



BEAUMONT-CHERRY VALLEY WATER DISTRICT AGENDA
560 Magnolia Avenue, Beaumont, CA 92223

MINUTES OF THE PERSONNEL COMMITTEE MEETING
Monday, July 27, 2020 at 5:30 p.m.

***Meeting held via teleconference pursuant to
California Government Code Section 54950 et. seq. and
California Governor's Executive Orders N-29-20 and N-33-20***

CALL TO ORDER

Chair Covington called the meeting to order at 5:33 p.m. at 560 Magnolia Avenue, Beaumont, California.

Announcement of Teleconference Participation

Director of Finance and Administration Yolanda Rodriguez clarified that this meeting is conducted via teleconference pursuant to California Government Code Section 54953, and under Executive Order N-29-20 and N-33-20 of the Governor of California.

The teleconference capabilities of this meeting have been identified in the Notice and Agenda for this meeting, pursuant to the Brown Act and the Governor's Executive Order. Under the Governor's Executive Order and the Gathering Guidelines of the California Department of Health due to the danger of COVID-19, the teleconference locations are not publicly accessible. The public's right to comment and participate in the meeting is being assured via teleconference capabilities.

The Beaumont-Cherry Valley Water District (BCVWD) will use sound discretion and make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to meetings.

Attendance

<i>Directors present:</i>	<i>Ramirez, Covington</i>
<i>Directors absent:</i>	<i>None.</i>
<i>Staff present:</i>	<i>General Manager Dan Jagers; Director of Finance and Administrative Services Yolanda Rodriguez, Human Resources Coordinator Sabrina Foley, Senior Finance and Administrative Analyst William Clayton, Assistant Director of Operations James Bean, Field Superintendent Knute Dahlstrom, Crew Leader Michael Morales, Senior Engineer Mark Swanson, Administrative Assistant Erica Gonzales</i>
<i>BCVWD Employee Association reps:</i>	<i>Dustin Smith Erica Gonzales</i>

Director of Finance and Administration Yolanda Rodriguez verified that all members of the Personnel Committee and staff have indicated that they are able to hear the other directors clearly on the teleconference. No committee members or staff expressed any reason to believe, based on voice recognition or otherwise, that those persons representing themselves to be committee members are not truly so.

PUBLIC INPUT: *None.*

ACTION ITEMS

1. Adjustments to the Agenda: None.
2. Approval of the June 1, 2020 Special Meeting minutes

The Committee accepted the minutes of the Personnel Committee meeting.

3. District Residences and Emergency Facility Policy and properties

- a. District Residences and Emergency Facility Policy revision
- b. Draft Occupancy and Employment Agreement
- c. Scope of Work

General Manager Jagers introduced the item. Based on the discussion and requests of the Personnel Committee at the last meeting, three documents have been prepared to reflect current requirements of the District to reasonably provide service to the residences or the employees and maintain the properties. For discussion and direction are a proposed revision to the District Residences and Emergency Facility Policy, draft Occupancy and Employment Agreement and a list of items that could reasonably have to be maintained over the course of the residency, Jagers explained.

There is no Exhibit A: Scope of Work, Jagers confirmed. This will be finalized based on Committee direction.

President Covington first noted that staff has done a good job combining to update and create a more legible and responsible version and asked several questions.

Ms. Foley explained the inclusion of sections 6a and 6b to confirm that District residences are not provided to the employee as a benefit. By stating the requirement, the taxable liability to the District and employee is removed, she noted. Mr. Jagers added that legal counsel's labor law expert was also consulted. If the housing is a benefit, there are potential tax and Cal PERS calculation implications. There are activities required of the employee, Jagers continued, which will be concisely crafted.

Ms. Foley noted that under Section 12, Termination of Employment and Occupancy, 60 days is consistent with California law and was confirmed by legal counsel. Mr. Jagers will re-confirm, as Covington indicated a preference for 45 days since this is not a rental agreement.

Director Ramirez said he is glad to have staff in the Canyon residences and appreciated the accomplishments of staff. He questioned having the District responsible for all plumbing repairs and things of that nature related to gross negligence. Mr. Jagers agreed, noting that minor things would likely be handled by the residents, but mainline piping and similar activities eventually reach the end of their service lives and if the District does not take responsibility there is a disconnect.

Ramirez compared the situation to that of residents being responsible for their lines out to the street. Mr. Jagers noted the component for non-employee occupancy and pointed out that with a non-employee occupant, they would be crossing District facilities and the District would not have control of observation of its facilities. Some of the things in the list of BCVWD's responsibilities may be more descriptive than would be with a non-employee occupied residence, he added.

In response to Director Ramirez, General Manager Jagers explained that typically, staff maintains the access roads in the canyon as part of daily operations and maintenance. If the housing unit is on the main access road, BCVWD will want to be responsible to assure maintenance access. Ramirez said he wants to make sure there is clarity in responsibility. Jagers indicated this could be addressed in the Scope of Work.

President Covington concurred with Director Ramirez and suggested removing redundancy and clarifying responsibilities of the District in all three documents. Mr. Jagers suggested that restructuring the items as an exhibit may be the best solution, as it is the piece that has the highest opportunity for updating.

The Scope of Work should be a standalone item, Covington agreed, and said it should correlate with some level of reduction in normal fair market value rent, i.e. maintenance fee.

Regarding vehicles located at the residences as indicated in the draft Occupancy and Employment Agreement, Covington suggested that all vehicles must be licensed and operable, and meet applicable state laws. Three vehicles is more than appropriate, he noted. Mr. Jagers suggested modification to allow the opportunity to have the number of vehicles match the number of licensed drivers, plus stored unoccupied recreational vehicles. President Covington indicated the goal is to assure vehicles are licensed and operable while avoiding a car lot. President Covington also suggested specifying that RVs are not to be permanently occupied.

Director Ramirez asked about clarifications on length of stay for extended family; President Covington referred to the Occupancy Agreement and Mr. Jagers noted there may be pre-existing conditions that will need to be addressed separately. Covington acknowledged, and indicated that the general manager should work out any pre-existing conditions and noted that all employees are aware that these changes are coming. Director Ramirez concurred and stressed the need to get a grasp on pre-existing conditions.

GM Jagers noted that if standards for the future are set, current conditions and waivers can be considered. President Covington agreed that the District can be sensitive to pre-existing conditions but only to a certain level.

President Covington noted that a requirement for renter's insurance is not in the District's current policy and asked about its inclusion. Mr. Jagers said he is aware there are issues with procuring certain types of insurance, specifically fire, for these

residences due to location. Jagers indicated he needs to review this requirement, but believes a certain amount of liability coverage is needed. President Covington pointed out that it would behoove the employees to insure their personal property and indicated that "shall maintain" liability for themselves and guests on District property is appropriate to assure the District is protected.

Director of Finance and Administrative Services Yolanda Rodriguez clarified that the District pays for propane and electricity up front, then bills the occupant. President Covington suggested the security deposit should be at least enough to cover outstanding electric or propane bills.

Jagers explained the Housing Unit Cost Analysis. Although a monthly fee began to be collected in 2009, staff was unable to find a justification of that amount. The \$200 per month has been consistent since at least 1997, Jagers noted, and the origin is uncertain.

Costs to maintain the structure in a way that it continues to have value and to service the District were examined to create an overall set of maintenance activities then house-specific general costs were noted taking into account the 20-year average cost index and interest accrued by the District, Jagers stated. The analysis shows life cycle costs, but not what has been expended to date, he explained.

Items that may or should be performed by the occupant are indicated in red, Jagers noted, and include painting and repairs. Items in black are more the responsibility and expense of the District. Covington acknowledged that the analysis is a good starting point to understand true costs to operate and maintain the District houses.

President Covington request staff bring back the changes as suggested, provide the fair market value of rent on like houses in the area and define the scope of work and a mechanism for assuring the work is performed. Jagers advised that there is a value to having a presence in the Canyon for oversight and security and it will be listed as a value.

President Covington indicated that it is important to the ratepayers that the District is not just giving away a benefit to specific employees. He said he would like to make sure that a policy is developed that the District can stand behind and makes the District and employees comfortable.

Director Ramirez concurred and said he appreciated the thorough conversation.

Mr. Jagers said he believes a next step is to meet with the individual employees to develop the Scope of Work and determine what work is currently being done.

President Covington invited public comment. There was none.

4. Proposed BCVWD Policies and Procedures Manual Updates

a. Policy Sections 100-3125

Human Resources Coordinator Sabrina Foley explained that policy manual revisions have been ongoing since the July 2018 Personnel Committee meeting. Foley said that she has taken over primary responsibility since her hire in fall of 2019. She shared

proposed revisions and explained the new numbering system, use of APA Style, and addition of gender-neutral pronouns.

Some revisions are upon recommendation of the District's human resources consultant, and others are at the request of the Employee Association, Foley noted. General Manager Jagers pointed to Attachment 1 which identifies the changes to the manual and Ms. Foley reviewed the table of Recommended Policy Changes and Edits.

Proposed new policies include definitions of employee and Board of Directors, Employee Information and Emergency Data, Whistleblower Policy, Infections Disease Control, Workplace Violence, and Uniforms and Protective Clothing.

Ms. Foley introduced new policy section 1010, related to maintenance and responsibilities regarding the policy manual.

President Covington expressed concern that the Board would not be seeing the extent of the changes without a redline. Ms. Foley indicated that a redline seemed very difficult to read and suggested instead highlighting changes. In response to President Covington, Ms. Foley acknowledged she had been working with HR Dynamics, but these policies had not yet been to legal counsel for review.

Mr. Jagers advised that the employee Memorandum of Understanding (MOU) would also transition into a document of similar format using reference numbers. He drew attention to policy numbering and suggested a side-by-side comparison could be produced on 11 x 17 pages with color coding.

President Covington asked if the policies previously adopted by the Board are proposed to be re-amended. Ms. Foley said some have minor changes suggested for consistency. Covington requested a redline of changes to provide a comfort level for the Committee. Jagers suggested detailed review of a comparison by the Personnel Committee. Covington suggested a meeting solely focused on the manual. Foley noted there is an extensive number of policies recommended for editing by HR Dynamics and the process has been ongoing for a couple of years.

Foley requested discussion of the uniforms policy prior to close of the meeting due to the hot weather and employees' request.

President Covington indicated the proposed format and concept are on the right track. He recommended a transitional period for the Committee to understand by seeing the existing policy and the proposed changes in order to be comfortable moving the revisions forward to the Board. He pointed out there are some proposed sections that are not consistent with what was previously approved by the Board.

Director Ramirez said he appreciated the work and the concept of bringing all things together with references. He said it would be helpful to have the suggested comparison early for perusal.

GM Jagers pointed out that the Employee Association also needs to walk through the proposed changes.

5. Proposed Vendor Agreement: USA Fact

Ms. Foley explained that this item resulted from the COVID-19 situation and the current practice of doing the background checks, which depends on the UPS Store providing

Live Scan services. There was a point when the UPS Store was closed and not doing Live Scan, she noted. Although the District is not currently hiring, she said, Staff wanted to identify an alternative in case the vendor again becomes inaccessible.

Additionally, there may be some fiscal efficiencies from switching to an alternate method and vendor, she said. The current vendor processes check via the Department of Justice which legal counsel confirmed is a higher standard than the District is required to meet. Foley explained the current process is also cumbersome.

Foley introduced USA Fact for online background screening and pointed out the service agreement, noting the pricing is competitive. The results are sent directly to HR, not the potential employee, she pointed out.

President Covington asked how the process changes for the employee; Ms. Foley said it is an electronic process where the employee enters personal information via a website and results are sent directly to HR, and a copy to the candidate. This also maintains physical distance and increases efficiency and convenience for candidates who may be working and unable to make a Live Scan appointment.

Covington indicated support and suggested recommendation to the Board. Director Ramirez concurred.

6. BCVWD Return to Work Protocols

Ms. Foley reminded the Committee that on March 19, 2020 the GM declared a state of emergency due to the COVID-19 pandemic and it was ratified by the Board of Directors on March 26. Due to public health orders, she continued, the District closed the office and lobby to the public and most administrative and engineering staff are instructed to work remotely. Emergency temporary policies have been enacted. Operations and Production staff is working with additional precautions, in-person meetings are being avoided and social distancing and face coverings have been implemented.

If public officials lift or change social distancing restrictions, the District would like to develop a written plan for returning employees to in-person work in the future or for allowing vendors and members of the public access to the main office, Foley stated.

She introduced a draft Return to Work Protocol for COVID-19 Emergency with the intention to create a framework for the GM when it is determined that it is safe to return and reviewed the proposed provisions. Mr. Jagers added that this is a challenging subject and said he appreciated all the work to prepare for opening. He reminded the Committee of discussion at the Board meeting last week.

Jagers said it is important not to wait to establish these protocols at the time of need in order to have time to work through them and keep them updated. This is a significant beginning to a live, dynamic, document, he explained. He said he expects this document will morph over time until the end of the pandemic.

Covington noted this is a protocol rather than a policy and does not require Board approval. He noted that employees should all follow the same guidelines in returning to work and have protocols in place to limit potential exposure.

Director Ramirez indicated that if the office can open in a very safe manner then it should be done, as the District is an essential entity. In response to Director Ramirez' question, Mr. Jagers noted that the office was closed as a result of a declaration of emergency

ratified by the Board. Director Ramirez opined that the document should go to the Board since the office had been closed by declaration. GM Jagers suggested an informational item to the Board with updates, Foley and Covington concurred.

7. Report from Human Resources Department

Ms. Foley reported there were no new hires or separations, and no promotions or transfers. Employee communications include a calendar and newsletter, she stated. A CalPERS 457 plan presentation was delivered by webinar for staff to attend.

HR distributed a memo regarding the Riverside County emergency curfew, she advised, and there have been directives regarding COVID-19.

Annual required acknowledgements of the harassment policy were completed and an employee engagement survey is underway, Foley noted. Results will be available for Personnel Committee review at the next meeting.

In response to President Covington, Ms. Foley detailed the content of the anonymous survey and confirmed that the results will be available to management staff and the Committee.

8. Action List for Future Meetings

- *Employee Association topics (none added)*
- *Policy manual updates*

9. Next Meeting Date:

Monday, September 28, 2020 at 5:30 p.m.

ADJOURNMENT: 7:55 p.m.

Attest:



John Covington, Chairman
to the Personnel Committee of the Beaumont-Cherry Valley Water District

