobile computing device assigned to that Board Member must either be relinquished to the District or purchased by the Board Member. If relinquishing the device, the Board Member shall cooperate with District staff to appropriately unlock the device for use by another Board Member. The cost to purchase the device shall be equal to its replacement cost (if less than 5 years old) or current market value (if more than 5 years old). Market value will be as quoted on Gazelle.com (or similar valuation method).