

Board Meeting Agenda

Russ Baggerly, Director
Mary Bergen, Director
Bill Hicks, Director

Pete Kaiser, Director
James Word, Director

CASITAS MUNICIPAL WATER DISTRICT
1055 Ventura Ave.
Oak View, CA 93022
Board Room
January 11, 2017
3:00 P.M.

Right to be heard: Members of the public have a right to address the Board directly on any item of interest to the public which is within the subject matter jurisdiction of the Board. The request to be heard should be made immediately before the Board's consideration of the item. No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of ¶54954.2 of the Government Code and except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under section 54954.3 of the Government Code.

1. Public Comments (items not on the agenda – three minute limit).
2. General Manager comments.
3. Board of Director comments.
4. Board of Director Verbal Reports on Meetings Attended.
5. Consent Agenda
 - a. Minutes of the November 23, 2016 Board Meeting.
 - b. Minutes of the December 14, 2016 Board Meeting.
 - c. Resolution approving memberships for 2017.
 - d. Recommend approval of a purchase order to OTT Hydromet in the amount of \$21,995.85 for the purchase of a Hydrolab MS5 sonde and associated equipment.
 - e. Recommend entering into an agreement with Gantzer Water Resources Engineering, LLC in an amount not to exceed \$18,250 to provide a telemetry buoy for access to remotely deployed sensors used for data collection and management of the hypolimnetic oxygenation system.

RECOMMENDED ACTION: Adopt Consent Agenda

6. Review of District Accounts Payable Report for the Period of 12/12/16 – 1/04/17.

RECOMMENDED ACTION: Motion approving report

7. Discussion regarding the Calleguas – Ventura Water Interconnection Alignment Study and possibility of participation in costs.

RECOMMENDED ACTION: Direction to General Manager

8. Recommend approval of the Casitas Water Adventure Snack Bar Concessionaire Agreement.

RECOMMENDED ACTION: Motion approving recommendation

9. Park Ranger Policy Review and Comments.

RECOMMENDED ACTION: Discussion and direction

10. Discussion regarding possible attendance at the Ojai Valley Chamber of Commerce Awards Gala on February 23rd.

RECOMMENDED ACTION: Direction to staff

11. Discussion regarding scheduling of a planning meeting.

RECOMMENDED ACTION: Direction to staff.

12. Information Items:

- a. Lake Casitas Monthly Status Report for December 2016.
- b. Water Conservation Report for November 2016.

13. Closed Session

- a. Conference with Legal Counsel -- Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9, Government Code. (number of potential cases: one)

14. Adjournment

If you require special accommodations for attendance at or participation in this meeting, please notify our office 24 hours in advance at (805) 649-2251, ext. 113. (Govt. Code Section 54954.1 and 54954.2(a).

Minutes of the Casitas Municipal Water District
Board Meeting Held
November 23, 2016

A meeting of the Board of Directors was held November 23, 2016 at the Casitas Municipal Water District located at 1055 Ventura Ave. in Oak View, California. The meeting was called to order at 9:30 a.m. Directors Kaiser, Baggerly, Word, Hicks and Bergen were present. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were two staff members and five members of the public in attendance. President Kaiser led the group in the flag salute.

1. Public Comments (items not on the agenda – three minute limit).

William Ulrich appreciated the effort to procuring and installing the sound amplification system and suggested that the district obtain listening devices and provide recordings of the meetings. He added that the bathymetric survey probably should have been done years ago. He added that in his opinion the state water project connected was long delated and a little bit late. He asked for video recordation of meetings.

2. General Manager comments.

Mr. Wickstrum informed that board that the Green Coalition is sharing the movie Beyond the Mirage so the board can view it but it will be need to be returned quickly.

3. Board of Director comments.

Director Baggerly stated he received the draft alternative sustainable groundwater plan for the OBGMA last night and it is being reviewed by the ad hoc committee. It is planned to go to the board on December 8th.

4. Board of Director Verbal Reports on Meetings Attended.

Director Hicks reported on his attendance at the AWA meeting and added that Steve was the star of the show and gave a very good presentation. Director Word added he attended the session and felt that the different format was effective. The three largest water districts spoke about the issues and problems and responded to questions. The information was appreciated and how it was delivered was effective. Director Baggerly added the program was interesting and John Krist did an excellent job as moderator.

5. Consent Agenda

ADOPTED

a. Minutes of the November 9, 2016 Board Meeting.

The Consent Agenda was offered by Director Word, seconded by Director Baggerly and adopted by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

6. Review of District Accounts Payable Report for the Period of 11/09/16 – 11/23/16. APPROVED

The accounts payables report was offered by Director Hicks, seconded by Director Bergen and approved by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

7. Joint Exercise of Powers Agreement creating the Upper Ventura River Groundwater Sustainability Agency.

- a. Resolution approving the Joint Exercise of Powers Agreement to create the Upper Ventura River Groundwater Sustainability Agency. ADOPTED

The resolution was offered by Director Word, seconded by Director Baggerly and adopted by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

- b. Resolution appointing a Director and Alternate Director to the Board of Directors of the Upper Ventura River Groundwater Agency Joint Powers. ADOPTED

The above resolution was offered by Director Baggerly, seconded by Director Word with Director Bergen being named as the director and Director Kaiser as the alternate. This was approved by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

8. Resolution approving the MOU agreement with the City of San Buenaventura providing grant funding to participate in the Convert Your Turf Incentive Program and finding that the regional landscape incentive program is exempt from the provisions of CEQA. APPROVED

Mr. Wickstrum introduced Water Conservation Analyst Bryan Sandoval who presented the recommended action. Mr. Sandoval provided an overview of the regional proposition 84 grant and the approval of the board to be a sub grantee that was adopted in April. We have been granted \$82,000 with a Casitas

match of \$20,000 to remove water intensive turf and replace with low water use landscape. This is estimated to save at least 40 acre feet over the next ten years. It is available to residential and commercial customers with an estimate of having approximately 100 participants.

Director Word questioned how much the City is contributing. Mr. Wickstrum said we don't have those numbers today but it is significant. Director Hicks asked if this is for direct customers of Casitas and Mr. Sandoval answered yes it is for our direct customers. The sub grantees were open to other water districts and only the City of Santa Paula and Casitas signed on.

President Kaiser asked about the maximum someone could qualify for with Mr. Sandoval answering the minimum if 400 square feet and the maximum if 3,200 for Commercial and 1,600 for Residential. Director Hicks questioned if someone had already let their lawn die would they qualify and Mr. Sandoval answered it is not retroactive and is available to anyone whose grass is still alive. If it is dead then the grant is not available. Mr. Sandoval also informed the board that they have to keep the landscape for a minimum of five years. If they replant the turf then we have the ability to take action to recover those costs.

Renee Roth spoke in favor of the grant stating and appreciates Casitas stepping up to help the homeowners. She suggested having some leeway in the program for those that could not get the work done in the allotted time and also suggested the use of the ocean friendly garden program, installing a rain garden and or a place to capture and store rainwater and run off.

The above resolution was offered by Director Bergen, seconded by Director Baggerly and approved by the following roll call vote:

AYES:	Directors:	Bergen, Hicks, Word, Baggerly, Kaiser
NOES:	Directors:	None
ABSENT:	Directors:	None

9. Discussion regarding attendance at the Ocean Water Desalination Forum being held on December 1, 2016 at 6:00 p.m. at the Ventura County Government Center Board of Supervisors Chambers.

It was determined that all board members plan to attend this event. A quorum notice will be posted.

10. Information Items:

- a. Finance Committee Minutes.
- b. Water Conservation October 2016 Update.
- c. Investment Report.

The information items were offered by Director Word, seconded by Director Baggerly and approved by the following roll call vote:

AYES:	Directors:	Bergen, Hicks, Word, Baggerly, Kaiser
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NOES: Directors: None
ABSENT: Directors: None

Danny Carrillo, Regional Director of SEIU Local 721 and Chief Negotiator. Negotiations often are not as quick as we like. We do want to acknowledge what is going to be brought to you. It was overwhelmingly ratified what was worked out at the table. Thanks you for the items we will have in the contract. Some is past practice. He encouraged your full support and hope you can direct staff to make this as soon as possible. Especially for Christmas holiday coming up.

President Kaiser moved the meeting to closed session at 10:09 a.m. with Mr. Mathews citing the two closed session items. A copy of the claim is available if desired for public and we will convene to open session.

11. Closed Session

- a. Conference with Legal Counsel per Government Code 54956.9
Liability Claim
Claimant: Paula Suzanne Taylor
Agency Claimed Against: Casitas Municipal Water District
- b. (Govt. Code Sec. 54957.6)
Conference with Labor Negotiators:
Agency Designated Representatives: Rebekah Vieira, Draza
Mrvichin
Employee Organization: Supervisory & Professional, General Unit
and Recreation Unit.

President Kaiser moved the meeting out of closed session at 10:53 a.m. with Mr. Mathews stating on the first item, the board voted to reject that claim on a 5-0 vote. On the second item the board met with labor negotiators and discussed the Memorandum of Understanding with the SEIU represented groups.

12. Possible adoption of resolutions authorizing adoption of a Memorandum of Understanding with the General, Recreation and Supervisory & Professional Units may be considered following the closed session.

ADOPTED

The resolutions were offered by Director Word, seconded by Director Bergen and adopted by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

13. Adjournment

President Kaiser adjourned the meeting at 10:54 a.m.

James W. Word, Secretary

Minutes of the Casitas Municipal Water District
Board Meeting Held
December 14, 2016

A meeting of the Board of Directors was held December 14, 2016 at the Casitas Municipal Water District located at 1055 Ventura Ave. in Oak View, California. The meeting was called to order at 3:00 p.m. Directors Kaiser, Baggerly, Word, Hicks and Bergen were present. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were four staff members and seven members of the public in attendance. President Kaiser led the group in the flag salute and informed the public and the board that there was no closed session being held today.

1. Public Comments (items not on the agenda – three minute limit).

William Weirick, representing the City of Ojai, commended you as a group for putting on the agenda the issue of the alternative plan. It is important to meet and discuss this and give direction to your representative. It is good the OBGMA delayed their action. We request you take the next step to be in full compliance with ADA to go from microphones to go to recording. The next thing is I would appreciate at some point are discussions regarding what has commenced with the state water project pipeline connection with Ventura Water and Calleguas and wondering if there is an anticipated time for this item to be on the agenda for board action or is it a General Manager discretion item.

Ralph Steele, residing at 1579 Orchard Drive, thanked the board for approving the exploratory HoBo project. I along with others are hopeful for success. Looking over the last five years the board has done a lot. I suggest the district put into the 2017 work plan to significantly reduce evaporation from the surface of Lake Casitas. He asked the board to have a qualified consultant compare different methods and look at those that would not raise the water temperature. He asked to look to state for funding and the results could be used on a statewide basis. It could prove less costly than other options.

2. Swearing in of Board Members

Clerk of the Board Rebekah Vieira administered the oath of Office to Directors Word, Kaiser and Baggerly.

3. General Manager comments.

Mr. Wickstrum reported that quagga mussels were discovered in the LA tunnel lining. Met and the DWR will need to respond to the report. The tunnel moves water from Pyramid to Castaic Lake. We are interested in seeing the rapid response and expect it to be a different exercise that was at United and Piru. We will continue to do what we do to protect Lake Casitas as we have since 2008.

4. Board of Director comments.

None

5. Board of Director Verbal Reports on Meetings Attended.

Director Hicks reported that he attended the Desal meeting at the county and stated that Steve Bennet did a good job. He suggested that a smaller plant could get through the permitting process in three years and that might be an option in the Seacliff area. Most of you were there. Director Baggerly added that they learned that the reverse osmosis filtering for desal is not going to work with the red tide. We heard many times that desalination is not the end all for the water portfolio it is just part of it. Director Word added it can be beneficial but has to be part of the total picture. It is very complicated, expensive and takes a long time to do it. The sooner we start on it the better. It won't supply all of the need. Director Bergen added there is a problem of sub surface intakes with the coastal commission which increases the complexity and costs. It will be a hard process. President Kaiser echoed what the other directors have said. It will take 14 plus years to make it work. A regional approach would look at economies of scale.

Director Baggerly reported that he attended the Ojai City Council meeting as a representative on OBGMA board. The representative from the City of Ojai didn't feel comfortable without the approval of the rest of the council. Comments heard and there was discussion regarding transparency. People think it has been done behind closed doors and no one knew about it but we have been working on it for two years. There have been many meetings and reports to the board and I guess it did not resonate with the community as it should have. We have been dealing with it for quite some time. The deadline was to have a meeting before January 1, 2017 to submit the alternative plan. Another complaint we heard was that we had violated the Brown Act. We posted the report legally, 72 hours before the meeting, and the county supervisor was complaining he could not get a copy of the draft before it was posted. The county never gives a draft to anyone before it is delivered to the Board of Supervisor. There were complaints that there is no leadership on water in both CMWD and OGBMA and a suggestion to move to Ventura River Watershed Water Czar to rule the water issues. They complained we have no plan. On the agenda today is phase 2 on the Hobo's. OBGMA does have a groundwater management plan but can't do anything with it due to the development of the groundwater sustainability unless you do the alternative plan. We show that OBGMA has maintained operations within its sustainable yield. There are no undesirable results. We hope people would bring in their own data as ours is purely data and science. They complained pumpers have control and the public is not represented. I take exception to that. The county wants to include themselves. We are a legitimate special district and don't need the county stepping in. They complained the alternate plan has no teeth to prevent pumping. That is true. We can amend our plan after the alternate plan is done. I think the action the city took was bad public policy and unwarranted that the city voted 5-0 that their representative to OBGMA not support the OBGMA Alternative Plan.

6. Consent Agenda

ADOPTED

- a. Resolution to award a contract to J & H Engineering General Contractors, Inc. in the amount of \$83,875 for the Lake Casitas Recreation Area Road Maintenance, Specification 16-390.
- b. Recommend authorization for the General Manager to sign an agreement with Tetra Tech for Hydrographic Survey of Lake Casitas for a not to exceed amount of \$70,900.
- c. Recommend awarding a contract to Water Resource Engineering Associates for the Phase 2 – 35% Design Report for the Horizontal Bore in the Matilija Formation, Eastern HoBo at the estimated cost of \$39,700.
- d. Recommend approval of a purchase order for a Seabird Electronics Profiler in the amount of \$25,299.50.
- e. Recommend approval of a purchase order to Water Quality Solutions in the not to exceed amount of \$38,000 to prepare two years of water quality monitoring reports related to the hypolimnetic aeration system.
- f. Resolution to change the Employer Paid Member Contributions to CalPERS for the General, Recreation and Supervisory and Professional units to 3.5% effective January 1, 2017.
- g. Resolution to provide family vision coverage to the General, Recreation and Supervisory and Professional units.

The public asked that item 6c be pulled from the consent agenda.

The consent agenda minus item 6c was offered by Director Baggerly, seconded by Director Hicks and adopted by the following roll call vote:

AYES:	Directors:	Bergen, Hicks, Word, Baggerly, Kaiser
NOES:	Directors:	None
ABSENT:	Directors:	None

Mr. Wickstrum explained that item 6c is moving to the next phase. Field studies are ongoing. The next phase is to look further to development of that horizontal well. We have narrowed down where to go for a bore hole. It could begin on Casitas property near Robles diversion canal. And could be put in the canal or directly in the Matilija Conduit. We hope we would get the design report in around 8 weeks.

William Weirick stated it is great to move ahead with this. Conservation and diversification of water sources. He asked to receive a sense of date schedules regarding a public meeting and at the end presentation to board.

Angelo Spandrio had submitted a speaker card but stated his question had been covered thank you.

Mr. Wickstrum responded that we will sit down and schedule it and get back to you regarding presentation to this board. We will keep moving this along.

On the motion of Director Word, seconded by Director Baggerly, item 6c was adopted by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

6. Review of District Accounts Payable Report for the Period of 11/17/16 – 12/09/16. APPROVED

On the motion of Director Hicks, seconded by Director Bergen the report was approved by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

7. Presentation of the Report Supporting the Alternate Demonstration of Operation by the Ojai Basin Groundwater Management Agency.

Director Baggerly explained that Paul Blatz, as representative for the City of Ojai decided he needed full council approval and I thought it prudent that I get direction likewise to make sure there is no concern about the rest of the board not being in the process.

Director Baggerly stated the Alternative Plan is allowed. It is a compilation of data collected by OBGMA for 25 years with supporting facts. The Alternative “Plan” is not a policy document, not a project, and is not subject to Nepa/Ceqa. It is a report. This is a strange animal. It gave people expectations of moving forward with action items but it tells you if what you have been doing with the basin has been sustainable. We have many more years of operating within our sustainable years and do not believe it has caused bad results or over draft. We came up with the alternative demonstration that we have more than 10 years operating within our sustainability and have not produced undesirable results. That is unacceptable to the people at our meeting. They want a plan moving forward. We can do that for updating our groundwater management plan in 2017 but we have to have this in place first. I am asking for an affirmative from this board to vote on Friday.

Director Hicks said he heard that people feel it is not being an open process. You cannot move forward unless you pass this. Director Baggerly added the law says that they need to accept the alternate plan. We can’t update that plan unless this alternative plan is accepted. This report shows we are not abusing the basin and then can move forward with updating the plan.

Mr. Wickstrum added the document is submitted to DWR for public review and input and they decide if this report is adequate to meeting the needs or flip it back and request a GSP. President Kaiser stated it looks like we have three representatives from the City of Ojai who would like to speak.

William Weirick spoke stating we are facing some challenges in this valley. There is a difference of opinion of elected officials. We are trying to find the right

way to face the future. I think there needs to be some way of finding some way of working together. Valley water issues can't be solved agency by agency. Each one of us had our own reasons to vote no. The issue for me was page 20

Randy Haney spoke stating there will be a disagreement but it is not personal. We are asked to ratify something from another agency with no time to read what the report says. How can you make a decision on something you have not had the time to look at. Moving forward I could not vote on something that I did not understand. If it goes through there will be opportunity to ask those questions. Education is critical. The biggest concern that valley residents have is there is no plan. If this body and OBGMA could sit down with valley and create a conjunctive use plan how will manage resources available over the next few years. If we start that sooner than later and remove anger and fear that this community has. He suggested asking the agencies to come together or city of Ojai can ask and agencies. It is up to this board or OBGMA to start talking to this community on what is going to happen with the water in the next few years and how do we do this together so we don't have to go to a stage 4 or 5. Do it sooner than later.

John Johnston stated he didn't come to address you but to be available. I didn't realize Russ was asking for direction from the Board. There is a difference of opinion and perspective. It is legal, and less expensive but the issues get down to belief if using the last ten years is the best road map for the future. It is what the law requires to get an exemption. Our plan is out of date.

Director Baggerly asked that if you think our data is wrong another way to approach it is to provide data that is different or shows that a mistake was made. You have 60 days to do that with DWR. Don't condemn because it is not what you thought it would be. We have to get this alternative plan approved through DWR. We will welcome your data.

John Johnston added because you are engaged in the application process you can't mess around with the plan. If this goes through 60 days then you would have to do a more expensive plan. Concern of citizens is that the next ten years will be different from the previous ten years. The law does not seem sensible. Supervisor Bennett did not expect special treatment to receive the plan 72 hours before deadline for meeting. It is a matter of circumstance, we have a choice, take one risk or do what others have done and pay more to have a good plan.

On the motion of Director Bergen, seconded by Director Baggerly the board provided approval to Director Baggerly to support the plan, was approved by the following roll call vote:

AYES:	Directors:	Bergen, Hicks, Word, Baggerly, Kaiser
NOES:	Directors:	None
ABSENT:	Directors:	None

8. Recommend acceptance of the fiscal Year 2015-2016 Comprehensive Annual Financial Report. APPROVED

Denise Collin presented the 2015-2015 Comprehensive Annual Financial Report since Paul Kaymark was unable to attend.

On the motion of Director Hicks, seconded by Director Word, the CAFR was accepted by the following roll call vote:

AYES:	Directors:	Bergen, Hicks, Word, Baggerly, Kaiser
NOES:	Directors:	None
ABSENT:	Directors:	None

President Kaiser moved the meeting to the LCIF meeting at 4:13 p.m. with Director Hicks suggesting that we do so in honor of Pat Weinberger who passed away on Monday morning and was a big lake supporter

9. Lake Casitas Improvement Foundation Meeting

- a. Review of the Treasurer's report.
- b. Discussion regarding any approval of projects and expenditures for the coming year.

Mr. Wickstrum reported that we have not been able to have a kids fishing day and hope to be able to do that again in the future. Park Services Manager Belser suggested some funds be used towards fish plants and informed the board that the Department of Fish and Wildlife will plant us on the next calendar year at the same rate this year. It might be a good idea to budget some funds to purchase some fish. There was also discussion that a public member needs to be determined.

On the motion of Director Baggerly, seconded by Director Hicks, approval to spend money toward the purchase of fish was approved by the following roll call vote:

AYES:	Directors:	Bergen, Hicks, Word, Baggerly, Kaiser
NOES:	Directors:	None
ABSENT:	Directors:	None

President Kaiser closed the LCIF meeting and reconvened the Casitas Board Meeting at 4:22 p.m.

10. Introduction and schedule for the Board Review of the Draft Park Ranger Policy Manual.

Mr. Wickstrum offered appreciation to those that contributed to the draft policy ranger manual and suggested that it be moved forward to a question and answer session on January 11th to provide an opportunity for comments.

11. Report on the State plan to make water conservation a way of life and implementation of Executive Order B-37-16.

RECOMMENDED ACTION: Direction to Staff to prepare and submit comments to the State.

On the motion of Director Baggerly, seconded by Director Hicks the board authorized the General Manager to provide comments to the state by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

12. Recommendation to cancel the December 28, 2016 regular meeting of the Board of Directors.

On the motion of Director Hicks, seconded by Director Bergen and above recommendation as approved by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

13. Information Items:

- a. Lake Casitas Recreation Area Monthly Report for September, 2016.
- b. Lake Casitas Recreation Area Monthly Report for October, 2016.
- c. Water Resources Committee Minutes.
- d. Recreation Committee Minutes.
- e. Executive Committee Minutes.
- f. Lake Casitas Monthly Status Report for November 2016.
- g. Water Consumption Report.
- h. CFD No. 2013-1 (Ojai) Monthly Cost Analysis.
- i. Investment Report.

The information items were offered by Director Bergen, seconded by Director Baggerly and approved by the following roll call vote:

AYES: Directors: Bergen, Hicks, Word, Baggerly, Kaiser
NOES: Directors: None
ABSENT: Directors: None

14. Closed Session

There was no closed session held.

15. Adjournment

President Kaiser adjourned the meeting at 4:45 p.m.

James W. Word, Secretary

CASITAS MUNICIPAL WATER DISTRICT

RESOLUTION NO. 17-01

RESOLUTION APPROVING MEMBERSHIPS FOR THE WATER SYSTEM AND
LAKE CASITAS RECREATION AREA FOR 2016

Whereas, the Water Code section 71597 provides that the Board may obtain memberships in associations for the purpose of furtherance of subjects relating to the powers and duties of the district by passing a resolution with 4/5th vote, and

Whereas, the Board considered memberships at its Board Meeting and approved the following memberships; and

Whereas, it is felt that approving them in one motion will reduce staff work on the individual items.

Now, Therefore Be It Resolved by the Board of Directors of the Casitas Municipal Water District that the following memberships are approved:

1. Membership in the Association of Water Agencies of Ventura County. Approved Membership for \$6000, sponsorship for the Symposium for \$1,000, and \$1,000 for the Regan Library Event.
2. Membership in the National Notary Association in the amount of \$59.
3. Membership in Government Finance Officers Association. The 2016 membership fee was \$160.
4. Membership in the Society for Human Resource Management in the amount of \$190.
5. Membership in the California Association of Public Purchasing Officers costing \$130 in 2016.
6. Membership in the State Water Contractors. Casitas pays only a quarter of these costs. The cost for 2016 was \$32,258.
7. Membership in the California Association of Public Information Officers in the amount of \$225 for 2016.
8. Membership in the Ventura County Special Districts Association in the amount of \$150.
9. Membership in CALPELRA in the amount of \$350.
10. Membership in the American Water Works Association in the amount of \$420.
11. Membership in the Association of California Water Agencies in the amount of \$20,527.17. The cost was \$21,189.33 in 2016.
12. Membership in the California Special Districts Association in the amount of \$6,485.00. The cost was \$6,089 in 2016.
13. Membership in the Ventura Chamber of Commerce in the amount of \$895.
14. Membership in the Ojai Chamber of Commerce in the amount of \$690.

15. Membership in the California Urban Water Conservation Council paid \$1,681.96 in 2016.
16. California Parks & Recreation Society at \$480.
17. S. California Public Pool Operators Association at \$30.
18. United States Water Fitness Association at \$125.
19. World Waterpark Association at \$395.
20. Pesticide Applicators Professional Association at \$80.
21. California Park Rangers Association at \$110.
22. Channel Counties Water Utilities Association administered by AWA at \$150.
23. North American Lake Management Society in the amount of \$110.
24. American Fisheries in the amount of \$180.
25. Membership in California Lake Management Society at \$40.
26. California Association for Recreational Fishing in the amount of \$300.
27. Membership in the Irrigation Association in the amount of \$100.
28. Membership in the American Society of Safety Engineers in the amount of \$195.
29. Membership in the Maintenance Superintendents Associations in the amount of \$75.

ADOPTED this 11th day of January, 2017.

Signed:

Pete Kaiser, President
Casitas Municipal Water District

Attest:

Jim Word, Secretary
Casitas Municipal Water District

INTEROFFICE MEMORANDUM

TO: STEVE WICKSTRUM, GENERAL MANAGER
FROM: SUSAN MCMAHON, WATER QUALITY SUPERVISOR
SUBJECT: APPROVAL FOR PURCHASE OF HYDROLAB MS5
DATE: JANUARY 5, 2017

Recommendation:

It is recommended that the Board of Directors approve the purchase of a Hydrolab MS5 sonde and associated equipment from OTT Hydromet at the cost of \$21,995.85 in order to provide remote water quality monitoring data. This project is budgeted in account 11-5-42-5912-00 and does not exceed the budget.

Discussion:

This equipment will be used to provide hourly monitoring data at four elevations in the lake. The sensors will be connected to a data logger to provide internal and cloud based data acquisition. The data provided by the remotely deployed sensors will provide hypolimnetic oxygenation system operational support with the goal of optimizing the flow rate of oxygen into the lake.



Quotation

OTT Hydromet
 PO Box 608
 Loveland, CO 80539-0608
 Phone: (800) 949-3766
 Email: sales@otthydromet.com
 Website: www.ott.com

Quote Number: 100215773v1

Use quote number at time of order to ensure that you receive prices quoted

Quote Date: 16-Dec-2016

Quote Expiration: 14-Feb-2017

Casitas Water Management District
 1055 Ventura Ave.
 Oak View, CA 93022

Ship to: Gantzer Water
 14816 119th PL NE
 Kirkland, WA 98034

Name: Susan McMahon
 Phone: 805-649-2251 xt 120
 Email: smcmahon@casitaswater.com

Customer Quote Reference: Hydrolab MS5

Sales Contact: TJ Sisson Email: tsisson@otthydromet.com Phone: 208-543-6697

PRICING QUOTATION

Line	Part Number	Description	Qty	Unit Price	% Disc	Net Unit Price	Extended Price
1	MS5BASE	Hydrolab MS5 sonde with temperature and other integrated sensors	4	3,250.00	15%	2,762.50	11,050.00
2	MS5IBP	Internal battery pack integrated to Hydrolab MS5 sonde	4	620.00	15%	527.00	2,108.00
3	S5LDO	Luminescent Dissolved Oxygen (LDO) sensor integrated to Hydrolab Series 5 sonde	4	1,475.00	15%	1,253.75	5,015.00
4	S5COND	Conductivity sensor integrated to Hydrolab Series 5 sonde Unit of Measure: EA - Each.	4	380.00	15%	323.00	1,292.00
5	S5D100	100 meter depth sensor integrated to Hydrolab Series 5 sonde	4	530.00	15%	450.50	1,802.00
6	004203	CABLE,CONN ASSY,6PFM X 3M	5	171.50	15%	145.77	728.85
						Grand Total	\$ 21,995.85

TERMS OF SALE

Freight: Ground Prepay and Add

FCA: Hach's facility

All purchases of OTT Hydromet (Division of Hach Company) products and/or services are expressly and without limitation subject to Hach Company's Terms & Conditions of Sale ("Hach TCS"), incorporated herein by reference and published on Hach Company's website at www.hach.com/terms. Hach TCS are contained directly and/or by reference in Hach's offer, order acknowledgment, and invoice documents. The first of the following acts constitutes an acceptance of Hach's offer and not a counteroffer and creates a contract of sale ("Contract") in accordance with these Terms & Conditions: (i) Buyer's issuance of a purchase order document against Hach's offer; (ii) acknowledgement of Buyer's order by Hach; or (iii) commencement of any performance by Hach pursuant to Buyer's order. Provisions contained in Buyer's purchase documents (including electronic commerce interfaces) that materially alter, add to or subtract from the provisions of these Terms & Conditions of Sale are not a part of the Contract.

Due to International regulations, a U.S. Department of Commerce Export License may be required. Hach reserves the right to approve specific shipping agents. Wooden boxes suitable for ocean shipment are extra. Specify final destination to ensure proper documentation and packing suitable for International transport. In addition, Hach may require : 1). A statement of intended end-use; 2). Certification that the intended end-use does not relate to proliferation of weapons of mass destruction (prohibited nuclear end use, chemical / biological weapons, missile technology); and 3). Certification that the goods will not be diverted contrary to U.S. law.

ORDER TERMS:
 Terms are Subject to Credit Review
 Please reference the quotation number on your purchase order.
 Sales tax is not included. Applicable sales tax will be added to the invoice based on the U.S. destination, if applicable provide a resale/exemption certificate.
 Shipments will be prepaid and added to invoices unless otherwise specified.
 Equipment quoted operates with standard U.S. supply voltage.
 Hach standard terms and conditions apply to all sales.
 Additional terms and conditions apply to orders for service partnerships.
 Prices do not include delivery of product. Reference attached Freight Charge Schedule and Collect Handling Fees.
 Standard lead time is 30 days

Sales Contact:

Prepared By:

Name: TJ Sisson
Title: Regional Sales Manager
Phone: 208-543-6697
Email: tsisson@otthydromet.com

Name: Terry Harris
Title: Sales Support
Phone: 505-999-2104
Email: tharris@hach.com



HACH COMPANY

Headquarters
 P.O. Box 389
 5600 Lindbergh Drive
 Loveland, CO 80539-0389

Purchase Orders
 PO Box 608
 Loveland, CO 80539-0608

WebSite: www.hach.com

U.S.A.
 Phone: 800-227-4224
 Fax: 970-669-2932
 E-Mail: orders@hach.com
 quotes@hach.com
 techhelp@hach.com

Export
 Phone: 970-669-3050
 Fax: 970-461-3939
 Email: intl@hach.com

Remittance
 2207 Collections Center Drive
 Chicago, IL 60693

Wire Transfers
 Bank of America
 231 S. LaSalle St.
 Chicago, IL 60604
 Account: 8765602385
 Routing (ABA): 071000039

Quotation Addendum

ADVANTAGES OF WORKING WITH HACH

<p><u>Technical Support</u> <i>Provides post-sale instrumentation and application support</i></p> <ul style="list-style-type: none"> ✓ Hach's highly skilled Technical Support staff is dedicated to helping you resolve technical issues before, during and after the sale. ✓ Available via phone, e-mail, or live online chat at Hach.com! ✓ Toll-free phone: 800-227-4224 ✓ E-mail: techhelp@hach.com <p>www.Hach.com</p>	<p><u>SIRR Delivery Program</u> <i>The Scheduled Inventory Reagent Replacement (SIRR) Program offers an uninterrupted supply of reagents</i></p> <ul style="list-style-type: none"> ✓ Lower inventory costs and fresh supplies ✓ Reduced paperwork – one purchase order for the entire year ✓ Automatic shipments on your schedule ✓ Easier budgeting <p>www.Hach.com/sirr</p>	<p><u>Hach WarrantyPlus™ Upgrade</u> <i>Instrument Protection and Service</i></p> <ul style="list-style-type: none"> ✓ Savings of more than 20% versus a "pay as you go" approach ✓ Freedom from maintenance ✓ Worry-free compliance with Hach's certification ✓ Fixed maintenance budget for the entire year <p>www.Hach.com/warrantyplus</p>
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ADVANTAGES OF SIMPLIFIED SHIPPING AND HANDLING

<p><u>Safe & Fast Delivery</u></p> <ul style="list-style-type: none"> ✓ Receive tracking numbers on your order acknowledgement ✓ Hach will assist with claims if an order is lost or damaged in shipment 	<p><u>Save Time – Less Hassle</u></p> <ul style="list-style-type: none"> ✓ No need to set up deliveries for orders or to schedule pickup ✓ Hach ships order as product is available, at no additional charge, when simplified shipping and handling is used. 	<p><u>Save Money</u></p> <ul style="list-style-type: none"> ✓ No additional invoice to process – save on time and administrative costs ✓ Only pay shipping once, even if multiple shipments are required
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STANDARD SIMPLIFIED SHIPPING AND HANDLING CHARGES ^{1, 2, 3}						Collect ⁴
Pricing Effective 10/3/2016						
Total Price of Merchandise Ordered	Standard Surface (Mainland USA)	Second Day Delivery (Mainland USA)	Next Day Delivery (Mainland USA)	Second Day Delivery (Alaska & Hawaii)	Next Day Delivery (Alaska & Hawaii)	Handling Fee Effective 10/3/2016
\$0.00 - \$49.99	\$11.99	\$29.99	\$54.99	\$44.95	\$85.45	\$7.98
\$50.00 - \$149.99	\$17.79	\$52.45	\$98.97	\$71.64	\$136.19	\$8.21
\$150.00 - \$349.99	\$30.89	\$79.43	\$161.79	\$100.23	\$195.06	\$8.72
\$350.00 - \$649.99	\$41.67	\$108.95	\$216.68	\$136.20	\$263.73	\$9.18
\$650.00 - \$949.99	\$52.77	\$114.40	\$239.39	\$141.65	\$267.00	\$9.50
\$950.00 - \$1,999.99	\$66.39	\$141.16	\$298.48	\$167.98	\$325.04	\$10.37
\$2,000.00 - \$3,999.99	\$76.27	\$151.01	\$305.84	\$173.67	\$330.31	\$11.99
\$4,000.00 - \$5,999.99	\$88.42	\$155.77	\$320.61	\$174.47	\$339.85	\$14.76
\$6,000.00 - \$7,999.99	\$104.48	\$176.56	\$355.05	\$192.45	\$371.02	\$17.22
\$8,000.00 - \$9,999.99	\$119.79	\$201.60	\$393.94	\$215.71	\$409.10	\$19.87
Over \$10,000	2% of Net Order Value	4% of Net Order Value	6% of Net Order Value	4% of Net Order Value	6% of Net Order Value	\$30.43

- Shipping & Handling charges shown are only applicable to orders billing and shipping to U.S. destinations. Shipping & Handling charges will be prepaid and added to invoice. Shipping & Handling for the Reagent Delivery Program is charged on each shipment release and is based on the total price of each shipment release. Shipping & Handling charges are subject to change without notice.
- Additional Shipping & Handling charges will be applied to orders containing bulky and/or especially heavy orders. Refrigerated and all weather Samplers do not qualify for simplified Shipping & Handling charges, and are considered heavy products. Dissolved Oxygen Sensors can be damaged if exposed to temps below freezing, causing sensor failure. Must be shipped over night or 2nd day air during the cold weather months.
- Orders shipping to Alaska or Hawaii: Additional Shipping & Handling charges may be applied at time of order processing. Second Day and Next Day delivery is not available to all destinations.
- Hach Company will assess a collect handling fee on orders with collect shipping terms. This handling fee covers the additional costs that Hach Company incurs from processing and managing collect shipments.

SALES TAX

Sales Tax is not included in the attached quotation. Applicable sales and usage taxes will be added to your invoice, at the time of order, based on U.S. destination of goods, unless a valid resale/exemption certificate for destination state is provided to the above address or fax number, attention of the Tax Dept.

TERMS & CONDITIONS OF SALE FOR HACH COMPANY PRODUCTS AND SERVICES

This document sets forth the Terms & Conditions of Sale for goods manufactured and/or supplied, and services provided, by Hach Company of Loveland, Colorado ("Hach") and sold to the original purchaser thereof ("Buyer"). Unless otherwise specifically stated herein, the term "Hach" includes only Hach Company and none of its affiliates. Unless otherwise specifically stated in a previously-executed written purchase agreement signed by authorized representatives of Hach and Buyer, these Terms & Conditions of Sale establish the rights, obligations and remedies of Hach and Buyer which apply to this offer and any resulting order or contract for the sale of Hach's goods and/or services ("Products").

1. **APPLICABLE TERMS & CONDITIONS:** These Terms & Conditions of Sale are contained directly and/or by reference in Hach's offer, order acknowledgment, and invoice documents. The first of the following acts constitutes an acceptance of Hach's offer and not a counteroffer and creates a contract of sale ("Contract") in accordance with these Terms & Conditions: (i) Buyer's issuance of a purchase order document against Hach's offer; (ii) acknowledgement of Buyer's order by Hach; or (iii) commencement of any performance by Hach pursuant to Buyer's order. Provisions contained in Buyer's purchase documents (including electronic commerce interfaces) that materially alter, add to or subtract from the provisions of these Terms & Conditions of Sale are not a part of the Contract.

2. **CANCELLATION:** Buyer may cancel goods orders subject to fair charges for Hach's expenses including handling, inspection, restocking, freight and invoicing charges as applicable, provided that Buyer returns such goods to Hach at Buyer's expense within 30 days of delivery and in the same condition as received. Buyer may cancel service orders on ninety (90) day's prior written notice and refunds will be prorated based on the duration of the service plan. Inspections and re-instatement fees may apply upon cancellation or expiration of service programs. Seller may cancel all or part of any order prior to delivery without liability if the order includes any Products that Seller determines may not comply with export, safety, local certification, or other applicable compliance requirements.

3. **DELIVERY:** Delivery will be accomplished FCA Hach's facility located in Ames, Iowa or Loveland, Colorado, United States (Incoterms 2010). For orders having a final destination within the U.S., legal title and risk of loss or damage pass to Buyer upon transfer to the first carrier. For orders having a final destination outside the U.S., legal title and risk of loss or damage pass to Buyer when the Products enter international waters or airspace or cross an international frontier. Hach will use commercially reasonable efforts to deliver the Products ordered herein within the time specified on the face of this Contract or, if no time is specified, within Hach's normal lead-time necessary for Hach to deliver the Products sold hereunder. Upon prior agreement with Buyer and for an additional charge, Hach will deliver the Products on an expedited basis. Standard service delivery hours are 8 am – 5 pm Monday through Friday, excluding holidays.

4. **INSPECTION:** Buyer will promptly inspect and accept any Products delivered pursuant to this Contract after receipt of such Products. In the event the Products do not conform to any applicable specifications, Buyer will promptly notify Hach of such nonconformance in writing. Hach will have a reasonable opportunity to repair or replace the nonconforming product at its option. Buyer will be deemed to have accepted any Products delivered hereunder and to have waived any such nonconformance in the event such a written notification is not received by Hach within thirty (30) days of delivery.

5. **PRICES & ORDER SIZES:** All prices are in U.S. dollars and are based on delivery as stated above. Prices do not include any charges for services such as insurance; brokerage fees; sales, use, inventory or excise taxes; import or export duties; special financing fees; VAT, income or royalty taxes imposed outside the U.S.; consular fees; special permits or licenses; or other charges imposed upon the production, sale, distribution, or delivery of Products. Buyer will either pay any and all such charges or provide Hach with acceptable exemption certificates, which obligation survives performance under this Contract. Hach reserves the right to establish minimum order sizes and will advise Buyer accordingly.

6. **PAYMENTS:** All payments must be made in U.S. dollars. For Internet orders, the purchase price is due at the time and manner set forth at www.hach.com. Invoices for all other orders are due and payable NET 30 DAYS from date of the invoice without regard to delays for inspection or transportation, with payments to be made by check to Hach at the above address or by wire transfer to the account stated on the front of Hach's invoice, or for customers with no established credit, Hach may require cash or credit card payment in advance of delivery. In the event payments are not made or not made in a timely manner, Hach may, in addition to all other remedies provided at law, either: (a) declare Buyer's performance in breach and terminate this Contract for default; (b) withhold future shipments until delinquent payments are made; (c) deliver future shipments on a cash-with-order or cash-in-advance basis even after the delinquency is cured; (d) charge interest on the delinquency at a rate of 1-1/2% per month or the maximum rate permitted by law, if lower, for each month or part thereof of delinquency in payment plus applicable storage charges and/or inventory carrying charges; (e) repossess the Products for which payment has not been made; (f) recover all costs of collection

including reasonable attorney's fees; or (g) combine any of the above rights and remedies as is practicable and permitted by law. Buyer is prohibited from setting off any and all monies owed under this from any other sums, whether liquidated or not, that are or may be due Buyer, which arise out of a different transaction with Hach or any of its affiliates. Should Buyer's financial responsibility become unsatisfactory to Hach in its reasonable discretion, Hach may require cash payment or other security. If Buyer fails to meet these requirements, Hach may treat such failure as reasonable grounds for repudiation of this Contract, in which case reasonable cancellation charges shall be due Hach. Buyer grants Hach a security interest in the Products to secure payment in full, which payment releases the security interest but only if such payments could not be considered an avoidable transfer under the U.S. Bankruptcy Code or other applicable laws. Buyer's insolvency, bankruptcy, assignment for the benefit of creditors, or dissolution or termination of the existence of Buyer, constitutes a default under this Contract and affords Hach all the remedies of a secured party under the U.C.C., as well as the remedies stated above for late payment or non-payment. See [122](#) for further wire transfer requirements.

7. **LIMITED WARRANTY:** Hach warrants that Products sold hereunder will be free from defects in material and workmanship and will, when used in accordance with the manufacturer's operating and maintenance instructions, conform to any express written warranty pertaining to the specific goods purchased, which for most Hach instruments is for a period of twelve (12) months from delivery. Hach warrants that services furnished hereunder will be free from defects in workmanship for a period of ninety (90) days from the completion of the services. Parts provided by Hach in the performance of services may be new or refurbished parts functioning equivalent to new parts. Any non-functioning parts that are repaired by Hach shall become the property of Hach. No warranties are extended to consumable items such as, without limitation, reagents, batteries, mercury cells, and light bulbs. **All other guarantees, warranties, conditions and representations, either express or implied, whether arising under any statute, law, commercial usage or otherwise, including implied warranties of merchantability and fitness for a particular purpose, are hereby excluded.** The sole remedy for Products not meeting this Limited Warranty is replacement, credit or refund of the purchase price. This remedy will not be deemed to have failed of its essential purpose so long as Hach is willing to provide such replacement, credit or refund.

8. **INDEMNIFICATION:** Indemnification applies to a party and to such party's successors-in-interest, assignees, affiliates, directors, officers, and employees ("Indemnified Parties"). Hach is responsible for and will defend, indemnify and hold harmless the Buyer Indemnified Parties against all losses, claims, expenses or damages which may result from accident, injury, damage, or death due to Hach's breach of the Limited Warranty. This indemnification is provided on the condition that the Buyer is likewise responsible for and will defend, indemnify and hold harmless the Hach Indemnified Parties against all losses, claims, expenses or damages which may result from accident, injury, damage, or death due to the negligence or misuse or misapplication of any goods or services by the Buyer or any third party affiliated or in privity with Buyer.

9. **PATENT PROTECTION:** Subject to all limitations of liability provided herein, Hach will, with respect to any Products of Hach's design or manufacture, indemnify Buyer from any and all damages and costs as finally determined by a court of competent jurisdiction in any suit for infringement of any U.S. patent (or European patent for Products that Hach sells to Buyer for end use in a member state of the E.U.) that has issued as of the delivery date, solely by reason of the sale or normal use of any Products sold to Buyer hereunder and from reasonable expenses incurred by Buyer in defense of such suit if Hach does not undertake the defense thereof, provided that Buyer promptly notifies Hach of such suit and offers Hach either (i) full and exclusive control of the defense of such suit when Products of Hach only are involved, or (ii) the right to participate in the defense of such suit when products other than those of Hach are also involved. Hach's warranty as to use patents only applies to infringement arising solely out of the inherent operation of the Products according to their applications as envisioned by Hach's specifications. In case the Products are in such suit held to constitute infringement and the use of the Products is enjoined, Hach will, at its own expense and at its option, either procure for Buyer the right to continue using such Products or replace them with non-infringing products, or modify them so they become non-infringing, or remove the Products and refund the purchase price (prorated for depreciation) and the transportation costs thereof. The foregoing states the entire liability of Hach for patent infringement by the Products. Further, to the same extent as set forth in Hach's above obligation to Buyer, Buyer agrees to defend, indemnify and hold harmless Hach for patent infringement related to (x) any goods manufactured to the Buyer's design, (y) services provided in accordance with the Buyer's instructions, or (z) Hach's Products when used in combination with any other devices, parts or software not provided by Hach hereunder.

10. **TRADEMARKS AND OTHER LABELS:** Buyer agrees not to remove or alter any indicia of manufacturing origin or patent numbers contained on or within the Products, including without limitation the serial numbers or trademarks on nameplates or cast, molded or machined components.

11. SOFTWARE. All licenses to Hach's separately-provided software products are subject to the separate software license agreement(s) accompanying the software media. In the absence of such terms and for all other software, Hach grants Buyer only a personal, non-exclusive license to access and use the software provided by Hach with Products purchased hereunder solely as necessary for Buyer to enjoy the benefit of the Products. A portion of the software may contain or consist of open source software, which Buyer may use under the terms and conditions of the specific license under which the open source software is distributed. Buyer agrees that it will be bound by any and all such license agreements. Title to software remains with the applicable licensor(s).

12. PROPRIETARY INFORMATION; PRIVACY: "Proprietary Information" means any information, technical data or know-how in whatever form, whether documented, contained in machine readable or physical components, mask works or artwork, or otherwise, which Hach considers proprietary, including but not limited to service and maintenance manuals. Buyer and its customers, employees and agents will keep confidential all such Proprietary Information obtained directly or indirectly from Hach and will not transfer or disclose it without Hach's prior written consent, or use it for the manufacture, procurement, servicing or calibration of Products or any similar products, or cause such products to be manufactured, serviced or calibrated by or procured from any other source, or reproduce or otherwise appropriate it. All such Proprietary Information remains Hach's property. No right or license is granted to Buyer or its customers, employees or agents, expressly or by implication, with respect to the Proprietary Information or any patent right or other proprietary right of Hach, except for the limited use licenses implied by law. Hach will manage Customer's information and personal data in accordance with its Privacy Policy, located at <http://www.hach.com/privacypolicy>.

13. CHANGES AND ADDITIONAL CHARGES: Hach reserves the right to make design changes or improvements to any products of the same general class as Products being delivered hereunder without liability or obligation to incorporate such changes or improvements to Products ordered by Buyer unless agreed upon in writing before the Products' delivery date. Services which must be performed as a result of any of the following conditions are subject to additional charges for labor, travel and parts: (a) equipment alterations not authorized in writing by Hach; (b) damage resulting from improper use or handling, accident, neglect, power surge, or operation in an environment or manner in which the instrument is not designed to operate or is not in accordance with Hach's operating manuals; (c) the use of parts or accessories not provided by Hach; (d) damage resulting from acts of war, terrorism or nature; (e) services outside standard business hours; (f) site prework not complete per proposal; or (g) any repairs required to ensure equipment meets manufacturer's specifications upon activation of a service agreement.

14. SITE ACCESS / PREPARATION / WORKER SAFETY / ENVIRONMENTAL COMPLIANCE: In connection with services provided by Hach, Buyer agrees to permit prompt access to equipment. Buyer assumes full responsibility to back-up or otherwise protect its data against loss, damage or destruction before services are performed. Buyer is the operator and in full control of its premises, including those areas where Hach employees or contractors are performing service, repair and maintenance activities. Buyer will ensure that all necessary measures are taken for safety and security of working conditions, sites and installations during the performance of services. Buyer is the generator of any resulting wastes, including without limitation hazardous wastes. Buyer is solely responsible to arrange for the disposal of any wastes at its own expense. Buyer will, at its own expense, provide Hach employees and contractors working on Buyer's premises with all information and training required under applicable safety compliance regulations and Buyer's policies. If the instrument to be serviced is in a Confined Space, as that term is defined under OSHA regulations, Buyer is solely responsible to make it available to be serviced in an unconfined space. Hach service technicians will not work in Confined Spaces. In the event that a Buyer requires Hach employees or contractors to attend safety or compliance training programs provided by Buyer, Buyer will pay Hach the standard hourly rate and expense reimbursement for such training attended. The attendance at or completion of such training does not create or expand any warranty or obligation of Hach and does not serve to alter, amend, limit or supersede any part of this Contract.

15. LIMITATIONS ON USE: Buyer will not use any Products for any purpose other than those identified in Hach's catalogs and literature as intended uses. Unless Hach has advised the Buyer in writing, in no event will Buyer use any Products in drugs, food additives, food or cosmetics, or medical applications for humans or animals. In no event will Buyer use in any application any Product that requires FDA 510(k) clearance unless and only to the extent the Product has such clearance. Any warranty granted by Hach is void if any goods covered by such warranty are used for any purpose not permitted hereunder.

16. EXPORT AND IMPORT LICENSES AND COMPLIANCE WITH LAWS: Unless otherwise specified in this Contract, Buyer is responsible for obtaining any required export or import licenses. Hach represents that all Products delivered hereunder will be produced and supplied in compliance with all applicable laws and regulations. Buyer will comply with all laws and regulations applicable to the installation or use of all Products, including applicable import and export control laws and regulations of the U.S., E.U. and any other country having proper jurisdiction, and will obtain all necessary export licenses in connection with any subsequent export, re-export, transfer and use of all Products and technology delivered hereunder. Buyer will not sell, transfer, export or re-export any Hach

Products or technology for use in activities which involve the design, development, production, use or stockpiling of nuclear, chemical or biological weapons or missiles, nor use Hach Products or technology in any facility which engages in activities relating to such weapons. Buyer will comply with all local, national, and other laws of all jurisdictions globally relating to anti-corruption, bribery, extortion, kickbacks, or similar matters which are applicable to Buyer's business activities in connection with this Contract, including but not limited to the U.S. Foreign Corrupt Practices Act of 1977, as amended (the "FCPA"). Buyer agrees that no payment of money or provision of anything of value will be offered, promised, paid or transferred, directly or indirectly, by any person or entity, to any government official, government employee, or employee of any company owned in part by a government, political party, political party official, or candidate for any government office or political party office to induce such organizations or persons to use their authority or influence to obtain or retain an improper business advantage for Buyer or for Hach, or which otherwise constitute or have the purpose or effect of public or commercial bribery, acceptance of or acquiescence in extortion, kickbacks or other unlawful or improper means of obtaining business or any improper advantage, with respect to any of Buyer's activities related to this Contract. Hach asks Buyer to "Speak Up!" if aware of any violation of law, regulation or our Standards of Conduct ("SOC") in relation to this Contract. See <http://danaher.com/integrity-and-compliance> and www.danaherintegrity.com for a copy of the SOC and for access to our Helpline portal.

17. FORCE MAJEURE: Hach is excused from performance of its obligations under this Contract to the extent caused by acts or omissions that are beyond its control of, including but not limited to Government embargoes, blockages, seizures or freeze of assets, delays or refusals to grant an export or import license or the suspension or revocation thereof, or any other acts of any Government; fires, floods, severe weather conditions, or any other acts of God; quarantines; labor strikes or lockouts; riots; strife; insurrections; civil disobedience or acts of criminals or terrorists; war; material shortages or delays in deliveries to Hach by third parties. In the event of the existence of any force majeure circumstances, the period of time for delivery, payment terms and payments under any letters of credit will be extended for a period of time equal to the period of delay. If the force majeure circumstances extend for six months, Hach may, at its option, terminate this Contract without penalty and without being deemed in default or in breach thereof.

18. NON ASSIGNMENT AND WAIVER: Buyer will not transfer or assign this Contract or any rights or interests hereunder without Hach's prior written consent. Failure of either party to insist upon strict performance of any provision of this Contract, or to exercise any right or privilege contained herein, or the waiver of any breach of the terms or conditions of this Contract will not be construed as thereafter waiving any such terms, conditions, rights, or privileges, and the same will continue and remain in force and effect as if no waiver had occurred.

19. LIMITATION OF LIABILITY: **None of the Hach Indemnified Parties will be liable to Buyer under any circumstances for any special, treble, incidental or consequential damages, including without limitation, damage to or loss of property other than for the Products purchased hereunder; damages incurred in installation, repair or replacement; lost profits, revenue or opportunity; loss of use; losses resulting from or related to downtime of the products or inaccurate measurements or reporting; the cost of substitute products; or claims of Buyer's customers for such damages, howsoever caused, and whether based on warranty, contract, and/or tort (including negligence, strict liability or otherwise). The total liability of the Hach Indemnified Parties arising out of the performance or nonperformance hereunder or Hach's obligations in connection with the design, manufacture, sale, delivery, and/or use of Products will in no circumstance exceed in the aggregate a sum equal to twice the amount actually paid to Hach for Products delivered hereunder.**

20. APPLICABLE LAW AND DISPUTE RESOLUTION: The construction, interpretation and performance hereof and all transactions hereunder shall be governed by the laws of the State of Colorado, without regard to its principles or laws regarding conflicts of laws. If any provision of this Contract violates any Federal, State or local statutes or regulations of any countries having jurisdiction of this transaction, or is illegal for any reason, said provision shall be self-deleting without affecting the validity of the remaining provisions. Unless otherwise specifically agreed upon in writing between Hach and Buyer, any dispute relating to this Contract which is not resolved by the parties shall be adjudicated in order of preference by a court of competent jurisdiction (i) in the State of Colorado, U.S.A. if Buyer has minimum contacts with Colorado and the U.S., (ii) elsewhere in the U.S. if Buyer has minimum contacts with the U.S. but not Colorado, or (iii) in a neutral location if Buyer does not have minimum contacts with the United States.

21. ENTIRE AGREEMENT & MODIFICATION: These Terms & Conditions of Sale constitute the entire agreement between the parties and supersede any prior agreements or representations, whether oral or written. No change to or modification of these Terms & Conditions shall be binding upon Hach unless in a written instrument specifically referencing that it is amending these Terms & Conditions of Sale and signed by an authorized representative of Hach. Hach rejects any additional or inconsistent Terms & Conditions of Sale offered by Buyer at any time, whether or not such terms or conditions materially alter the Terms & Conditions herein and irrespective of Hach's acceptance of Buyer's order for the described goods and services.

* * *

TERMS AND CONDITIONS OF SALE FOR HACH® PRODUCTS

Additional Provisions

22. WIRE TRANSFERS: Buyer and Hach both recognize that there is a risk of wire fraud when individuals impersonating a business demand immediate payment under new wire transfer instructions. To avoid this risk, Buyer must verbally confirm any new or changed wire transfer instructions by calling Hach at +1-970-663-1377 and speaking with Hach's Credit Manager before transferring any monies using the new wire instructions. Both parties agree that they will not institute wire transfer instruction changes and require immediate payment under the new instructions but will instead provide a ten (10) day grace period to verify any wire transfer instruction changes before any outstanding payments are due using the new instructions.

* * *

INTEROFFICE MEMORANDUM

TO: STEVE WICKSTRUM, GENERAL MANAGER
FROM: SUSAN MCMAHON, WATER QUALITY SUPERVISOR
SUBJECT: ACCEPT PROPOSAL AND ENTER INTO AN AGREEMENT WITH GANTZER WATER RESOURCES ENGINEERING, LLC TO PROVIDE A TELEMETRY BUOY FOR THE HYPOLIMNETIC OXYGENATION SYSTEM (HOS)
DATE: JANUARY 5, 2017

Recommendation:

It is recommended that the Board of Directors accept the proposal and enter into an agreement with Gantzer Water Resources Engineering, LLC (Gantzer Water Resources) in an amount not to exceed \$18,250 to provide a telemetry buoy for access to remotely deployed sensors used for data collection and management of the hypolimnetic oxygenation system (HOS) . This project is budgeted in account 11-5-42-5912-00 and does not exceed the budget.

Discussion:

In order to maximize efficiency and reduce the operational costs associated with monitoring and selection of oxygen flow rates for the HOS, Gantzer Water Resources has prepared a proposal for the fabrication and installation of a telemetry buoy. The buoy system will feature connection points at elevations that correspond to the intake gates. It will have battery and solar power supply. The system features a submerged and a floating buoy to accommodate lake level changes.

The intention is to bring all available data, including remote data, profile data, water surface elevation data, withdrawal data, and HOS operational data together to provide a representative picture of water quality conditions to best recommend HOS operation.



Casitas Reservoir Proposal to Provide a Telemetry Buoy for Access to Remotely Deployed Sensors

PREPARED FOR: Susan McMahon (Casitas Municipal Water District)

PREPARED BY: Paul Gantzer

DATE: January 6, 2017

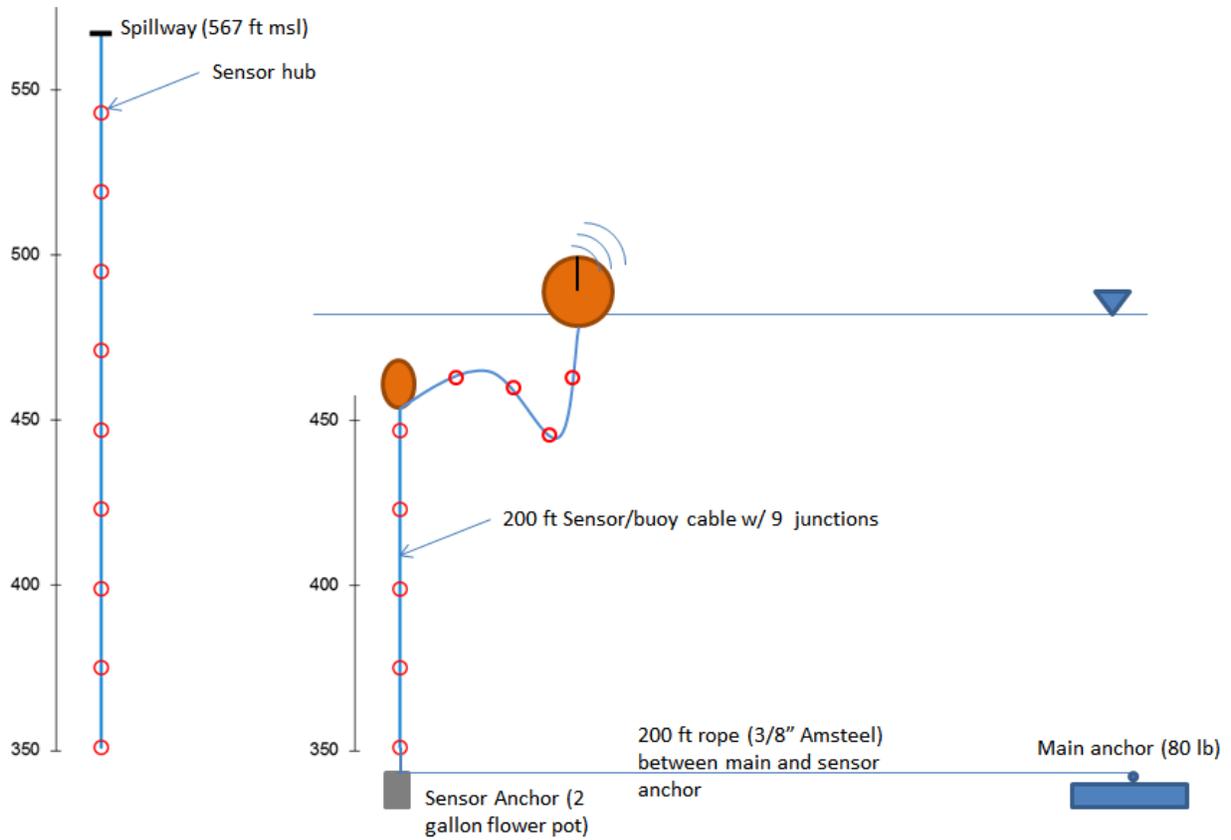
Per the email dated December 9, 2016, I would like to present the following proposal to Casitas Municipal Water District to provide a telemetry buoy system to integrate water quality sensors (Hydrolab MS5) to monitor water quality response to the hypolimnetic oxygenation system (HOS) installed in the Casitas Reservoir.

Since our discussions and after talking with Henry, I would propose a buoy system that has integrated hubs (connections) at the same elevations corresponding to intake withdrawals. This provides the flexibility to move probes very easily from pre-reference positions. The buoy system would be installed on a single lanyard that has the sensor cable integrated within its core, with nine (9) junctions corresponding to each intake elevation. The buoy would have a double power supply with solar to accommodate external power to all sensors as well as the on board 900 MHz radio. A sketch of the layout is provided below. There would be a submerged buoy to maintain tension on the sensor line so all probes remain referenced from the bottom and would remain stationary even during water level fluctuations. When the reservoir refills, the submerged buoy would be re-positioned accordingly. Likewise as water level drops, the submerged buoy would be re-positioned before it reached the surface. The surface buoy has enough slack in the main line to accommodate any water level, even at full pool elevation. Additionally, the proposed buoy configuration is designed with expansion capabilities to add additional Hydrolab sensors, up to nine (9) sensors total, at any time in the future.

This proposal covers the fabrication and installation of the buoy with the radio pair but does not cover integration with the Casitas water treatment plant PLC or corresponding HMI. Gantzer Water will however, assist with coordination between Hydrolab and Casitas Water staff to ensure successful communication between the Casitas Water PLC and the sensors.

Casitas Reservoir Proposal to Provide a Telemetry Buoy for Access to Remotely Deployed Sensors

Gantzer Water will require the assistance of at least one staff member and access to a boat to deploy the buoy and corresponding sensors.



Cost for the buoy, telemetry radio pair and installation are slated as follows:

Table of Compensation	Line cost
Buoy	\$ 12,250
Telemetry (Radio pair)	\$ 3,925
Mobilization / Installation	\$ 2,075
TOTAL	\$ 18,250

Please contact me if you have any questions. I look forward to working with you on this project.

Kind Regards,

Paul Gantzer

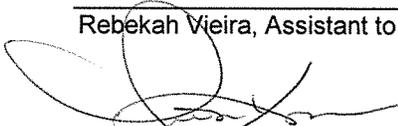
CASITAS MUNICIPAL WATER DISTRICT
Payable Fund Check Authorization
Checks Dated 12/12/16-01/04/17
Presented to the Board of Directors For Approval January 11, 2017

Check	Payee			Description	Amount
000692	Payables Fund Account	#	9759651478	Accounts Payable Batch 010417	\$1,388,536.39
000693	Payables Fund Account	#	9759651478	Accounts Payable Batch 121416	\$30,207.84
000694	Payables Fund Account	#	9759651478	Accounts Payable Batch 122116	\$367,028.74
000695	Payables Fund Account	#	9759651478	Accounts Payable Batch 122916	\$33,347.03
					\$1,819,120.00
000696	Payroll Fund Account	#	9469730919	Estimated Payroll 1/19/17	\$150,000.00
				Total	\$1,969,120.00

Publication of check register is in compliance with Section 53065.6 of the Government Code which requires the District to disclose reimbursements to employees and/or directors.

The above numbered checks, 000692-000695 have been duly audited is hereby certified as correct.

 Rebekah Vieira, Assistant to General Manager/Clerk of the Board

 Signature 

 Signature 

 Signature

A/P Fund

Publication of check register is in compliance with Section 53065.6 of the Government Code which requires the District to disclose reimbursements to employees and/or directors.

000692	A/P Checks:	025350-025424
	A/P Draft to P.E.R.S.	000000
	A/P Draft to State of CA	000000
	A/P Draft to I.R.S.	000000
	Voids:	025392
000693	A/P Checks:	025245-025253
	A/P Draft to P.E.R.S.	000000
	A/P Draft to State of CA	
	A/P Draft to I.R.S.	
	Voids:	
000694	A/P Checks:	025254-025347
	A/P Draft to P.E.R.S.	000000
	A/P Draft to State of CA	000000
	A/P Draft to I.R.S.	000000
	Voids:	025306, 025307, 025348
000695	A/P Checks:	025349
	A/P Draft to P.E.R.S.	
	A/P Draft to State of CA	
	A/P Draft to I.R.S.	
	Voids:	

The above numbered checks, have been duly audited are hereby certified as correct.

Rebekah Vieira, Assistant to General Manager/Clerk of the Board



Signature



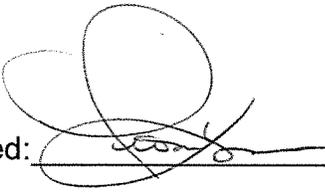
Signature

Signature

CERTIFICATION

Payroll disbursements for the pay period ending 12/17/16
Pay Date of 12/22/16
have been duly audited and are
hereby certified as correct.

Signed: Denise Collin 12/19/16
Denise Collin

Signed: 
Signature

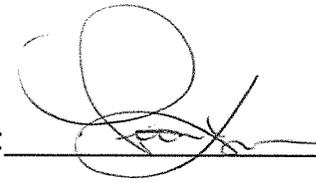
Signed: 
Signature

Signed: _____
Signature

CERTIFICATION

Payroll disbursements for the pay period ending 12/31/16
Pay Date of 01/05/17
have been duly audited and are
hereby certified as correct.

Signed:  _____
Rebekah Vieira

Signed:  _____
Signature

Signed:  _____
Signature

Signed: _____
Signature

VENDOR SET: 01 Casitas Municipal Water D
BANK: * ALL BANKS
DATE RANGE:12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
C-CHECK	VOID CHECK	V	12/21/2016			025306		
C-CHECK	VOID CHECK	V	12/21/2016			025307		
C-CHECK	VOID CHECK	V	12/22/2016			025348		
C-CHECK	VOID CHECK	V	1/04/2017			025392		

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0	0.00	0.00	0.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	4	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 01	BANK:	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			4	0.00	0.00	0.00
BANK:		TOTALS:	4	0.00	0.00	0.00

VENDOR SET: 01 Casitas Municipal Water D
 BANK: AP ACCOUNTS PAYABLE
 DATE RANGE: 12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00049	I-T2 201701031170							
	STATE OF CALIFORNIA							
	State Withholding	D	1/04/2017	8,650.45		000000		8,650.45
00049	I-T2 201612191166							
	STATE OF CALIFORNIA							
	State Withholding	D	12/21/2016	9,282.71		000000		9,282.71
00128	I-T1 201701031170							
	INTERNAL REVENUE SERVICE							
	Federal Withholding	D	1/04/2017	26,094.31		000000		
	I-T3 201701031170							
	FICA Withholding	D	1/04/2017	24,918.24		000000		
	I-T4 201701031170							
	Medicare Withholding	D	1/04/2017	5,827.70		000000		56,840.25
00128	I-T1 201612191166							
	INTERNAL REVENUE SERVICE							
	Federal Withholding	D	12/21/2016	27,682.79		000000		
	I-T3 201612191166							
	FICA Withholding	D	12/21/2016	17,074.82		000000		
	I-T4 201612191166							
	Medicare Withholding	D	12/21/2016	6,188.65		000000		50,946.26
00187	I-PBB201701031170							
	CALPERS							
	PERS BUY BACK	D	1/04/2017	66.87		000000		
	I-PBP201701031170							
	PERS BUY BACK	D	1/04/2017	161.96		000000		
	I-PEB201701031170							
	PEPRA EMPLOYEES PORTION	D	1/04/2017	2,374.80		000000		
	I-PER201701031170							
	PERS EMPLOYEE PORTION	D	1/04/2017	8,883.69		000000		
	I-PRB201701031170							
	PEBRA EMPLOYER PORTION	D	1/04/2017	2,490.69		000000		
	I-PRR201701031170							
	PERS EMPLOYER PORTION	D	1/04/2017	9,822.83		000000		23,800.84
00187	I-PBB201612191166							
	CALPERS							
	PERS BUY BACK	D	12/21/2016	66.87		000000		
	I-PBP201612191166							
	PERS BUY BACK	D	12/21/2016	161.96		000000		
	I-PEB201612191166							
	PEPRA EMPLOYEES PORTION	D	12/21/2016	2,409.51		000000		
	I-PER201612191166							
	PERS EMPLOYEE PORTION	D	12/21/2016	8,887.71		000000		
	I-PRB201612191166							
	PEBRA EMPLOYER PORTION	D	12/21/2016	2,527.06		000000		
	I-PRR201612191166							
	PERS EMPLOYER PORTION	D	12/21/2016	9,827.25		000000		23,880.36
01926	C-G05201701031171							
	Vehicle Registration Collectio							
	Payroll Deduction	N	1/04/2017	157.00CR		000000		
	I-G05201701031170							
	Payroll Deduction	N	1/04/2017	157.00		000000		
02941	I-120816							
	VWM Analytics							
	Retainer Fee	R	12/12/2016	2,500.00		025245		2,500.00
02942	I-B197851							
	Advanced Discovery Inc							
	Scanning, CD & DVD Duplication	R	12/14/2016	6,472.71		025246		6,472.71
00434	I-INV003991							
	ASSOCIATION OF CALIFORNIA							
	Registration Fee-ACWA Conf.	R	12/14/2016	810.00		025247		810.00

VENDOR SET: 01 Casitas Municipal Water D
 BANK: AP ACCOUNTS PAYABLE
 DATE RANGE: 12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01153	RUSS BAGGERLY							
I-Nov 16	Reimburse Mileage 11/16	R	12/14/2016	39.42		025248		39.42
02544	Department of Justice							
I-205590	Fingerprinting	R	12/14/2016	32.00		025249		32.00
00432	Government Finance Officers As							
I-120916	GOFA Cert. of Achievement App.	R	12/14/2016	435.00		025250		435.00
02643	Take Care by WageWorks							
I-5122223	Reimburse Medical	R	12/14/2016	93.60		025251		93.60
00247	County of Ventura							
I-120916	Annual Excavation Fee	R	12/14/2016	1,210.00		025252		1,210.00
01283	Verizon Wireless							
I-9776415274	Monthly Cell Charges - LCRA	R	12/14/2016	465.27		025253		465.27
00010	AIRGAS USA LLC							
I-9940472264	Cylinder Rental - PL	R	12/21/2016	64.20		025254		
I-9941212486	Cylinder Rental - PL	R	12/21/2016	62.50		025254		126.70
00693	ALL THE KINGS FLAGS							
I-76761	Flags for LCRA & DO	R	12/21/2016	315.94		025255		315.94
00012	ALL-PHASE ELECTRIC SUPPLY CO.							
I-5665-615848	Conduit Supplies - TP	R	12/21/2016	190.35		025256		190.35
02824	ALLCOM PRODUCTS LLC							
C-36058	Accrue Use Tax	R	12/21/2016	6.00CR		025257		
D-36058a	Accrue Use Tax	R	12/21/2016	6.00		025257		
I-36058	Antenna to Modem Cable - E&M	R	12/21/2016	92.88		025257		92.88
09835	ANCHOR CONCRETE CUTTING							
I-541	Coring for WP Fence Post	R	12/21/2016	480.00		025258		480.00
00014	AQUA-FLO SUPPLY							
I-022881	Slip Caps, Pipe Cutter - LCRA	R	12/21/2016	127.65		025259		
I-023849	Round Point Shovel - PL	R	12/21/2016	40.95		025259		
I-023944	PVC & Gasket - PL	R	12/21/2016	51.75		025259		
I-025495	Fittings & Tape - E&M	R	12/21/2016	47.24		025259		
I-026807	Brass Tee, Bushing, & Bib - PL	R	12/21/2016	21.80		025259		289.39

VENDOR SET: 01 Casitas Municipal Water D
 BANK: AP ACCOUNTS PAYABLE
 DATE RANGE: 12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02179	Art Street Interactive							
I-131152	Res. Sys. Web Hosting/Maint.	R	12/21/2016	542.15		025260		542.15
01666	AT & T							
I-000008981547	T-1 Lines 9391051740	R	12/21/2016	253.20		025261		
I-000008989774	Local, Regional, Long Distance	R	12/21/2016	1,161.67		025261		1,414.87
00018	AT & T MOBILITY							
I-829434088X12142016	PT Wildlive Biol Monthly Cell	R	12/21/2016	11.66		025262		11.66
00020	AVENUE HARDWARE, INC							
I-D66662	Chain for Canal Gate - Maint.	R	12/21/2016	40.29		025263		
I-D66666	Bolt Cutter - Utilities	R	12/21/2016	70.62		025263		
I-D66745	Switch Gears - E&M	R	12/21/2016	40.00		025263		150.91
00030	B&R TOOL AND SUPPLY CO							
I-1900888942	Pry Bar - PL	R	12/21/2016	43.75		025264		
I-1900891094	Impact Socket - E&M	R	12/21/2016	22.73		025264		
I-1900891255	Socket & Wedge - E&M	R	12/21/2016	49.64		025264		116.12
01153	RUSS BAGGERLY							
I-Oct 16	Reimburse Mileage 10/16	R	12/21/2016	15.12		025265		
I-Sept 16	Reimburse Mileage 09/16	R	12/21/2016	25.92		025265		41.04
00044	CALIFORNIA ELECTRIC SUPPLY							
I-8997-509651	LED Wall Pack - TP	R	12/21/2016	141.22		025266		141.22
00055	CASITAS BOAT RENTALS							
I-Dec Cafe Passes	December Cafe Passes	R	12/21/2016	200.00		025267		200.00
00055	CASITAS BOAT RENTALS							
I-Nov 16	Gas for Boats - LCRA	R	12/21/2016	401.50		025268		401.50
00055	CASITAS BOAT RENTALS							
I-Nov Cafe Passes	November Cafe Passes	R	12/21/2016	1,247.64		025269		1,247.64
02945	Stacey Clark							
I-121416	Camping Fee Refund	R	12/21/2016	292.00		025270		292.00
00059	COASTAL PIPCO							
I-S1939705001	Socket, Ball Valve, Caps - TP	R	12/21/2016	61.93		025271		61.93
00060	COASTLINE EQUIPMENT							
I-337624	Service Repair - Unit 234	R	12/21/2016	1,464.25		025272		1,464.25

VENDOR SET: 01 Casitas Municipal Water D
 BANK: AP ACCOUNTS PAYABLE
 DATE RANGE: 12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02952	Kathryn Coker							
I-121916	Camping Fee Refund	R	12/21/2016	95.00		025273		95.00
00061	COMPUWAVE							
I-SB02085261	Display Cable Adapter - Eng.	R	12/21/2016	19.35		025274		
I-SB02085370	Ink Cartridges - Admin	R	12/21/2016	102.02		025274		121.37
00062	CONSOLIDATED ELECTRICAL							
I-9009-742571	Diode w/Surge - E&M	R	12/21/2016	21.70		025275		21.70
00331	COORDINATED WIRE ROPE							
I-80753	Sling Hook&Weld Grab Hook-PL	R	12/21/2016	26.88		025276		
I-80843	Quagga Boating Tag Cables	R	12/21/2016	4,000.00		025276		4,026.88
02511	Draper Construction							
I-16-191	Fiber Optic Conduit Install-TP	R	12/21/2016	32,433.00		025277		
I-16-193	Conduit Install Retention Fee	R	12/21/2016	1,707.00		025277		34,140.00
00086	E.J. Harrison & Sons Inc							
I-4064	Acct#1C00053370	R	12/21/2016	141.42		025278		141.42
01981	Todd Evans							
I-Dec 16	T-2 License Renewal	R	12/21/2016	80.00		025279		80.00
00095	FAMCON PIPE & SUPPLY							
I-186389	Elbows, Flanges - PL	R	12/21/2016	144.05		025280		
I-186739	Couplings, Galv. Pipe - PL	R	12/21/2016	7,418.75		025280		
I-186831	Flanges - TP	R	12/21/2016	301.00		025280		
I-186832	Bolts, Nuts, Gaskets - TP	R	12/21/2016	410.65		025280		
I-187422	Gaskets & Handwheel - E&M	R	12/21/2016	70.95		025280		8,345.40
00093	FEDERAL EXPRESS							
I-5-637-69374	Shipping for Management	R	12/21/2016	5.77		025281		5.77
00575	FENCE FACTORY - SATICOY							
I-500301	Front Gate Redesign - WP	R	12/21/2016	162.67		025282		162.67
00099	FGL ENVIRONMENTAL							
I-610459A	MMW 03 Water Quality 10/6/16	R	12/21/2016	599.00		025283		
I-613248A	Nitrate Monitoring 11/3/16	R	12/21/2016	43.00		025283		
I-614279A	Nitrate Monitoring 11/30/16	R	12/21/2016	61.00		025283		703.00
00713	FLUID MANUFACTURING							
I-45110	Coin Drawers - WP	R	12/21/2016	763.44		025284		763.44

VENDOR SET: 01 Casitas Municipal Water D
 BANK: AP ACCOUNTS PAYABLE
 DATE RANGE:12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01614 I-10840	FORBESS CONSULTING GROUP, INC Asbestos Testing - Eng.	R	12/21/2016	418.75		025285		418.75
00104 I-96248	FRED'S TIRE MAN Oil Filter/Change - Unit 13	R	12/21/2016	44.67		025286		44.67
01280 I-6563367 I-6563367a I-6576041 I-6576041a	FRY'S ELECTRONICS, INC. Cyberpowers UPS - Eng. Cyberpower Adapter Portable USB's -LCRA 32 GB USB's	R R R R	12/21/2016 12/21/2016 12/21/2016 12/21/2016	102.59 16.19 237.56 19.42		025287 025287 025287 025287		375.76
02755 I-121616	Vincent Godinez Welding Course Fee	R	12/21/2016	121.00		025288		121.00
00115 I-9282779629 I-9282779629A I-9308239582	GRAINGER, INC Cleaning Wipes,Respirator,PPE Batteries & Marking Paint Flexible Spout Measure	R R R	12/21/2016 12/21/2016 12/21/2016	50.07 82.71 24.54		025289 025289 025289		157.32
02217 I-39447	Greg Rents Cement & Fill Sand - PL	R	12/21/2016	46.75		025290		46.75
02275 I-011516	H2O Solutions, LLC Tank Inspection Cleaning	R	12/21/2016	26,200.00		025291		26,200.00
01052 I-02378636 I-02378864 I-02380077 I-02380085	HARBOR FREIGHT TOOLS USA, INC Towing Chain & PPE - LCRA Towing Chain - LCRA Work Gloves, Bottles - Maint. Mesh tarp, Ties - Maint.	R R R R	12/21/2016 12/21/2016 12/21/2016 12/21/2016	48.35 42.99 35.41 32.77		025292 025292 025292 025292		159.52
01186 I-121616	GERARDO M HERRERA Pumps/Motors Course Fee	R	12/21/2016	138.00		025293		138.00
00596 I-1900364 I-3905027 I-4951528 I-5900811 I-8840063 I-900889 I-9900710	HOME DEPOT Battery Powered Ryobi Tools-WP Blinds Maint. Office - LCRA Lights for Robles Bathroom Concrete Block Camp F - LCRA Ryobi Blower - LCRA Ryobi Battery & Charger - LCRA Ryobi Blower - LCRA	R R R R R R R	12/21/2016 12/21/2016 12/21/2016 12/21/2016 12/21/2016 12/21/2016 12/21/2016	332.64 337.12 117.18 1,632.39 53.72 63.72 193.32		025294 025294 025294 025294 025294 025294 025294		2,730.09

VENDOR SET: 01 Casitas Municipal Water D
 BANK: AP ACCOUNTS PAYABLE
 DATE RANGE:12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00127	INDUSTRIAL BOLT & SUPPLY							
I-174016-1	Wedge Anchors - E&M	R	12/21/2016	149.64		025295		
I-174277-1	Wedges - TP	R	12/21/2016	36.98		025295		
I-174456-1	Washers, Caps, & Locknuts -E&M	R	12/21/2016	52.19		025295		238.81
00872	Irrisoft, Inc.							
I-5989	Weather Station Signal	R	12/21/2016	79.00		025296		79.00
00131	JCI JONES CHEMICALS, INC							
I-708034	Chlorine - TP, CM 708118	R	12/21/2016	1,770.00		025297		
I-708035	Hypochlorite - TP, CM 708117	R	12/21/2016	944.94		025297		2,714.94
01022	KELLY CLEANING & SUPPLIES, INC							
I-13696772	Janitorial Services - LCRA	R	12/21/2016	300.00		025298		300.00
02943	Charles L. Lee							
I-102116	Camping Fee Refund	R	12/21/2016	109.50		025299		109.50
02658	Liebert Cassidy Whitmore							
I-1431567	Matter #CA182-00006	R	12/21/2016	1,574.50		025300		1,574.50
02946	Navilth Magallanes							
I-Dec 16	Reimburse Expenses 12/16	R	12/21/2016	19.62		025301		19.62
02838	Mainstreet Architects & Planne							
I-10362	DO Remodel-Design/Const.Docs.	R	12/21/2016	38,226.89		025302		38,226.89
02948	David Mason							
I-121216	Camping Fee Refund	R	12/21/2016	104.50		025303		104.50
01404	MCT TRAILERS							
I-64382	Plug & Hitch for Unit 11&43	R	12/21/2016	36.44		025304		36.44
00151	MEINERS OAKS ACE HARDWARE							
I-741860	Key & Rubber Cover - PL	R	12/21/2016	8.17		025305		
I-743913	Flex Screws - E&M	R	12/21/2016	3.87		025305		
I-745347	Tape Measure - PL	R	12/21/2016	13.68		025305		
I-748242	Battery, Cable Ties, Twine-LCRA	R	12/21/2016	89.35		025305		
I-748525	Bolts, Screws, Drill, Bits-LCRA	R	12/21/2016	114.04		025305		
I-748525a	Correct Invoice 748525	R	12/21/2016	0.34		025305		
I-748762	Paint, Ball Valve, Pliers-LCRA	R	12/21/2016	240.91		025305		
I-748762a	Correct Invoice 748762	R	12/21/2016	0.89		025305		
I-748783	D Batteries - TP	R	12/21/2016	39.26		025305		
I-749641	Bulbs Extractor & Snips - E&M	R	12/21/2016	34.69		025305		
I-749908	Acetone, PPE, Tape - LCRA	R	12/21/2016	85.34		025305		
I-749910	Nail Glue - LCRA	R	12/21/2016	9.64		025305		
I-749913	Blade Sawzal - LCRA	R	12/21/2016	34.22		025305		
I-749942	Paintbrushes & Enamel - LCRA	R	12/21/2016	74.22		025305		

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I-750037	Toggle Cover, Outlet Box -LCRA	R	12/21/2016	146.34		025305		
I-750037a	Correct Invoice 750037	R	12/21/2016	0.68		025305		
I-750164	PVC Cap & Steel Stake - LCRA	R	12/21/2016	33.99		025305		
I-750477	Gloves, Rope, Hammer - LCRA	R	12/21/2016	92.00		025305		
I-750592	Totes for LCRA Staff Clothing	R	12/21/2016	73.06		025305		
I-751145	PVC Connect,Sledge Handle-LCRA	R	12/21/2016	74.71		025305		
I-751156	Blue Tarp - LCRA	R	12/21/2016	13.29		025305		
I-751159	Bolts, Screws, Battery - LCRA	R	12/21/2016	44.34		025305		
I-751200	Dropcloth & Tarp - Maint.	R	12/21/2016	11.33		025305		
I-751205	Batteries,Bolts,Anchor-Safety	R	12/21/2016	31.24		025305		
I-751747	Packing Tape, Nail Glue - LCRA	R	12/21/2016	51.45		025305		1,321.05
01570	Ojai Auto Supply LLC							
I-389545	Fuse - Unit 31	R	12/21/2016	4.98		025308		
I-389917	Re Seal Leaks - Unit 29	R	12/21/2016	35.29		025308		
I-390397	Turn Rotors - Unit 39	R	12/21/2016	55.67		025308		
I-390662	Brakleen - LCRA	R	12/21/2016	28.25		025308		124.19
00165	OJAI LUMBER CO, INC							
I-1611-802773	Treated Peeler Pole, Concrete	R	12/21/2016	239.07		025309		
I-1612-803454	Treated Peeler Pole, Concrete	R	12/21/2016	81.27		025309		
I-1612-803944	Wire Mesh Mat, 2x4's, Stakes	R	12/21/2016	266.82		025309		587.16
02917	Ojai Valley Organics							
I-30610	Green Waste Pickup	R	12/21/2016	15.00		025310		15.00
01627	OSCAR'S TREE SERVICE							
I-12743	Tree Removal Service - LCRA	R	12/21/2016	950.00		025311		950.00
02495	Pacific Marine Repair Inc.							
I-734489	Water in #2 Plug Hole-Unit 138	R	12/21/2016	105.00		025312		
I-734541	Remove head,cylinders-Unit 138	R	12/21/2016	315.00		025312		420.00
02947	Nicole Parson							
I-Dec 16	Reimburse Expense 12/16	R	12/21/2016	25.88		025313		25.88
00188	PETTY CASH							
I-121916	Replenish Petty Cash	R	12/21/2016	378.97		025314		378.97
02637	David Pope							
I-120816	Safety Boots	R	12/21/2016	166.61		025315		166.61
02833	Praxair, Inc							
I-75404412	Liquid Oxygen - TP	R	12/21/2016	2,017.24		025316		2,017.24

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10042	PSR ENVIRONMENTAL SERVICE, INC							
I-7948	Gas Tank Inspection - DO	R	12/21/2016	210.00		025317		
I-7949	Gas Tank Inspection - LCRA	R	12/21/2016	210.00		025317		420.00
02759	The Pun Group							
I-1600377	Audit Services 15/16	R	12/21/2016	2,350.00		025318		2,350.00
00788	QUINN COMPANY							
I-V9584101	Excavator Rental - Pl	R	12/21/2016	7,443.63		025319		
I-V9593001	Equipment Rental - Road Repair	R	12/21/2016	6,500.09		025319		13,943.72
00313	ROCK LONG'S AUTOMOTIVE							
I-19510	Smog Inspect.,Front Shocks-46	R	12/21/2016	393.82		025320		
I-19603	Smog Inspect.,Wiper Blades -13	R	12/21/2016	88.81		025320		
I-19687	Smog Inspection - Unit 20	R	12/21/2016	44.75		025320		527.38
02900	Greg Romey							
I-Nov 16a	Reimburse Mileage 11/16	R	12/21/2016	51.84		025321		51.84
02949	Micheal Saunders							
I-121516	Camping Fee Refund	R	12/21/2016	137.50		025322		137.50
01105	SEARS COMMERCIAL ONE							
I-120616	Drill Press Rack,Screw Set-LCR	R	12/21/2016	73.09		025323		73.09
02850	Sintra Group							
I-2016330	Professional Services 12/19/16	R	12/21/2016	6,562.50		025324		6,562.50
00725	SMART & FINAL							
I-105516	Foil & Napkins - LCRA	R	12/21/2016	37.06		025325		
I-121136	Supplies for Luncheon & TP	R	12/21/2016	84.35		025325		121.41
00875	Caron Smith							
I-121216	Water Dist. Sys. O&M Course	R	12/21/2016	116.68		025326		116.68
02003	Sostre Enterprises Inc.							
I-3279	Website CMS Fee/Hosting	R	12/21/2016	249.00		025327		249.00
00215	SOUTHERN CALIFORNIA EDISON							
I-122116	Acct#2237011044	R	12/21/2016	27.62		025328		27.62
02845	Stericycle Environmental Solut							
I-72401553181	Hazardous Waste Pickup	R	12/21/2016	346.15		025329		346.15

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01696	SUPERIOR MACHINE							
I-3361	Labor to Bore Flanges - PL	R	12/21/2016	250.00		025330		250.00
02643	Take Care by WageWorks							
I-5146985	Reimburse Medical	R	12/21/2016	19.87		025331		19.87
00364	TRI-COUNTY OFFICE FURNITURE							
I-123811	Board Room Chair	R	12/21/2016	817.99		025332		817.99
01662	TYLER TECHNOLOGIES, INC.							
I-025-173862	2017 Incode Software Maint.	R	12/21/2016	26,352.24		025333		
I-025-174527	Monthly UB Online Fees	R	12/21/2016	153.00		025333		26,505.24
00234	UNITED WATER CONSERVATION							
I-121616	Surplus Invest.&Water Sys.Bond	R	12/21/2016	22,967.25		025334		
I-121616a	Flexible Storage - SWP	R	12/21/2016	4,472.00		025334		27,439.25
01967	Robert Vasquez							
I-121516	Pumps/Motors Course Fee	R	12/21/2016	138.00		025335		138.00
00246	VENTURA COUNTY AIR POLLUTION							
I-1036568	VCAPCD Permit	R	12/21/2016	576.00		025336		576.00
09955	VENTURA WHOLESALE ELECTRIC							
I-217094	Push Buttons for Toilets -LCRA	R	12/21/2016	86.00		025337		86.00
00949	CITY OF VENTURA							
I-121616	Surplus Invest.&Water Sys.Bond	R	12/21/2016	45,934.50		025338		
I-121616a	Flexible Storage - SWP	R	12/21/2016	8,944.00		025338		54,878.50
02583	WageWorks							
I-125AI0503548	FSA Monthly Admin Fee	R	12/21/2016	136.40		025339		136.40
00270	Wells Fargo Bank							
I-120816	Online Safety Training	R	12/21/2016	229.00		025340		229.00
00124	ICMA RETIREMENT TRUST - 457							
I-CUI201612191166	457 CATCH UP	R	12/21/2016	461.50		025341		
I-DCI201612191166	DEFERRED COMP FLAT	R	12/21/2016	2,079.50		025341		
I-DI&201612191166	DEFERRED COMP PERCENT	R	12/21/2016	89.81		025341		2,630.81
01960	Moringa Community							
I-MOR201612191166	PAYROLL CONTRIBUTIONS	R	12/21/2016	16.75		025342		16.75

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00985	NATIONWIDE RETIREMENT SOLUTION							
I-DCN201612191166	DEFERRED COMP FLAT	R	12/21/2016	3,530.00		025343		
I-DN%201612191166	DEFERRED COMP PERCENT	R	12/21/2016	583.37		025343		4,113.37
00180	S.E.I.U. - LOCAL 721							
I-COP201612191166	SEIU 721 COPE	R	12/21/2016	19.50		025344		
I-UND201612191166	UNION DUES	R	12/21/2016	691.25		025344		710.75
01400	STATE DISBURSEMENT UNIT							
I-CS4201612191166	Payroll Deduction 10-D000121	R	12/21/2016	576.08		025345		576.08
00230	UNITED WAY							
I-UWY201612191166	PAYROLL CONTRIBUTIONS	R	12/21/2016	60.00		025346		60.00
00270	Wells Fargo Bank							
C-110816i	Accrue Use Tax	R	12/22/2016	5.66CR		025347		
C-110816k	Accrue Use Tax	R	12/22/2016	39.75CR		025347		
C-110816m	Accrue Use Tax	R	12/22/2016	27.00CR		025347		
C-120816i	Accrue Use Tax	R	12/22/2016	2.97CR		025347		
D-110816h	Accrue Use Tax	R	12/22/2016	5.66		025347		
D-110816j	Accrue Use Tax	R	12/22/2016	39.75		025347		
D-110816l	Accrue Use Tax	R	12/22/2016	27.00		025347		
D-120816h	Accrue Use Tax	R	12/22/2016	2.97		025347		
I-110816a	Table Cloth Cleaning - Conserv	R	12/22/2016	100.00		025347		
I-110816b	Sunshades - O&M	R	12/22/2016	162.69		025347		
I-110816c	Radiator Overflow Bottle	R	12/22/2016	75.51		025347		
I-110816d	Bathroom Faucet	R	12/22/2016	203.08		025347		
I-110816e	Underdash A/C Kit	R	12/22/2016	529.97		025347		
I-110816f	Standing Desks	R	12/22/2016	478.38		025347		
I-110816g	Hydraulic Motor - Unit 54	R	12/22/2016	360.00		025347		
I-120816a	Chainsaw Bar	R	12/22/2016	39.61		025347		
I-120816b	Fuel Joint Filter	R	12/22/2016	20.11		025347		
I-120816c	Utility Foreperson Ad	R	12/22/2016	200.00		025347		
I-120816d	Bushnell Spotting Scope	R	12/22/2016	213.93		025347		
I-120816e	Jabra Headset	R	12/22/2016	189.95		025347		
I-120816f	Pedestal Light Bulbs	R	12/22/2016	83.40		025347		
I-120816g	Finance/Late Charge	R	12/22/2016	162.52		025347		2,819.15
02475	Rutan & Tucker, LLP							
I-764167	Acct#0295180001 11/16	R	12/29/2016	33,347.03		025349		33,347.03
00008	ADVANTAGE PHYSICAL THERAPY							
I-CWD172	Drug Test	R	1/04/2017	38.00		025350		38.00

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00010	I-9058634368	AIRGAS USA LLC Cylinder Rental - PL	R	1/04/2017	46.83	025351		46.83
00029	I-2323838	AMERICAN TOWER CORP Tower Rent-Red Mtn. Rincon Pk	R	1/04/2017	1,845.59	025352		1,845.59
00014	I-023843	AQUA-FLO SUPPLY Cement & Primer - Pl	R	1/04/2017	113.32	025353		113.32
01703	I-49133	ARNOLD LAROCHELLE MATTHEWS Matter# 5088-001 11/16	R	1/04/2017	5,498.04	025354		
	I-49134	Matter#5088-012	R	1/04/2017	264.00	025354		
	I-49135	Matter#5088-017 11/16	R	1/04/2017	2,904.00	025354		8,666.04
02179	I-1036	Art Street Interactive Res. Sys. Web Hosting/Maint.	R	1/04/2017	542.15	025355		542.15
01666	I-000009038047	AT & T T-1 Lines 9391035541	R	1/04/2017	492.37	025356		492.37
00020	I-D66663	AVENUE HARDWARE, INC Fuses for Chlorine Pumps - TP	R	1/04/2017	191.57	025357		191.57
00030	I-1900891295	B&R TOOL AND SUPPLY CO Barge Cable Puller - LCRA	R	1/04/2017	129.00	025358		
	I-1900891401	Hole Saw, Impact Socket	R	1/04/2017	96.72	025358		
	I-1900891820	Impact Socket - EM	R	1/04/2017	39.12	025358		264.84
00679	I-S230348.001	BAKERSFIELD PIPE & SUPPLY INC Teflon Tape & Rectorseal - PL	R	1/04/2017	41.14	025359		41.14
00032	I-162638	BIOVIR LABORATORIES, INC Giardia/Crypto Test 11/1/16	R	1/04/2017	365.00	025360		
	I-162970	Giardia/Crypto Test & Matrix	R	1/04/2017	790.00	025360		1,155.00
00055	I-001513	CASITAS BOAT RENTALS Check&Replace Bilge Pump/Clamp	R	1/04/2017	221.52	025361		221.52
00117	I-10717561-00	CERTEX USA, INC Safety Latch Kit - Unit 87	R	1/04/2017	102.21	025362		102.21
01843	I-707020	COASTAL COPY Copier Usage - LCRA	R	1/04/2017	622.23	025363		622.23

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02861 I-54971	Confidential Data Destruction Deliver Bins for Shredding	R	1/04/2017	50.00		025364		50.00
00062 I-9009-744620	CONSOLIDATED ELECTRICAL Fender Washer. Mastic Pad -EM	R	1/04/2017	51.43		025365		51.43
01525 I-INV354488	CPS HR CONSULTING Proj#E3889 Assistant GM	R	1/04/2017	285.00		025366		285.00
00081 I-038289 I-038290	DELTA LIQUID ENERGY Propane - LCRA Propane - LCRA	R R	1/04/2017 1/04/2017	197.83 382.69		025367 025367		580.52
00085 I-359813	DON'S INDUSTRIAL SUPPLY, LLC Hose Fitting - Utilities	R	1/04/2017	26.41		025368		26.41
00086 I-4085	E.J. Harrison & Sons Inc Acct#1C00054230	R	1/04/2017	1,544.71		025369		1,544.71
00095 I-187485	FAMCON PIPE & SUPPLY SS Pipe Repair Clamp - TP	R	1/04/2017	247.25		025370		247.25
00093 I-5-644-46439	FEDERAL EXPRESS Shipping - Admin	R	1/04/2017	6.21		025371		6.21
00099 I-614052A I-614550A I-614551A	FGL ENVIRONMENTAL Nitrate Monitoring 11/22/16 Nitrate Monitoring 12/06/16 LT2SWTR - Turbidity 12/06/16	R R R	1/04/2017 1/04/2017 1/04/2017	43.00 61.00 16.00		025372 025372 025372		120.00
00101 I-5137324	FISHER SCIENTIFIC pH Electrode, Cubitainers -Lab	R	1/04/2017	658.42		025373		658.42
00713 I-45140	FLUID MANUFACTURING High Security Cam Lock - LCRA	R	1/04/2017	51.52		025374		51.52
01280 I-6605730	FRY'S ELECTRONICS, INC. HDD Mounting Kits, USB Adapter	R	1/04/2017	70.16		025375		70.16
00216 I-122716 I-122716a	THE GAS COMPANY Acct#00801443003 Acct#18231433006	R R	1/04/2017 1/04/2017	689.95 84.20		025376 025376		774.15

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01898	Eric Grabowski							
I-010317	Advanced Water Treatment Class	R	1/04/2017	229.80		025377		
I-010317a	Pesticide Reg. License Cert.	R	1/04/2017	120.00		025377		349.80
00115	GRAINGER, INC							
I-9311518451	Cleaner Degreaser - EM	R	1/04/2017	56.72		025378		
I-9312459481	Fire Extinguisher - Maint.	R	1/04/2017	141.48		025378		
I-9316573832	Motor for Heater - Maint.	R	1/04/2017	67.28		025378		265.48
02921	Hamm T Ranch							
I-122116	Dep Overpymt- Meter Relocation	R	1/04/2017	847.33		025379		847.33
01772	HASAN CONSULTANTS							
I-122716	LCRA Sewer Study	R	1/04/2017	11,250.00		025380		11,250.00
01186	GERARDO M HERRERA							
I-122216	General Ed. Course Fee	R	1/04/2017	210.15		025381		210.15
02940	Holliday Rock							
I-851878	Concrete for Camp F - LCRA	R	1/04/2017	505.25		025382		
I-852423	Concrete for Camp F - LCRA	R	1/04/2017	550.94		025382		1,056.19
00894	HOSE-MAN, INC.							
I-5232529-0001-05	Fire Hose - Pl	R	1/04/2017	1,601.42		025383		1,601.42
02820	Henry Islas							
I-122716	Water Dist. Sys. O&M Class	R	1/04/2017	171.68		025384		171.68
02344	Janitek Cleaning Solutions							
I-25957A	Janitorial Services - DO	R	1/04/2017	1,329.00		025385		1,329.00
00131	JCI JONES CHEMICALS, INC							
I-708921	Chlorine - TP, CM 708947	R	1/04/2017	1,770.00		025386		1,770.00
02396	Kemira Water							
I-9017526615	Ferric Sulfate - TP	R	1/04/2017	4,483.60		025387		4,483.60
01270	SCOTT LEWIS							
I-Nov 16	Reimburse Expenses	R	1/04/2017	3,107.53		025388		3,107.53
00527	LINCOLN AQUATICS							
I-SI306432	Potable Water Epoxy - TP	R	1/04/2017	842.80		025389		842.80

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02939	Linkedin I-10110055322 Employee Training	R	1/04/2017	3,740.00		025390		3,740.00
00151	MEINERS OAKS ACE HARDWARE							
	C-750816 6x6 GA Wire Return - LCRA	R	1/04/2017	59.11CR		025391		
	C-752156 Thermostat - Maint.	R	1/04/2017	21.49CR		025391		
	C-752892 Load Ctr Lug - LCRA	R	1/04/2017	28.36CR		025391		
	I-750097 Air Filter,Trash Bags,Glue -TP	R	1/04/2017	92.42		025391		
	I-750782 Weedblock,Staples, Sandpaper	R	1/04/2017	219.46		025391		
	I-750785 6x6 GA Wire, Makita Returna	R	1/04/2017	2.40		025391		
	I-751030 Sledge, WD40, Cable Ties	R	1/04/2017	156.74		025391		
	I-751859 Velcro,Hammer,Spray Paint-LCRA	R	1/04/2017	67.79		025391		
	I-751862 Wrench,Screwdrivers,Rope-EM	R	1/04/2017	44.02		025391		
	I-751989 PVC Pipe Saw,Wire Brush-Utilit	R	1/04/2017	29.81		025391		
	I-752034 Paintbrushes - Utilities	R	1/04/2017	19.35		025391		
	I-752052 Hose Flexogen - Utilities	R	1/04/2017	68.46		025391		
	I-752068 Nut Driver, Impact Set - PL	R	1/04/2017	28.83		025391		
	I-752090 Thermostat&Thermocouple-Maint.	R	1/04/2017	32.65		025391		
	I-752722 Pipe Straps - LCRA	R	1/04/2017	13.42		025391		
	I-752896 Locknuts, Cable Straps - LCRA	R	1/04/2017	72.44		025391		
	I-752933 Batteries - EM	R	1/04/2017	16.11		025391		
	I-752940 Broom & Gasser - Maint.	R	1/04/2017	29.29		025391		
	I-753135 Barrel Bolt, Black Oxide -LCRA	R	1/04/2017	26.57		025391		
	I-753159 Spraypaint, Paintbrush - LCRA	R	1/04/2017	48.60		025391		859.40
02724	Michael Moler I-Dec 16 Reimburse Mileage 12/16	R	1/04/2017	102.60		025393		102.60
01876	NALCO COMPANY I-65056803 Anionic Polymer - TP	R	1/04/2017	789.10		025394		789.10
00163	OFFICE DEPOT I-879804393001 Toner - LCRA	R	1/04/2017	61.93		025395		61.93
00165	OJAI LUMBER CO, INC							
	I-1612-805152 Wire Mesh, Pegboard -LCRA	R	1/04/2017	198.22		025396		
	I-1612-806374 Spade, Plywood - LCRA	R	1/04/2017	39.01		025396		237.23
02917	Ojai Valley Organics							
	I-30613 Green Waste Pickup	R	1/04/2017	20.00		025397		
	I-30615 Green Waste Pickup	R	1/04/2017	20.00		025397		40.00
00169	OJAI VALLEY SANITARY DISTRICT							
	I-121316 2016 Permit Fee	R	1/04/2017	1,304.00		025398		
	I-121316a 2017 Permit Fee	R	1/04/2017	1,304.00		025398		2,608.00

VENDOR SET: 01 Casitas Municipal Water D
 BANK: AP ACCOUNTS PAYABLE
 DATE RANGE: 12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02053	Photo-Scan of Los Angeles, Inc							
I-19731	Security Camera Repair- LCRA	R	1/04/2017	517.50		025399		517.50
02187	Pitney Bowes Inc							
I-1002674551	Quarterley Postage Mach Rental	R	1/04/2017	112.88		025400		112.88
00627	PORT SUPPLY							
I-9001	Raingear - Utility Crew	R	1/04/2017	715.91		025401		715.91
02938	Power Engineering Services, In							
I-10504	Ground Fault Protection Review	R	1/04/2017	5,000.00		025402		5,000.00
01439	PRECISION POWER EQUIPMENT							
I-2612	Bar Oil - PL	R	1/04/2017	42.97		025403		42.97
01109	SALVADOR LOERA TRANSPORTATION							
I-15429	Sand & Base - PL	R	1/04/2017	888.38		025404		
I-15560	Fill Sand - TP	R	1/04/2017	579.17		025404		1,467.55
02944	Scott's Concrete Pumping Inc							
I-120216	Pump Concrete for Culvert-PL	R	1/04/2017	484.00		025405		484.00
00215	SOUTHERN CALIFORNIA EDISON							
I-010417	Acct#2210502480	R	1/04/2017	46,517.18		025406		
I-010417a	Acct#2210505426	R	1/04/2017	1,609.07		025406		
I-010417b	Acct#2237789169	R	1/04/2017	30.83		025406		
I-010417c	Acct#2269631768	R	1/04/2017	22.70		025406		
I-122216	Acct#2312811532	R	1/04/2017	116.35		025406		
I-122216a	Acct#2266156405	R	1/04/2017	97.92		025406		
I-122216b	Acct#2157697889	R	1/04/2017	473.14		025406		
I-122916	Acct#2210507034	R	1/04/2017	7,427.11		025406		
I-123016	Acct#2210503702	R	1/04/2017	5,120.22		025406		61,414.52
00048	STATE OF CALIFORNIA							
I-010117	State Water Plan Payment	R	1/04/2017	1,156,123.00		025407		1,156,123.00
02707	State Ready Mix Inc.							
I-501105	Slurry Mix - PL	R	1/04/2017	3,029.36		025408		3,029.36
00767	STATE WATER RESOURCES CONTROL							
I-WB-0118124	Aquatic Pesticide Fee - LCRA	R	1/04/2017	2,062.00		025409		2,062.00
02643	Take Care by WageWorks							
I-5198734	Reimburse Medical	R	1/04/2017	289.00		025410		289.00

VENDOR SET: 01 Casitas Municipal Water D
 BANK: AP ACCOUNTS PAYABLE
 DATE RANGE:12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
01967	Robert Vasquez							
I-122716	D4 Certificate	R	1/04/2017	105.00		025411		105.00
00250	COUNTY OF VENTURA							
I-IN0157919	County Fees on Fuel Tanks	R	1/04/2017	3,228.11		025412		3,228.11
00257	VENTURA RIVER WATER DISTRICT							
I-123116	Acct#05-37500A	R	1/04/2017	31.95		025413		
I-123116a	Acct#03-50100A	R	1/04/2017	10.00		025413		41.95
09955	VENTURA WHOLESALE ELECTRIC							
I-213809	Fiber Optic Cable - TP	R	1/04/2017	21.50		025414		21.50
00545	VERIZON WIRELESS							
I-9776414744	Monthly Cell Charges - DO	R	1/04/2017	892.20		025415		
I-9776414744a	iPhone 7 - Water Cons.	R	1/04/2017	409.99		025415		1,302.19
00663	WAXIE SANITARY SUPPLY							
I-76412744	Bulk Foam Soap - LCRA	R	1/04/2017	14.13		025416		14.13
02568	Win-911 Software							
I-1610048282	Mobile 911 Annual Software - T	R	1/04/2017	595.00		025417		595.00
00102	FRANCHISE TAX BOARD							
I-G03201701031170	Payroll Deduction	R	1/04/2017	387.61		025418		387.61
00124	ICMA RETIREMENT TRUST - 457							
I-CUI201701031170	457 CATCH UP	R	1/04/2017	461.54		025419		
I-DCI201701031170	DEFERRED COMP FLAT	R	1/04/2017	2,079.62		025419		2,541.16
01960	Moringa Community							
I-MOR201701031170	PAYROLL CONTRIBUTIONS	R	1/04/2017	16.75		025420		16.75
00985	NATIONWIDE RETIREMENT SOLUTION							
I-DCN201701031170	DEFERRED COMP FLAT	R	1/04/2017	3,530.00		025421		
I-DN%201701031170	DEFERRED COMP PERCENT	R	1/04/2017	324.10		025421		3,854.10
00180	S.E.I.U. - LOCAL 721							
I-COP201701031170	SEIU 721 COPE	R	1/04/2017	19.50		025422		
I-UND201701031170	UNION DUES	R	1/04/2017	691.25		025422		710.75
01400	STATE DISBURSEMENT UNIT							
I-CS4201701031170	Payroll Deduction 10-D000121	R	1/04/2017	576.08		025423		576.08

VENDOR SET: 01 Casitas Municipal Water D
BANK: AP ACCOUNTS PAYABLE
DATE RANGE: 12/12/2016 THRU 1/06/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
00230	UNITED WAY I-UWY201701031170	R	1/04/2017	60.00		025424		60.00

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	176	1,627,569.29	0.00	1,627,569.29
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	6	173,400.87	0.00	173,400.87
EFT:	0	0.00	0.00	0.00
NON CHECKS:	1	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00
VOID DEBITS		0.00		
VOID CREDITS		0.00		

TOTAL ERRORS: 0

VENDOR SET:	BANK:	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
01	AP		183	1,800,970.16	0.00	1,800,970.16
BANK: AP		TOTALS:	183	1,800,970.16	0.00	1,800,970.16
REPORT TOTALS:			183	1,800,970.16	0.00	1,800,970.16

Unfunded Accrued Liability Draft for Calpers

18,149.84

 \$ 1,819,120.00

**Casitas Municipal Water District
 Reimbursement Disclosure Report (1)
 Fiscal Year 2016/17
 July 1, 2016-June 30, 2017**

<u>Date paid</u>	<u>Board of Director/Employee</u>	<u>Description</u>	<u>Amount Paid</u>
7/5/2016	Vincent Godinez	Safety Boot Purchase	153.87
7/5/2016	Scott Lewis	Salmonid Genetics Conference	210.00
7/13/2016	Scott Lewis	Airfare to CMWD 7/10-7/14	425.20
7/13/2016	Scott MacDonald	Class Reimbursement	120.00
7/13/2016	Luke Soholt	Class Reimbursement	168.00
7/19/2016	Lindsay Cao	CWEA Membership	172.00
7/26/2016	Gerardo Herrera	Safety Boot Purchase	170.00
7/26/2016	Tim Lawson	Safety Boot Purchase	118.20
7/28/2016	Ron Yost	Property Tax Bill-Damtender Residence	608.65
8/4/2016	Gerardo Herrera	Utility Leadership Course	115.68
8/10/2016	Eric Behrendt	Safety Boot Purchase	156.59
8/10/2016	Scott Lewis	Lodging	348.32
8/10/2016	Scott Lewis	Car Rental	320.27
8/17/2016	Robert Vasquez	Safety Boot Purchase	170.00
8/24/2016	Larry Harris	Gray Water Workshop Refreshments	200.10
9/14/2016	Joel Cox	Safety Boot Purchase	170.00
9/14/2016	Greg Romey	Mileage Reimbursement - Offsite Training	111.24
9/21/2016	Joel Cox	T4 Certification	105.00
10/5/2016	Scott MacDonald	Safety Boot Purchase	170.00
10/13/2016	Scott Lewis	Airfare to CMWD 9/27-9/29	331.20
10/13/2016	Scott Lewis	Car Rental	254.08
10/13/2016	Scott Lewis	Lodging	189.50
10/13/2016	Brian Taylor	Safety Boot Purchase	156.59
10/19/2016	Michael Moler	Lodging for CALMS Conference	353.40
10/19/2016	Michael Moler	Mileage Reimbursement - Offsite Training	515.70
11/2/2016	Michael Moler	Lodging for CA/NV Fall Conference	377.92
11/2/2016	Michael Moler	Mileage Reimbursement - Offsite Training	222.48
11/9/2016	Michael Gibson	Lodging & Meals for Steelhead Conference	281.40
11/16/2016	Scott Lewis	Airfare to CMWD 11/14-11/19	451.20
11/16/2016	Scott Lewis	Fish Conference - 9/8	135.00
11/23/2016	Vincent Godinez	Safety Boot Purchase	170.00
11/23/2016	Vincent Godinez	Distribution Grade 3 Exam Fee	100.00
11/23/2016	Lindsay Cao	PE License Renewal	115.00
12/1/2016	Scott MacDonald	Distribution Grade 4 Certification	105.00
12/1/2016	Robert Vasquez	Water Treatment Plant Operator Course	112.55
12/1/2016	Robert Vasquez	Distribution Grade 3 Exam Fee	100.00
12/1/2016	Robert Vasquez	Distribution Grade 3 Certification	120.00
12/9/2016	Neil Cole	Microwave for Lunch Room	106.42
12/9/2016	Ronald Merckling	Lodging for ACWA Conference	658.13
12/9/2016	Steve Wickstrum	CE License Renewal	115.00
12/9/2016	Steve Wickstrum	Mileage Reimbursement - Offsite Meetings	124.20
12/21/2016	Vincent Godinez	Welding Course Fee	121.00
12/21/2016	Gerardo Herrera	Pumps/Motors Course Fee	138.00
12/21/2016	Caron Smith	Water Dist. Sys. O&M Course Fee	116.68
12/21/2016	David Pope	Safety Boot Purchase	166.61
12/21/2016	Robert Vasquez	Pumps/Motors Course Fee	138.00
1/4/2017	Eric Grabowski	Advance Water Treatment Course Fee	229.80
1/4/2017	Eric Grabowski	Pesticide Reg. License Certificate	120.00
1/4/2017	Gerardo Herrera	General Ed Course Fee	210.15
1/4/2017	Henry Islas	Water Dist. Sys. O&M Course Fee	171.68
1/4/2017	Scott Lewis	Car Rental	424.38
1/4/2017	Scott Lewis	Lodging	498.85
1/4/2017	Scott Lewis	OSU Fall Tuition	1,842.31
1/4/2017	Michael Moler	Reimburse Mileage	102.60
1/4/2017	Robert Vasquez	D4 Certificate	105.00

**Casitas Municipal Water District
Reimbursement Disclosure Report (1)
Fiscal Year 2016/17
July 1, 2016-June 30, 2017**

Note:

1) Reimbursement Disclosure Report prepared pursuant to California Government Code 53065.5

MEMORANDUM

TO: Board of Directors
From: Steven E. Wickstrum, General Manager
RE: Calleguas-Ventura Interconnection Commitment to Financial Contribution
Date: January 5, 2016

RECOMMENDATION:

It is recommended that the Board of Directors give direction to the General Manager to notice the Ventura Water of Casitas' financial commitment for the Calleguas-Ventura Interconnection Alignment Study.

BACKGROUND:

Since the early 1970s the Casitas Municipal Water District, United Water Conservation District, and the City of Ventura have pursued collaborative joint studies to assess options for the delivery of water from the State Water project to western Ventura County. For many reasons the infrastructure was not put into place. At this time, there is an opportunity to renew the collaborative assessment for State Water and emergency water for the betterment of Ventura County. Through the initiation of Calleguas Municipal Water District and Ventura Water there is a new project to bring State Water into western Ventura.

The proposed project is an interconnecting pipeline between Calleguas and Ventura water systems that would serve the dual purpose of delivering State Water to western Ventura County and providing an emergency water connection from Ventura Water sources to Calleguas. Ventura Water is undertaking the administration of the engineering contract for the pipeline alignment study, the selection of a consulting engineering firm, and the development of a scope of work. Ventura Water has selected Kennedy/Jenks Consultants to perform the scope of work under a contract with Ventura Water. The San Buenaventura City Council will be considering the approval of the Calleguas-Ventura Interconnection Alignment Study contract on January 23, 2017.

The alignment study includes the following:

- Hydraulic modelling to determine the connection point to Calleguas – three separate connection points may be reviewed;
- Development and evaluation of alternative pipeline alignments

- Pipeline, pump station and pressure regulating station sizing and siting;
- Preparation of an Operation and delivery Plan to describe potential operational scenarios;
- Water quality assessment;
- Right-of-way evaluation;
- Geotechnical study;
- Preparation of an alignment study report;
- CEQA and NEPA (if necessary) compliance.

At this time, the consultant fee estimate for the Study is \$575,711, and if NEPA is needed, the fee estimate is \$592,976. United WCD has committed to pay for 30% of the fee and Calleguas has made a financial commitment that is contingent upon the ability of emergency water being delivered from Ventura Water. The Calleguas financial commitment ranges from 7% to 30%. With this variation, the remaining commitment by the City/Casitas can range from 40% to 63% of the total fee. Assuming NEPA is required for grant funding, the range of fee for the City/Casitas commitment is \$237,190 to \$371,012.

DISCUSSION:

Casitas has a key interest in the development and results of this Study, which is an initial phase of many to obtain access to the State Water project. Ventura Water and Casitas have a common interest in the results of the study, and where our interests vary there are of similar value to our respective water system needs. For this Study, there should be an equal sharing of the fee commitment between City and Casitas. The Casitas commitment that should be considered is one-half of the City/Casitas commitment with Calleguas and United WCD participating in the Study, up to \$200,000 before needing further consideration by the Casitas Board for cost extras.

Funding sources are any one or all of the following:

- Casitas' reserves;
- Casitas' collection of allocation penalties for over-allocation water use;
- Contributions by other agencies (Meiners Oaks Water District has provided a letter of intent to contribute to this Study).

There should be a Casitas Board discussion and a direction given to the General Manager to issue a letter to Ventura Water that clearly expresses the Casitas' financial commitment to the Study.

CASITAS MUNICIPAL WATER DISTRICT
Interdepartmental Memo

DATE: December 29, 2016

TO: Steve Wickstrum, General Manager

FROM: Carol Belser, Park Services Manager

SUBJECT: **Consideration to Approve and Sign Casitas Water Adventure Temporary Seasonal Snack Bar Five Year Concession Agreement with Carlos Hernandez**

Recommendation:

It is recommended that the Board approve and sign the attached five (5) year agreement with between Casitas Municipal Water District and Carlos Hernandez to provide Casitas Water Adventure with temporary seasonal snack bar services.

Background:

The Casitas Municipal Water District and the Bureau of Reclamation completed and approved a twenty five year Management Agreement for the Lake Casitas Recreation Area in October 2011 allowing Casitas to enter into Concession agreements. The Bureau of Reclamation liaison reviewed the request for proposal document in August 2016 and Casitas then distributed requests for proposals for Casitas Water Adventure temporary seasonal snack bar services. A walk through for prospective concessionaires was held on November 17, 2016. The proposal submittal deadline was December 20, 2016.

Three entities responded to the request for proposal for the Casitas Water Adventure Temporary Seasonal Snack Bar:

The Butcher Shop proposed 12 % of sales.

Ni-Lu Corporation proposed:

11% for year 1 and 2 with a \$7,000 minimum rent payment.

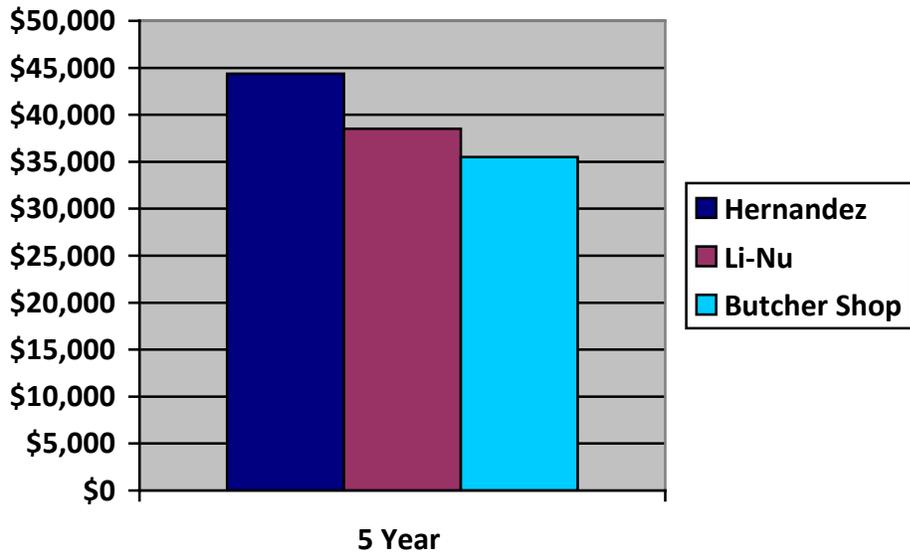
13% for year 3 and 4 with a \$8,000 minimum rent payment

14% for year 5 with a \$8,500 minimum rent payment

Carlos Hernandez proposed 15% of gross snack bar sales.

After review of the three proposals, with the revenue comparison based on the income received from the previous concessionaire over the past five years Carlos Hernandez is the apparent highest bidder with regards to revenue and compliance with the requirements of the request for proposal.

The 5-year term revenue comparison is shown below:



Analysis:

The Casitas Water Adventure Temporary Seasonal Snack Bar provides customers visiting the Casitas Water Adventure with food and snack options. Carlos Hernandez and his wife Nancy Hernandez operate the Casitas Marina Café. Operating the Casitas Water Adventure snack bar is a compatible business with the Marina Café. Carlos and Nancy have proven and responsive food industry experience and the proposal is apparently more beneficial financial formula to Casitas over the other proposals. Therefore, it is recommended the Board approve the attached contract for a five year agreement with the Carlos Hernandez.

CASITAS MUNICIPAL WATER DISTRICT



**CONCESSION AGREEMENT
FOR THE OPERATION AND MANAGEMENT OF
THE CASITAS WATER ADVENTURE
TEMPORARY SEASONAL SNACK BAR
AT LAKE CASITAS RECREATION AREA**

Lake Casitas Recreation Area,
11311 Santa Ana Road, California 93001
(805)-649-2233

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**AGREEMENT FOR THE OPERATION AND MANAGEMENT
OF THE CASITAS WATER ADVENTURE TEMPORARY SEASONAL
SNACK BAR CONCESSION AT
LAKE CASITAS RECREATION AREA**

THIS AGREEMENT, is made this 11th day of January 11, 2017, by and between **CASITAS MUNICIPAL WATER DISTRICT** (hereinafter referred to as "Casitas") and **CARLOS HERNANDEZ** (hereinafter referred to as "Concessionaire").

WITNESSETH:

WHEREAS, the United States has constructed the Ventura River Project, including Casitas Dam and reservoir, pursuant to Act of Congress (Public Law 423, 84th Cong., 2d session) approved March 1, 1956, for irrigation, for furnishing water for municipal and domestic use, and for providing incidental recreation and fish and wildlife benefits: and

WHEREAS, the United States has contracted with Casitas pursuant to Contract No. 14-06-200-5257 "contract between United States and Ventura River Municipal Water District Providing for the construction of a Storage and Conveyance System", dated March 7, 1956, for repayment of federal costs incurred in construction of the Ventura River Project, for operation and maintenance of Project Works, with the stipulation that the title Ventura River Project remains with the United States; and

WHEREAS, the U.S. Bureau of Reclamation (hereinafter referred to as "USBR") has developed a Final Resource Management Plan/Environmental Impact Statement for Lake Casitas dated February 2010 with a Record of Decision #10-111, copies of which are provided under separate cover; and

WHEREAS, Lake Casitas Recreation Area (hereinafter referred to as "LCRA") is the property of the United States Government managed by the USBR, operated by Casitas under Management Agreement Number 11-LC-20-0216, dated October 7, 2011, between the USBR and Casitas, a copy of which is provided under separate cover; and

WHEREAS, Casitas is authorized by said Management Agreement to issue and administer third party contracts for concessions and services for the purpose of providing appropriate and necessary services, goods, and facilities for the use of the visiting public consistent with said Management Agreement and in accordance with any current or future planning documents, and

WHEREAS, Casitas is authorized by the provision of Water Code Section 71,000 et seq. to enter into an agreement for concessions and services that are consistent with public recreational facilities appurtenant to facilities operated or contracted to be operated by Casitas; and

WHEREAS, Concessionaire acknowledges that Casitas, in its sole discretion, controls access to the LCRA, and that Concessionaire's business volume is limited to persons granted access to the LCRA by Casitas; and,

WHEREAS, Concessionaire acknowledges that Casitas imposes reasonable fees and charges on LCRA users, and that Concessionaire's business volume will likely be limited to those persons subject to those Casitas fees and charges; and,

WHEREAS, the words of this Agreement have been chosen specifically to support Casitas' directives and standards and to create a customer base, attract and serve the public and to operate current and future recreational facilities and ancillary services; and

WHEREAS, Concessionaire is willing to exercise the grant of such a concession in accordance with the terms and conditions prescribed; and

WHEREAS, the parties hereto desire to enter into an Agreement for the operation and administration of Casitas Water Adventure (hereinafter referred to as "CWA") Temporary Seasonal Snack Bar (hereinafter referred to as "Snack Bar") concession services; and

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions set forth herein, the parties hereto and each of them agree as follows:

1. **INCORPORATION BY REFERENCE**

All Schedules and Exhibits attached hereto are incorporated by reference herein.

2. **DEFINITIONS**

See Appendix 1 for definitions used in this Agreement and Appendix 2 for abbreviations and acronyms.

3. **INTERPRETATIONS**

3.1. (a) This Agreement shall be interpreted according to the rules that govern the interpretation of contracts, as prescribed in Part 2 of Division 3 of the California Civil Code, commencing with Section 1635.

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3.2. (b) For jurisdictional purposes, this Agreement shall be deemed entered into and enforceable in Ventura, California.

3.3. (c) Any reference to any enactment, order, regulation or other similar instrument shall be construed as a reference to the enactment, order, regulation or instrument as amended, replaced, consolidated or re-enacted.

3.4. (d) A reference to a person includes firms, partnerships, corporations, limited liability company and other business organizations and their successors and permitted assignees or transferees.

3.5. (e) Headings are for convenience and reference only.

4. **GRANT OF CONCESSION**

In consideration of the Concessionaire's obligations contained in this Agreement, Casitas hereby authorizes and grants Concessionaire the non-exclusive use of the Demised Premises to operate and maintain a non-exclusive CWA Snack Bar limited to the time frame that coincides with the seasonal operation of the CWA and commercial activities described herein. The Concessionaire hereby accepts such authorization and grant upon the terms and conditions of this Agreement. Nothing in this Agreement shall be construed by Concessionaire as preventing Casitas from constructing, operating or contracting for additional concession facilities of any type.

Comment [S1]: This is where we can either say "herein" or move to a Schedule B as suggested by Mathews.

5. **DEMISED PREMISES**

5.2. The operation of the Concession shall be conducted on the real property described in Exhibit A attached hereto on a temporary basis and only during the CWA season.

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(a) Condition of Demised Premises "AS IS". Concessionaire accepts the Demised Premises in "As Is" condition, and further agrees to make no demands upon Casitas for any improvements or alterations to the Demised Premises, except as may otherwise be provided herein.

(b) Temporary Seasonal Facilities. Each year of this Agreement, Concessionaire will provide a temporary snack bar facility or mobile unit on the Demised Premises prior to the commencement of the CWA season and remove same from the LCRA at the end of each season, or, if desired, during non-hours of operation. The season operation generally runs from Memorial Day through Labor Day.

(c) No Exclusive Use. Under no circumstances will long-term, private, exclusive use be permitted within the Demised Premises. The Concessionaire is not authorized to permit or grant any visitor, person, employee, or

organization exclusive rights to occupy or use the subject services or facilities or preclude use by the public. The Concession contract is issued on a **non exclusive** use basis.

5.3. (d) Use of Demised Premises. The premise shall be used only for said purposes, and such other purposes as are related thereto provided express approval is granted by the Casitas General Manager, and for no other purposes whatsoever.

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~~5.4.1.~~ (e) Relocation. Casitas shall have the option to require Concessionaire to relocate the Snack Bar to a different location in the LCRA ("New Demised Premises"). Casitas may exercise such option by giving Concessionaire written notice not less than thirty (30) days prior to the proposed effective date of relocation. If Casitas exercises its option to relocate the Demised Premises, Concessionaire shall relocate to the New Demised Premises at no cost or expense to Casitas, except as otherwise provided in subparagraph (f) and (g).

(f) Casitas' Obligations. To the extent that the original Demised Premises includes structures, buildings, improvements, or fixtures owned by Casitas, then Casitas shall pay for improving the New Demised Premises so that they are substantially similar to that portion of the original Demised Premises owned by Casitas, but Casitas shall not bear any other costs or expenses incurred by Concessionaire in relocating from the original Demised Premises to the New Demised Premises including, but not limited to, salaries of Concessionaire staff for time allocated to such relocation, legal fees, or Concessionaire's loss of business revenue.

6. INUNDATION OR DROUGHT

The water level of Lake Casitas is subject to change and fluctuation from natural causes, and/or the use of water of the reservoir for domestic water supply, diversion channels and other purposes. In the event that the Demised Premises are permanently inundated or in the event that drought or imminent threat of permanent inundation affects the Demised Premises such that the rights granted to Concessionaire hereunder can no longer be exercised, Concessionaire may, at no cost or expense to Casitas, relocate to an alternate site mutually agreed upon in writing by Casitas and Concessionaire, and this Agreement shall remain in effect for the remaining portion of its term. In the event of inundation or drought which precludes the exercise of the rights granted to Concessionaire hereunder, and the parties are unable to mutually agree upon an alternate site in the LCRA, this Agreement shall terminate.

7. TERM OF AGREEMENT

(a) The term of this Agreement will be for five (5) years from the date first written above, unless terminated sooner as provided in Paragraph 23 herein.

(b) There is no clear or inferred right of first refusal clause incorporated in this Agreement for subsequent agreements of similar nature.

(c) The Demised Premises shall be considered vacated after all areas, including storage and parking areas, are clear of all of Concessionaire's belongings, and keys and other property furnished for Concessionaire's use are returned to Casitas. Should Concessionaire hold over beyond the termination date or fail to vacate the Demised Premises on or before the termination date, Concessionaire shall be liable for additional rent and damages which may include damages due to Casitas loss of prospective new Concessionaires.

(d) The Concessionaire understands and agrees that the USBR will not carry forward agreements and contracts should the Management Agreement between Casitas and the USBR expire or terminate.

8. PAYMENTS

9.2 For the use granted herein, Concessionaire agrees to pay Casitas as follows:

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(a) Percentage Rent of fifteen percent (15%) of gross sales made from or upon the Demised Premises during the term hereof.

Comment [s2]: Why a RENT?? Deleted Service payment because this is the responsibility of the concessionaire.

(b) Miscellaneous Charges for any services, equipment, and labor provided by Casitas for wastewater hauling or other services as requested by Concessionaire. Miscellaneous charges will be invoiced by Casitas to the Concessionaire and paid in a timely manner in accordance with Casitas requirements.

9.4 (c) Place and Date of Payment. Concessionaire shall make all required payments by check or draft issued and payable to the "Casitas Municipal Water District," and mailed to Lake Casitas Recreation Area, 1055 Ventura Blvd. Oak View, California 93022, or such other place designated in writing by Casitas. Concessionaire shall compute the Percentage Rent each calendar month during the term and shall pay the Percentage Rent and Miscellaneous Charges to Casitas on or before the fifteenth (15th) day of the immediately following calendar month. Concessionaire agrees to deliver or cause to be delivered to Casitas, within fifteen (15) days following the end of each calendar month during the term, a written statement signed and certified by Concessionaire to be true and correct, showing in accurate detail the amount of Concessionaire's Gross Sales for the preceding calendar month, together with remittance of the Percentage Rent due and Miscellaneous Charges. In addition, Concessionaire shall furnish Casitas with an annual financial statement and a balance sheet prepared according to standard accounting principles. The financial statement shall be submitted within sixty (60) days of the close of an annual year.

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9.5 (d) Late Charge. A late payment charge of two percent (2%) per month shall be added to any payments received after the last day of the calendar month in which payment is due. Casitas is not obligated to notify Concessionaire of accumulated late charges.

(e) Adjustments to Gross Sales. There shall be no deduction from gross receipts for any overhead or cost or expense of operations, such as, but without limitation, salaries, wages, costs of goods, interest, debt amortization, credit, collection costs, discounts from credit card operations, insurance and taxes. Bona fide bad debts actually incurred by Concessionaire or its subcontractors, assignees, licensees, concessionaires and permittees may be deducted from gross receipts. There shall, however, be no deduction for bad debts based on past experience or transfers to a bad debt reserve. Subsequent collection of bad debts previously reported as gross receipts shall be included in gross receipts at the time they are collected.

(f) Concessionaire is not guaranteed a profit.

10.9. ACCOUNTING

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Concessionaire hereby agrees at all times during the term to use a point of sale computer system or other device to accurately record all sales and keep true, full and accurate books of account containing a complete statement of Concessionaire's Gross Sales in accordance with generally accepted accounting principals and practices (showing all of its sales separate from its other concessions and/or stores). The electronic data processing and record keeping equipment shall contain such features as the Casitas General Manager may reasonably require for the purpose of assuring that an accurate record of the transaction is created and retained by the equipment to be use.

a. (a) Records. Concessionaire shall maintain accounting books and records including, but not limited to, daily sales records and journals, sales returns and allowance detail, cash receipts, accounts receivable, disbursement journals, bank statements, deposit slips, inventory records, purchase orders, receiving records, state sales and use tax returns and a complete general ledger.

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b. (b) Storage. All accounting books and records maintained by Concessionaire shall be kept by Concessionaire for a period of no less than three (3) years after the close of each calendar year

c. (c) Inspection. Concessionaire hereby grants to Casitas and its agents and accountants the right, during Concessionaire's normal business hours and upon reasonable notice, to inspect such books and records kept in connection with the business done or transacted in or upon the Demised Premises, for the purpose of verifying Concessionaire's Gross Sales. Casitas, for itself and for its agents and accountants, agrees to keep confidential all sales figures, audits and reports furnished by or obtained from Concessionaire, as between Casitas and its attorneys, lenders, financial partners, if any, accountants and other financial advisors.

d. (d) Audit. At any time and from time to time, Casitas may elect to perform an audit of Concessionaire's Gross Sales, provided such audit shall not unreasonably interfere with the operation of Concessionaire's business. Such audit shall be conducted by either Casitas or a certified public accountant to be designated by Casitas in its sole

Comment [s3]: See USBR requirement for annual audit of records.

discretion. If any statement of Concessionaire's Gross Sales previously furnished by Concessionaire shall reflect less than ninety-seven percent (97%) of the amount of Concessionaire's Gross Sales as shown by such audit and additional Percentage Rent is payable by Concessionaire as a result of such understatement, or if such audit shows that Concessionaire has failed to maintain the books and records required herein so that Casitas is unable to verify the accuracy of any statement of Concessionaire's Gross Sales previously furnished by Concessionaire, then Concessionaire shall immediately pay to Casita all reasonable costs and expenses (including reasonable auditor and attorney fees) which may be incurred by Casitas in conducting such audit and collecting such underpayment, if any. In any event, Concessionaire shall promptly pay to Casitas all additional Percentage Rent shown by audit to be payable hereunder, together with interest at the maximum lawful rate from the date when said payment should have been made. If Concessionaire shall understate Gross Sales by more than three percent (3%) three (3) or more times during the Term, Concessionaire shall be deemed in default under Paragraph 24 of this Agreement and Casitas shall have all rights and remedies as are set forth in subparagraphs (a) through (q).

Comment [S4]: Check location and statement in these clauses.

(e) Subcontractors. Concessionaire shall cause all of its subcontractors to comply with the accounting requirements set forth above to the extent those requirements are applicable, and all other applicable requirements of this Agreement.

11.10. OPERATIONS.

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a. (a) General

- i.** (1) Compliance. Concessionaire shall comply with all applicable Federal, State, and local laws, rules, regulations and procedures; and obtain permits and/or licenses that are required for the Concession, including a mobile food facility valid Health Permit from Ventura County, or equivalent standard, and must be prominently displayed.
- ii.** (2) The parties to this Agreement will coordinate regarding any administration, operation, maintenance and development activities pursuant to this Agreement. It is of chief priority that any such activities do not affect any project water management, operation, and maintenance activities of Casitas, and, in the opinion of Casitas, will not interfere with Casitas' water retention and delivery operations in the Recreation Area.
- iii.** (3) Concessionaire shall have non-exclusive rights to operate the Snack Bar only during the CWA annual seasons and is obligated to stock and sell goods and supplies that are needed, desired and appropriate in a public waterpark environment and recreational campground setting. Casitas reserves the right to deny specific goods.
- iv.** (4) Concessionaire shall maintain a cell phone or other appropriate methods for Casitas to directly contact the Concessionaire. Concessionaire shall respond to any message left by Casitas within a twenty-four (24) hour time frame.
- v.** (5) Concessionaire warrants and agrees to fully comply with all laws, conditions and requirements contained in Exhibits B through E attached hereto and made a part hereof, including, but limited to, all laws regarding discrimination (Title VI of the Civil Rights Act of July 2, 1964 (78 Stat. 241), Americans with Disabilities, hiring, recruitment and employment of staff including, but not limited to, labor laws, workers compensation requirements, Immigration Reform and Control Act of 1986.
- vi.** (6) Concessionaire shall not enter into a sub-concession or any agreement to subcontract any service without the prior approval and written consent of Casitas. In the event that Concessionaire chooses, with Casitas' consent, to subcontract any particular service, this Concession Agreement shall be amended to provide for the proposed additional service(s).
- vii.** (7) The Concession is subject to the LCRA entrance requirements including, but not limited to, entrance fees, permits, inspections and quarantines, and restrictions as deemed necessary or otherwise approved by the Casitas Board of Directors.

Comment [S5]: What are the exceptions to allowing the concessionaire into the LCRA – if any – to do business without an annual sticker? Do we provide an annual sticker as a concessionaire? What do we do with Gary Wolfe's personnel?

- (8) In the event Concessionaire fails to remove the Snack Bar within thirty (30) days of the last day of each season, then same may be removed or demolished by Casitas and Concessionaire shall reimburse Casitas for any cost or expense in connection therewith.

b. (b) Concessionaire Staff

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- b. (1) Facilities Manager. Concessionaire shall be the Facility Manager with whom Casitas may deal on a daily basis. The Facility Manager shall be fully acquainted with the Concession operations, familiar with the terms and conditions prescribed therefor by this Agreement, and authorized to act in the day-to-day operation thereof.
- ii. (2) Facilities Staff. The parties hereto will ensure that adequate personnel are available to accomplish the operation, administration and maintenance of the Demised Premises as agreed to herein. The Concessionaire is required to keep an updated list of all employees, service and delivery companies and contractors on file with Casitas at all times. Such employees, service and delivery companies and contractors will not necessarily be granted access into the LCRA. All employees must be eligible for employment under the state of California employment laws. Concessionaire and employees must represent the Concession in an appropriate and professional manner. Unprofessional or inappropriate behavior on the part of Concessionaire or his/her employees towards Casitas staff and/or customers will be investigated and may warrant removal of park privileges.
- iii. (3) Tuberculosis Screen. Concessionaire shall not employ any person who cannot produce a certificate showing that within the last two (2) years the person has been examined and has been found to be free of communicable tuberculosis. Concessionaire staff shall be required to undergo the foregoing examination at least once every four (4) years. Any staff that has a documented positive skin test confirmed by X-ray shall be immediately referred to the County's Health Officer. "Certificate" means a document signed by the examining physician and surgeon who is licensed under Chapter 5 (commencing with Section 2000), Division 2 of the California Business and Professions Code, or a notice from a public health agency or unit of the Tuberculosis Association, which indicated freedom from active tuberculosis.
- iv. (4) Compliance; Employee Documentation; Indemnity. Concessionaire warrants that it fully complies with all applicable employment laws. Concessionaire further warrants that all its employees performing services hereunder meet the citizenship or alien status requirements contained in federal and state statutes and regulations including, but not limited to, the Immigration Reform and Control Act of 1986 (P.L. 99-603). Concessionaire shall obtain and retain all verification and other documentation of employment eligibility status required by federal statutes and regulations as they currently exist and as they may be hereafter amended.
- v. (5) Employee Conduct. The Casitas General Manager may at any time give Concessionaire written notice to the effect that the conduct or action of an employee of Concessionaire is, in the reasonable belief of the Casitas General Manager, detrimental to the interest of the public patronizing the Demised Premises. Concessionaire shall meet with the Casitas General Manager to consider the appropriate course of action with respect to such matter.

c. (c) Prices

- i. (1) Pricing Policy and Review. Concessionaire shall at all times maintain a complete list or schedule of the prices charged for all goods or services supplied to the public. Said prices shall be fair and reasonable based upon comparability with prices charged for similar goods and/or services in the Ventura and Santa Barbara County areas. In the event Casitas notifies Concessionaire that prices being charged are not fair and reasonable, Concessionaire shall have the right to confer with the Casitas General Manager and justify said prices. Following reasonable conference and consultation thereon, Concessionaire shall either make such price adjustments as may be ordered by the Casitas General Manager or appeal the implementation of such adjustments to the Casitas Board of Directors, whose decision

thereon shall be final and conclusive. However, Concessionaire shall comply with the ordered price adjustment pending the appeal and final ruling thereon by Casitas' Board of Directors.

- iii. (2) Complimentary Services and Reduced Rates. The Concessionaire shall require its employees to observe strict impartiality as to rates and services in all circumstances. The Concessionaire may, subject to the prior written approval of the General Manager, grant complimentary or reduced rates under such circumstances as are customary in businesses similar to that which will be conducted under this Concession Agreement. However, the General Manager reserves the right to review and modify the Concessionaire's complimentary or reduced rate policies.

iv. (d) Authorized Goods and Services

- (1) Concessionaire is authorized non-exclusive rights to sell to the general public prepared and packaged snack bar food supplies, confections, soft drinks, approved personal products, souvenirs and clothing. The Snack Bar Concession shall be specifically excluded from selling fireworks, weapons and firearms including, but not limited to, knives, slingshot, bow and arrow, bowfishing equipment, bait and tackle, guns and/or rifles of any type and any items which Casitas deems inappropriate or offensive. Any other goods and services desired to be provided by the Concessionaire beyond that listed above must be requested in writing by the Concessionaire and receive prior written approval by the Casitas General Manager.

Comment [S6]: What about fishing tackle and bait?

- ii. (2) The supply in the Snack Bar shall be ample in quantity and appropriate to meet the needs of the visiting public. All food, beverages, confectionary and other products intended for human consumption shall be of a high standard of quality, and pricing specified above.

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- iii. (3) Concessionaire may **not** obtain an Off-Sale Beer and Wine License for the sale of beer and wine from the California Department of Alcoholic Beverage Control for this location.

- iv. (4) All goods and services sold by Concessionaire shall conform to Federal, State and local laws, ordinances and regulations. Following receipt of written notification that the provision of such goods or services is harmful to the public welfare, Concessionaire shall immediately remove or withdraw from sale any goods or services which may be found objectionable to the Casitas General Manager.

e. (e) Hours of Operation

Concessionaire shall establish regular hours of operation that will accommodate the visiting public demands. Upon commencement of the Concessionaire Agreement and by April 1 of each succeeding year, the Concessionaire shall submit to Casitas for review, change and approval a written seasonal schedule of hours (opening and closing times) for the operation. Any change to the schedule must be submitted to, and approved by, Casitas prior the implementation of the schedule change.

f. (f) Security

- i. (1) Concessionaire acknowledges the need for securing the Demised Premises and shall provide at its sole expense any legal devices, installation, or equipment designated for the purpose of protecting the Demised Premises from unlawful conduct including, but not limited to, theft, burglary or vandalism, provided written approval for said security measures is first obtained from the Casitas General Manager.
- ii. (2) Concessionaire employed security personnel have no authority to take law enforcement action or carry firearms. Concessionaire shall comply with all law enforcement protocol within the LCRA pursuant to Casitas' Ordinances. Concessionaire will work with Casitas to ensure law and order is maintained and preserved and protect recreation facilities, resources and lands from unauthorized use related to any and all concession activities pursuant to this

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Agreement. Concessionaire may bear the cost and administration of additional law enforcement services required or specifically requested through local law enforcement such as the County of Ventura. In the event an incident arises where more than one law enforcement agency responds, the federal law enforcement agency shall have precedence over State and County law enforcement agencies and the Concessionaire may bear any cost billed in association with any services requested by Concessionaire.

g- (g) Safety

Concessionaire shall use its best efforts to correct any unsafe condition of the premises, as well as any unsafe practices occurring thereon. Concessionaire shall use its best efforts in requesting local paramedical assistance for any member of the public who is in need thereof, because of illness or injury occurring on the premises. Concessionaire shall cooperate fully with Casitas in the investigation of any accidental injury or death occurring on the premises, including a prompt report thereof to the Casitas General Manager. Concessionaire shall make safety improvements as requested by Casitas' General Manager, insurance carrier or the Board.

h- (h) Advertising and Promotion

Concessionaire is responsible for the advertising and promotion of his/her own business.

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i- (1) Signs. Concessionaire shall not post advertising signs or other materials upon the Demised Premises without prior written approval from Casitas. Concessionaire acknowledges that Casitas greatly limits such approval in order to maintain the natural setting of the LCRA. Outdoor signs or other forms of advertising (e.g. web, newspaper, etc) must not be displayed on LCRA property or provided to, or allowed to be accessed by, the public without the prior review and written approval of Casitas. All signs will be professionally made. All signage must include an approved USBR logo or name and Casitas Municipal Water District and/or Lake Casita Recreation Area logo or name.

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ii- (2) Concessionaire shall not promote or sponsor private or public events requiring the use of any other areas of the LCRA, other than the Demised Premises or as approved by Casitas. However, this provision shall not prohibit Concessionaire from generally advertising or encouraging public use of the LCRA in a manner that complies with the provisions of this Agreement. Concessionaire shall not promulgate, nor cause to be distributed, any advertising or promotional materials objectionable to Casitas. Casitas shall require all advertising in newspapers, magazines and trade journals, radio and television commercials and other advertising be approved in advance.

(3) Where possible, Concessionaire agrees that any advertising or promotional materials promulgated by Concessionaire, which refers to the "Lake Casitas Recreation Area," or any derivative thereof, shall also include the phrase "Casitas Municipal Water District" unless specifically approved otherwise by the Casitas General Manager.

i- (i) Interruptions of Business

There is the possibility of interruptions of this Concession Agreement. These interruptions could be due to contamination of Lake Casitas, impacts on the Concession Agreement due to construction and maintenance projects, insurance changes, changes in lake level and any other similar business interruptions. Should these interruptions require Casitas to place additional restrictions upon the Concessionaire, Casitas shall not be liable for any expense or loss of business due to Concessionaire's complying with those additional restrictions, as long as the restrictions were consistently applied to other like-users of the LCRA. However, since insurance changes can be mandated by Casitas' insurer, Concessionaire shall not hold Casitas liable for expense or loss of business due to Concessionaire's complying with additional restrictions due to insurance changes, even where those restrictions were not consistently applied to like-users of the LCRA.

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j. (j) Annual Review

Concessionaire shall be evaluated by Casitas under the Concessions Review Program. The Concessions Review Program will consist of four separate evaluations: (1) Operations and Facilities Evaluation, (2) Public Health Service Inspection, (3) Safety and Environmental Evaluation, and (4) Contract Compliance Evaluation. The Operation and Facilities Evaluation shall be conducted annually. All other evaluations shall be conducted as Casitas may desire. Casitas may, at its discretion, terminate this Concession Agreement in the case of an unsatisfactory rating on any of the evaluations.

k. (k) Utilities

The Demised Premises shall contain a two phase 90 AMP electrical outlet and a one-half inch (½") line of potable water. Concessionaire shall contract directly to provide and pay for any other necessary utilities serving the Demised Premises, including trash dumpster rental and the installation of necessary metering devices. Such necessary utilities include, but are not limited to, water, telephone, electricity, trash collection and propane services. The telephone number may be placed in the name of the Concessionaire. Concessionaire waives any all claims against Casitas for compensation for loss or damage caused by a defect, deficiency or impairment of any utility system, water system, water supply system, drainage system, waste system, heating or gas system, electrical apparatus or wires serving the premises. Concessionaire shall pay for any new connections to the existing electrical services.

l. (l) Sanitation

No offensive matter, or refuse, or substance constituting any unnecessary, unreasonable or unlawful fire hazard, or material detrimental to the public health, shall be permitted to accumulate or remain on the Demised Premises and within a distance of fifty (50) feet thereof. Concessionaire shall pay fees to collect and remove refuse to an area approved disposal site or landfill that is not located within the watershed of Lake Casitas. Refuse shall be removed as needed, but minimally once per week. Concessionaire shall furnish all equipment and materials necessary for refuse collection, including trash receptacles of the size, type, color and number required by the Casitas.

i. (1) Debris. Concessionaire shall keep assigned areas free of foul odors, liter, debris, garbage, personal items, stored or abandoned equipment, working or not, vehicles, furniture, and fixtures. No added sanitation facilities shall be allowed. Concessionaire shall engage and pay for services including three (3) yard trash dumpster rental and the removal of the trash and garbage that is generated by the Snack Bar Concession from the LCRA. Casitas will empty trash containers located in the adjacent outdoor picnic areas. Concessionaire shall empty containers located within Demised Premises.

(2) Concessionaire shall promote recycling and make it convenient for public use.

ii. (3) Concessionaire shall make every effort to reduce and recycle solid waste generated as a result of the operation of the Water Adventure Snack Bar Concession which may include making arrangements with a local waste hauler to pick up and dispose of waste and recyclable material.

(4) Sewage Disposal and Gray Water. There are no arrangements in this Agreement to provide the Concessionaire sewage disposal other than in the adjacent public restrooms. Gray water removal and costs associated with its removal will be the responsibility of the concessionaire or in agreement with Casitas as stated in 8 (b) above.

(m) Incident Reporting

Concessionaire shall investigate or cooperate in the investigation by the agency having jurisdiction, all incidents involving death, serious injury or property damage, or other incidents of a serious nature within the Demised Premises. Concessionaire shall make an initial verbal/phone message report on such incidents to Casitas' designated

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representative within two (2) hours of knowledge of the incident. Under most circumstances, or when requested by Casitas, Concessionaire shall submit a written incident report via hard copy or e-mail to Casitas' designated representative within two (2) calendar days of the verbal notice.

(n) Hazardous Materials

- (1) Concessionaire may not allow contamination or pollution of the LCRA, waters or facilities and shall take reasonable precautions to prevent such contamination or pollution by third parties. Substances causing contamination or pollution shall include, but are not limited to, hazardous materials, thermal pollution, refuse, garbage, sewage effluent, industrial waste, petroleum products, mine tailings, mineral salts, misused pesticides, pesticide containers, or any other pollutants.
- (2) Concessionaire shall comply with all applicable Federal, State, and local laws and regulations, and Casitas' Ordinances, policies, directives and standards, existing or hereafter enacted or promulgated, concerning any hazardous material that will be used, produced, transported, stored, or disposed of on or in the LCRA, water or facilities.

(o) Pest And Weed Control

Concessionaire shall not permit the use of any pesticides/chemicals on the Demised Premises.

(p) Protection Of Natural And Cultural Resources

- (1) Concessionaire will implement best management practices necessary to minimize sedimentation and erosion; protect land and water resources; prevent and suppress fire; protect against introduction and spreading of noxious weeds and other pests detrimental to natural values, agriculture or public health and safety; and will cooperate in soil and water conservation, and fish and wildlife enhancement practices.
- (2) Concessionaire will comply with the National Environmental Policy Act (NEPA), including the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA) and other related laws as may be enacted or amended.

42-11. MAINTENANCE

(a) **Casitas' Duties.** Casitas shall repair and maintain the areas of and surrounding the Demised Premises. Casitas shall not maintain the any part of the temporary building erected by Concessionaire that is located within the Demised Premises. There shall be no abatement of rent, and no liability of Casitas, by reason of any injury to or interference with Concessionaire's business arising from the making of any repairs, alterations, or improvements to any portion of the Demised Premises. Casitas shall have absolutely no other responsibility to repair, maintain or replace any portion of the Demised Premises at any time. The Concessionaire waives the right to make repairs at Casitas' expense under California Civil Code Section 1942, or under any other law, statute or ordinance now or hereafter in effect.

~~4.~~ (b) **Concessionaire's Duties.** Concessionaire shall maintain the Concession equipment and premises in good repair and condition. Concessionaire shall perform and pay for all repairs and replacements in compliance with applicable law. All maintenance and repairs shall be commenced within thirty (30) days of the need thereof and diligently completed. Maintenance includes, but is not limited to:

- ~~6.~~ (1) **Temporary and Seasonal Facilities Color Palette and Park Theme.** Concessionaire shall endeavor to create an atmosphere that is compatible with a natural park setting. All facility color schemes and façade materials must be approved by the Park Services Manager prior to locating mobile unit or installation.
- (2) **Graffiti Eradication and Control of Graffiti from the Outside Surfaces of Temporary Structures on said Demised Premises.** Concessionaire shall immediately remove graffiti at all times

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during the days and hours of operation when observed and repair any property located on the Demised Premises damaged by criminal conduct.

7. (3) Equipment Repair or Replacement. Repair and replacement of all equipment necessary to conduct Concession operations shall be made at Concessionaire's sole expense. Any replacement equipment purchased by Concessionaire as Trade Fixtures shall be the property and responsibility for maintenance of the Concessionaire. Concessionaire shall dispose of replaced property in an approved manner in accordance Federal, State and local laws and regulations.
- (4) Concessionaire's Damage Liability. The Concessionaire is additionally liable for any damage to the Demised Premises resulting from the acts or omissions of the Concessionaire, including, without limitation, any damage relating to a roof penetration caused by the Concessionaire or Concessionaire's invitees and any actual or consequential damage to the Demised Premises and/or building arising from Concessionaire's use of the Demised Premises, Concessionaire's personal property, or systems or equipment serving the Demised Premises that are the responsibility of the Concessionaire to maintain, repair, replace.
- (5) Default of Maintenance Obligations. In the event Concessionaire defaults in the exercise of its maintenance obligations assumed herein, Casitas reserves the right to cure said default and seek reimbursement from the Concessionaire for all costs incurred plus a supervisory fee in the amount of ten percent (10%) of the cost thereof. Any reimbursement demand by Casitas under this provision shall be satisfied by Concessionaire within fifteen (15) days.

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12. FEES AND TAXES

(a) Public LCRA entrance and use fees will be set in accordance with the fee schedule established by Casitas and Casitas shall have the right to collect as income, receipts derived from recreation related permits and contracts which it issues and administers for activities within the LCRA, as authorized in the California Water Code Section 71660 et. Seq.,

(b) The use or occupancy of the Demised Premises by Concessionaire constitutes a property interest which may be subject to possessory interest taxes. Concessionaire will be liable for the payment of such possessory interest taxes and any other taxes which may be levied on the property pursuant to the applicable taxation code. Concessionaire shall pay the applicable County or State agency, before delinquent, all taxes and assessments including said possessory interest tax levied against Concessionaire by reason of use and occupancy of the Demised Premises.

13. RIGHTS OF CASITAS AND USBR

(a) The USBR retains the primary jurisdiction over the Ventura River Project and the LCRA. The USBR can give written notice to Casitas if the USBR determines that changes in land use for USBR purposes within the LCRA are necessary. Casitas will give written notice to Concessionaire if any land use changes required by the USBR are necessary.

(b) Casitas or the USBR may close the LCRA, or any portion thereof, including the Demised Premises, to public use whenever it is determined such restriction is necessary in the interest of water delivery project operation, public safety or national security. Casitas' designated representative will give written notice to Concessionaire of any such closure. This notice will be given as soon as practicable after a determination for closure is made and will include the date when the closure becomes effective. Concessionaire will enforce such closure and such enforcement will include coordination and cooperation with Casitas.

14. (c) The USBR and Casitas reserves the right to establish, grant or utilize additional easements or rights of way over, under, along and across the Demised Premises for utilities and/or public access to the LCRA provided Casitas shall exercise such rights in a manner as will avoid any substantial interference with the operations to be conducted hereunder. Concessionaire shall not claim any damages, loss of business, impact costs or other costs of any kind due to such an easement.

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14. INDEMNIFICATION

To the fullest extent permitted by law, Concessionaire shall indemnify and hold harmless and defend Casitas its directors, employees, or authorized volunteers, and each of them from and against the following:

14.1 (a) Any and all claims, demands, causes of action, damages, costs, expenses, losses or liabilities, in law or in equity, of every kind and nature whatsoever, for, but not limited to, injury to or death of any person including Casitas and/or Concessionaire, or any directors, officers, employees, or authorized volunteers of Casitas or Concessionaire, and damages to or destruction of property of any person, including but not limited to, Casitas and/or Concessionaire and their directors, officers, employees, or authorized volunteers, arising out of or in any manner directly or indirectly connected with this Agreement, however caused, regardless of any negligence of Casitas or its directors, officers, employees, or authorized volunteers.

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14.2 (b) Any and all actions, proceedings, damages, costs, expenses, penalties or liabilities, in law or equity, of every kind or nature whatsoever, arising out of, resulting from or on account of the violation of any governmental law or regulation, compliance with which is the responsibility of Concessionaire.

14.3 (c) Any and all losses, expenses, damages (including damages to the work itself), and other costs, including all costs of defense, which any of them may incur with respect to the failure, neglect, or refusal of Concessionaire to faithfully perform all of its obligations under the contract. Such costs, expenses, and damages shall include all costs incurred by the indemnified parties in any lawsuits to which they are a party.

14.4 (d) Concessionaire shall defend, at Concessionaire's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against Casitas or Casitas' directors, officers, employees, or authorized volunteers.

14.5 (e) Concessionaire shall pay and satisfy any judgment, award or decree that may be rendered against Casitas or its directors, officers, employees, or authorized volunteers, in any such suit, action or other legal proceeding.

14.6 (f) Concessionaire shall reimburse Casitas and its directors, officers, employees, or authorized volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

14.7 (g) Concessionaire agrees to carry insurance for this purpose as required by this Agreement. Concessionaire's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Casitas, or its directors, officers, employees, or authorized volunteers

(h) Concessionaire agrees to indemnify and hold harmless Casitas Municipal Water District and the United States, its employees, agents, and assigns from any loss or damage and from any liability on account of personal injury, property damage, or claims for personal injury or death arising from the Concessionaire's activities under this Agreement.

(i) The parties hereto shall each be responsible and liable only for the negligent acts or omissions of their respective employees or assigns to the extent provided by law. However, nothing in this Agreement shall be construed to be an admission of fault or liability, and nothing shall limit the defenses and immunities legally available to each party against each other and third parties.

16.15. INSURANCE

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Without limiting Concessionaire's indemnification of Casitas, Concessionaire shall provide and maintain at its own expense during the term of this Agreement the program(s) of insurance covering its operations listed herein. Such insurance shall be provided by insurer(s) satisfactory to the Casitas General Manager and evidence of such programs satisfactory to Casitas shall be delivered to the Casitas General Manager on or before the effective date of this Agreement. Such evidence shall specifically identify this Agreement and shall contain express conditions that Casitas is to be given written notice of at least thirty (30) days in advance of any modification or termination of any program of insurance. Further, all such insurance with the exception of Workers' Compensation insurance, shall be primary to and not contributing with any other insurance maintained by Casitas and shall name Casitas and the United

States Government additional insureds. If Casitas insurance requirements change, the Concessionaire will be required to make changes in their insurance accordingly at Concessionaire's sole expense.

16.4 (a) Certificate of Insurance. Prior to execution of the Agreement, Concessionaire shall file with Casitas a Certificate of Insurance (Acord Form 25-S or equivalent) signed by the insurer's representative. Such evidence shall include an original copy of the additional insured endorsement signed by the insurer's representative. Such evidence shall also include confirmation that coverage includes or has been modified to meet all insurance requirements under this Agreement.

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(b) Proof of Insurance. The Concessionaire shall, upon demand of Casitas, deliver to Casitas such policy or policies of insurance and the receipts for payment of premiums thereon as are required under this Agreement. In the event evidence of such insurance coverage is not provided to Casitas within thirty (30) days prior to the commencement of this Agreement, Casitas shall, at its sole option, obtain such insurance coverage and charge Concessionaire the cost thereof plus any administrative costs involved in obtaining said insurance. Failure to provide required insurance coverage shall result in the loss of the use of the facility. Concessionaire shall provide increased limits of insurance if required of Casitas by Casitas' insurer at no cost or liability to Casitas.

(c) During the entire term and any extension of this Agreement, Concessionaire shall maintain Commercial General Liability Insurance coverage at least as broad as the Insurance Services Office Commercial General Liability Coverage (Occurrence Form CG 0001) with limits no less than ONE MILLION DOLLARS (\$1,000,000) per occurrence for bodily injury property damage and personal injury. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the project/location (with the ISO CG 2503, or ISO CG 2504, or insurer's equivalent endorsement provided to Casitas) or the general aggregate limit shall be twice the required occurrence limit.

(d) Required Provisions. The general liability and liquor liability (if any) policies are to contain, or be endorsed to contain the following provisions:

- (1) The United States of America (Bureau of Reclamation), Casitas, its directors, officers, employees, or authorized volunteers shall be named as additional insured (via ISO endorsement CG 2026 or insurer's equivalent for general liability coverage) as respects: liability arising out of activities performed by or on behalf of the Concessionaire; products and completed operations of the Concessionaire; premises occupied or used by the Concessionaire. The coverage shall contain no special limitations on the scope of protection afforded to the Casitas, its directors, officers, employees, or authorized volunteers.
- (2) For any claims related to this event, the Concessionaire's insurance shall state that coverage is primary as respects the United States of America (Bureau of Reclamation), Casitas, its directors, officers, employees, or authorized volunteers, and any insurance, self insurance, or other coverage obtained or maintained by Casitas, its directors, officers, employees, or authorized volunteers shall be in excess of said primary coverage and not contributing.
- (3) Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the United States of America (Bureau of Reclamation), Casitas, its directors, officers, employees, or authorized volunteers.
- (4) The Concessionaire's insurance shall apply separately to the insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- (5) Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days (10 days for non-payment of premium) prior written notice by U.S. Mail has been given to Casitas.
- (6) Such liability insurance shall indemnify the Concessionaire against loss from liability imposed by law upon, or assumed under contract by, the Concessionaire for damages on account of such bodily injury (including death), property damage, and personal injury.
- (7) The general liability policy shall cover bodily injury and property damage liability, owned and non-owned equipment, and blanket contractual liability.

(e) Deductibles and Self-Insured Retentions. Any deductible or self-insured retention must be declared to and approved by Casitas. At the option of Casitas, the insurer shall either reduce or eliminate such deductibles or self-insured retentions.

(f) Acceptability of Insurers. All of the insurance shall be provided on policy forms and through companies satisfactory to Casitas. Insurance is to be placed with insurers having a current A.M. Best rating of no less than A-:VII or equivalent or as otherwise approved by Casitas.

(g) Workers' Compensation & Employer's Liability Insurance. By his/her signature hereunder, Concessionaire certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code, which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing the event. The Concessionaire shall cover or insure under the applicable laws relating to workers' compensation insurance, all of the employees working on or about the event, in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any Acts amendatory thereof. The Concessionaire shall provide employer's liability insurance in the amount of at least ONE MILLION DOLLARS (\$1,000,000) per accident for bodily injury and disease. In the event Workers' Compensation & Employer's Liability Insurance does not apply to Concessionaire, Concessionaire shall execute a California Workers' Compensation Law Certificate of Exemption.

(h) Concessionaire shall require all contractors and permittees operating within the Demised Premises to carry adequate liability and property damage insurance and liability for causes or actions resulting from the negligence of their employees, subcontractors, or agents. Said insurance shall be of sufficient amount to cover, as a minimum, the Concessionaire's liability under its governmental liability act and shall be consistent with the services, facilities, etc. provided and the potential for injury or damage to life and property. Casitas shall be named as an additional insured on all such insurance, and a certificate of insurance shall be provided to Casitas by the contractor and permittee to ensure that the insurance is in effect.

16. RESTORATION FOLLOWING DAMAGE OR DESTRUCTION OF THE DEMISED PREMISES

If during the term of the Agreement the buildings or improvements or such fixtures or equipment, on, below, above or appurtenant to the Demised Premises at the commencement of the term or thereafter erected, installed or placed thereon or therein shall be destroyed or damaged in whole or in part by fire or any other cause, except condemnation, and provided such destruction or damage is required to be covered by insurance, Concessionaire shall give the Casitas General Manager notice as soon as practicable thereof. Concessionaire shall immediately secure the area to prevent injury, vandalism and further damage to persons, improvements, and the contents thereof. Concessionaire shall promptly restore same to the condition existing immediately prior to such occurrence, or if not possible or feasible in view of the damage sustained and availability of funds with which to rebuild, terminate this Agreement.

(a) In the event any part of the Demised Premises, building or structure essential to the operation of the Concession facility is totally or partially destroyed or damaged by any cause not resulting in fault or negligence of Concessionaire or Casitas and which is beyond the control of Concessionaire and/or Casitas, rendering the Demised Premises totally or partially inaccessible or unusable, Concessionaire may at its option terminate this Agreement upon written notice to Casitas.

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(b) Should Concessionaire elect not to terminate this Agreement, Concessionaire shall within seven (7) days from the date of the damage or destruction, commence full repair at Concessionaire's cost and continue the performance of this Agreement in good faith to completion. In any event, the Demised Premises shall remain the property of Casitas. Casitas shall be under no obligation to make any repairs or reconstruct any buildings or structures.

17. NON-ASSIGNMENT

During the term of this Agreement, the responsibilities of the Concessionaire as described herein shall not be assigned to others without prior written approval of Casitas Board of Directors.

Comment [S7]: See 2004 Agreement, Section 9 for the assignment through sale of the contract. Where did non-assignment come from – Carol? Question for John Mathews.

18. THIRD PARTY CONTRACTS AND PERMITS

Concessionaire may not enter into, or issue and administer, third party permits or concession contracts to persons or associations for the purpose of selling or soliciting services, goods, and facilities for the use of the visiting public consistent with the intent and conditions of this Agreement, without prior written approval of Casitas. Written approval shall be by amendment to this Agreement.

19. IMPROVEMENTS, EQUIPMENT AND INVENTORY

8.4. (a) Prior Written Approval. Construction of temporary and seasonal structures or improvements within the Demised Premises or removal of the same by the Concessionaire shall only be done with the prior approval of Casitas.

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(b) Concessionaire shall not make any structure replacements or improvements on the Demised Premises without the prior CMWDC's written approval of Casitas of all plans, specifications and drawings. Approval may be withheld if the proposed alteration, addition, or improvement is not within the theme or character of the LCRA or if not approved by Reclamation, exceeds the express or implied scope of Concessionaire's services under this Agreement, sacrifices the public health, safety, or welfare, or for any other reason infringes on CMWDC's operation of the LCRA. The Concessionaire shall provide to Casitas an initial request for consideration by Casitas and the USBR. Said request may include conceptual sketches and drawings.

(c) Cost and Expense. In the event that CMWDC's consents to Concessionaire making any alteration, addition, or improvement to the structures on the Demised Premises, Concessionaire agrees that the same shall be made at Concessionaire's sole cost and expense.

8.4. (d) Practices and Procedures. In erecting and placing the Snack Bar on the Demised Premises, Concessionaire agrees to comply with all Federal, State, and local building and safety codes. Concessionaire agrees that Casitas shall have the right to access to the premises during the erection and placement of same for the purposes of Casitas' own inspection of the construction work. This inspection is not in service to the Concessionaire or a substitute for Concessionaire's inspection or control of the work. The Concessionaire shall provide to Casitas the names and phone numbers of the Concessionaire's representative and a listing of all authorized contractors for the work. The access to and use of the LCRA by the contractors and Concessionaire's representatives shall be in accordance with all applicable rules, regulations, and ordinances of the LCRA.

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(e) Insurance and Bonds. If applicable, Concessionaire shall be responsible for providing insurance coverage for the construction in an amount not less than that specified in Paragraph 15 hereof.

20. REVIEW OF ADMINISTRATION, OPERATION, MAINTENANCE AND DEVELOPMENT

(a) The parties hereto shall meet prior to an upcoming season, or more often if requested by either party, to inspect the Demised Premises and Snack Bar and review the administration, operation, maintenance and requested development of the Concession. The purpose of this inspection and review is to ensure that administration, operation, maintenance and development procedures are adequate; to identify and correct deficiencies and problems; and to ensure the administration of the Concession is in accordance with the intended purposes and in compliance with Casitas Ordinances. Deficiencies and problems shall be corrected in a timely manner by the Concessionaire.

(b) The USBR may conduct an annual inspection of Casitas and Concession operations and will provide in writing necessary corrective action and time line for compliance.

21. EXAMINATION OF RECORDS

(a) Casitas, a public entity, requires that, at any time, the Concessionaire produce for examination any pertinent books, documents, papers, and financial records of the Concessionaire and/or the Concessionaire's contractors, permittees involving transactions related to this Agreement within the Public Records Act parameters.

(b) Casitas may, at any time, request an independent audit of the Concessionaire's financial activities for the LCRA. Such independent audit shall be performed at the cost of Casitas. Any discrepancies found during such audits shall be corrected within a reasonable amount of time, as determined by Casitas, by the responsible party.

22. NOTICE TO CURE/DISPUTE RESOLUTION

(a) Non-Compliance. Notification of non-compliance with the terms and conditions of this Agreement shall be in writing, giving a period of time in which the non-compliance shall be corrected. Failure to satisfactorily correct any substantial or persistent non-compliance within the specified time shall be grounds for termination of all or part of this Agreement or temporary suspension of operation after notice in writing of such intent.

(b) Dispute Resolution. In the event of any dispute or controversy arising out of or relating to this Agreement, the parties hereto agree to exercise their best efforts to resolve the dispute as soon as possible as outlined in Exhibit D.

(c) The inability of Casitas' and Concessionaire's designated representatives to mutually agree on a proposed action within thirty (30) calendar days, or longer period as may be agreed to by the parties hereto, may result in termination of this Agreement by either party.

23. TERMINATION

This Agreement shall terminate and all rights and obligations of the parties under this Agreement will cease under any one of the following conditions:

(a) Upon expiration of the term of this Agreement.

(b) For cause, including, but not limited to, violations of Casitas Ordinance entitled "An Ordinance of Casitas Municipal Water District Establishing Rules and Regulations for the Public Use of the Lake Casitas Recreation Area", failure to pay fees, violation of health and safety regulations and violation of Federal, State and local regulations as applicable, upon receipt of a written notice of termination from Casitas.

(c) Without cause, upon receipt of written notice of termination from either party. This termination notice must be received at least one (1) year prior to proposed early termination date.

(d) At any time upon written notice to Concessionaire that Casitas has received a notice of termination from the USBR.

~~17.~~ (e) In the case of termination for cause, Concessionaire must completely vacate the Demised Premises within thirty (30) calendar days of written notice of determination.

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24. CANCELLATION UPON DEFAULT

~~17.1~~ (a) Notice to Concessionaire. Upon the occurrence of any one or more of the events of default hereinafter described, this Agreement shall be subject to cancellation. As a condition precedent thereto, the Casitas General Manager shall give Concessionaire ten (10) days notice by registered, certified mail, or hand delivery of the date set for cancellation thereof; the grounds therefore; and that an opportunity to be heard thereon before the Board of Directors will be afforded on or before said date, if request is made therefor.

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~~17.2~~ (b) Possession. Upon cancellation Casitas shall have the right to take possession of the Concession premises, including all improvements, equipment, and inventory located thereon, and use for the purpose of satisfying and/or mitigating all damages arising from a breach of this Agreement.

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~~17.3~~ (c) Notice to Lenders. The Casitas General Manager shall send a copy of any intended cancellation of this Agreement to any Lender whose security would be affected thereby provided that such Lender shall have previously registered with the Casitas General Manager by written notice specifying the name and address of said Lender; and upon Lender's request for postponement, extend the date set for cancellation by such time as the Casitas General Manager finds reasonable to correct the grounds for cancellation or to provide a new Concessionaire

under a power of sale or foreclosure contained in the hypothecation or mortgage. Any new concessionaire shall be responsible for correcting the original grounds for cancellation within a time set by the Casitas General Manager.

17.4 (d) Events of default shall be:

17.4.1 (e) The abandonment, vacation or discontinuance of operations on the premises for more than forty-eight (48) consecutive hours.

17.4.2 (f) The failure of Concessionaire to punctually pay or make the payments required hereunder when due, where the delinquency continues beyond ten (10) days following written notice for payment thereof.

17.4.3 (g) The failure of Concessionaire to operate in the manner required by this Agreement, where such failure continues for more than ten (10) days after written notice from the Casitas General Manager to correct the condition therein specified.

17.4.4 (h) The failure to maintain the premises and the improvements constructed thereon in the state of repair required hereunder, and in a clean, sanitary, safe and satisfactory condition, whether such failure continues for more than ten (10) days after written notice from the Casitas General Manager to correct the condition.

17.4.5 (i) The failure of Concessionaire to keep, perform and observe all other promises, covenants, conditions and agreements set forth in this Agreement, where such failure continues for more than thirty (30) days after written notice from the Casitas General Manager for correction thereof, provided that where fulfillment of such obligation requires activity over a period of time and Concessionaire shall have commenced to perform whatever may be required to cure the particular default within ten (10) days after such notice and continues such performance diligently, said time limit may be waived in the manner and to the extent allowed by the Casitas General Manager.

17.4.6 (j) The Casitas General Manager determines that the Concessionaire is insolvent. Concessionaire shall be deemed to be insolvent if it has ceased to pay its debts in the ordinary course of business or cannot pay its debts as they become due, whether it has committed an act of bankruptcy or not, and whether insolvent within the meaning of Federal Bankruptcy Law or not.

17.4.7 (k) The filing of a voluntary petition in bankruptcy by Concessionaire; the adjudication of Concessionaire as a bankrupt; the appointment of any receiver of Concessionaire's assets; the making of a general assignment for the benefit of creditors, a petition or answer seeking an arrangement for the reorganization of Concessionaire under any Federal Reorganization Act, including petitions or answers under Chapter XI of the Bankruptcy Act; the occurrence of any act other than under the federal bankruptcy laws which operates to deprive Concessionaire permanently of the rights, powers and privileges necessary for the proper conduct and operation of the Concession including the levy of any attachment or execution which substantially interferes with Concessionaire's operations under this Agreement and which attachment or execution is not vacated, dismissed, stayed or set aside within a period of sixty (60) days.

17.4.8 (l) Determination by the Casitas General Manager, the California Fair Employment and Housing Commission, or the Federal Equal Employment Opportunity Commission of discrimination having been practiced by Concessionaire in violation of state and/or federal laws thereon.

17.4.9 (m) The execution by Concessionaire of an assignment for the benefit of creditors.

17.4.10 (n) Transfer of the majority controlling interest of Concessionaire to persons other than those who are in control at the time of the execution of this Agreement without approval thereof by the Casitas General Manager.

17.4.11 (o) Failure of Concessionaire to maintain any current licenses or permits required by any local, state or federal agencies necessary for the conduct of Concessionaire's business.

~~18-~~ (p) Waiver. Failure or delay of Casitas to declare any breach or default immediately upon occurrence shall not waive such breach or default. Failure of Casitas to declare one breach or default does not act as a waiver of Casitas' right to declare another breach or default.

19. (q) Remedies Cumulative. Any remedies provided for under the terms of this Agreement are not intended to be exclusive, but shall be cumulative with all other remedies available to Casitas.

20.25. RIGHT OF ENTRY

20.1 (a) General. Any officers and/or authorized employees of Casitas may enter upon the Demised Premises any and all reasonable times for the purpose of determining whether or not Concessionaire is complying with the terms of this Agreement, or for any other purpose incidental to the rights of Casitas within the demised premises. No re-entry or taking of the premises by Casitas pursuant to this Agreement shall be construed as an election to terminate this Agreement, unless a written notice of such intention is given to Concessionaire or unless the termination thereof is decreed by a court of competent jurisdiction.

20.2 (b) Abandonment. In the event of an abandonment or discontinuance of operations for a period in excess of forty-eight (48) hours, Concessionaire hereby irrevocably appoints Casitas as an agent for continuing operation and authorizes Casitas to do any combination of the following: (1) Take possession of the premises, including all improvements, equipment and inventory thereon; (2) remove any and all persons or property on said premises and place any such property in storage for the account of and at the expense of Concessionaire; (3) sublicense the premises; and, (4) after payment of all expense of such sublicensing or apply all payments realized there from to the satisfaction and/or mitigation of all damages arising from Concessionaire's breach of this Agreement. Entry by Casitas upon the premises for the purpose of exercising the authority conferred under this provision shall not operate as a waiver of any other rights that Casitas may have in law or equity to remedy a breach of this Agreement.

21.26. INDEPENDENT CONTRACTOR

In performing the obligations hereunder, Concessionaire is engaged solely in the capacity of independent contractor, it being expressly understood that no relationship between the contracting parties hereto other than that of independent contractor has been or is intended to be created. The parties to this Agreement do not intend to create a partnership, joint venture, relationship of master and servant, or principal and agent. It is mutually understood and agreed that the relationship created between the parties to this Agreement is to be determined in accordance with the laws relating to owners and lessees of real property.

27. SEVERABILITY

If any provision of this Agreement is determined to be illegal, invalid or unenforceable by a court of competent jurisdiction, the remaining provisions hereof shall not be affected thereby and shall remain in full force and effect.

23.28. NOTICE

Any notices concerning this Agreement may be given, and all notices required by this Agreement or concerning performance under this Agreement shall be given, in writing, and shall be personally delivered or mailed addressed as shown below, or such other address or addresses as may be designated by either of the parties, in writing: Any notice required to be given under the terms of this Agreement or any law applicable thereto may be placed in a sealed envelope with postage paid, return receipt requested, addressed to the person on whom it is to be served, and deposited in a post office, mailbox, sub-post office, substation or mail chute, or other like facility regularly maintained by the United States Postal Service.

Casitas: Casitas Municipal Water District, 11311 Santa Ana Road, Ventura, California, 93001

Concessionaire: Carlos Hernandez, 212 Del Norte Road, Ojai, California, 93023

24.29. BOARD REVIEW

The Board of Directors may review all decisions by the Casitas General Manager contained in this Agreement. A decision rendered by the Casitas General Manager is deemed final if it is not placed on the Board's agenda within sixty (60) days of being rendered by the Casitas General Manager. If the Board places a decision

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rendered by the Casitas General Manager on the Board's agenda within said sixty (60) day period, the decision is not final until formally ratified by the Board.

25.30. MERGER AND MODIFICATION

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~~26.~~ This Agreement contains all the agreements of the Parties with respect to any matter covered or mentioned in this Agreement, and no prior agreements shall be effective for any purpose. No provision of this Agreement may be amended or modified except by written agreement signed by the Parties.

31. ATTORNEYS FEES

In the event either of the Parties defaults on the performance of any terms of this Agreement or either Party places the enforcement of this Agreement in the hands of an attorney, or files a lawsuit, each Party shall pay all its own attorneys fees, costs and expense.

27.32. ASSIGNMENT

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Neither the Concessionaire nor CASITAS shall have the right to transfer or assign, in whole or in part, any or all of its obligations and rights hereunder without the prior written consent of the other Party.

28.33. SUCCESSORS IN INTEREST

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Subject to Paragraph 28, the rights and obligation of the Parties shall inure to the benefit of and be binding upon their respective successors in interest, heirs, and assigns.

34. DESIGNATED REPRESENTATIVES/NOTICES

The parties hereto agree that the designated representatives for administration of this Agreement are as follows, or as may be further delegated in writing by the following:

Casitas – General Manager, Casitas Municipal Water District, 1055 Ventura Avenue, Oak View, California 93022.

Designated Representative – Park Services Manager, 11311 Santa Ana Road, Ventura California 93001.

Concessionaire – Carlos Hernandez, 212 Del Norte Road Ojai, CA 93023

Any written notice, demand, or request, as required or authorized by this Agreement, shall be properly given if delivered by hand, or by mail, postage prepaid, to the other party as above listed. Both parties hereto are responsible for notifying all affected parties of any subsequent change of address, organizational changes, responsibility adjustments, and other related changes, as they take place.

35. **AGREEMENT DRAFTING CONSIDERATIONS**

The parties hereto agree and acknowledge that this Agreement has been drafted after full arms-length negotiations, and that the usual rule of contractual construction that all ambiguities shall be construed against the drafting party shall not apply to the interpretation of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the first date written above.

CASITAS MUNICIPAL WATER DISTRICT

By: _____
President of the Board of Directors

CONCESSIONAIRE

By: _____
Carlos Hernandez

Attest:

By: _____
Secretary of the Board of Directors

Appendix 1: Definitions

(a) "Administration, operation, maintenance, and development" means the acts or processes used to direct management of the Casitas Water Adventure Snack Bar; manage and enhance resources and facilities, law enforcement, and keeping facilities and equipment in good repair and usable working condition. The term maintenance includes the replacement and/or construction of equipment and/or facilities as may be agreed upon by the parties hereto.

(b) "Capital improvement" means a structure, fixture, or non-removable equipment provided either by Casitas or Concessionaire pursuant to the terms of this Agreement and located on the Demised Premises. A capital improvement does not include any interest in land. Additionally, a capital improvement does not include any interest in personal property of any kind including, but not limited to, vehicles, boats, barges, trailers, or other objects, regardless of size, unless an item of personal property becomes a fixture as defined in this Agreement. A capital improvement is considered to be a real property improvement for the purposes of this Agreement.

(c) "Concession" means a non-Federal commercial business that supports appropriate public recreational uses and provides facilities, goods, or services for which revenues are collected. A concession generally involves use of the land described as the Demised Premises and may involve the use or development of real property improvements.

(d) "Concessionaire" means an entity contracted by Casitas through a third-party concessions contract to operate a concession.

(e) "Depreciated Value" means the value of equipment or Fixed Asset which includes the amount of depreciation not yet incurred plus the salvage or residual value.

(f) "Equipment" means tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit, consistent with 43 CFR 12.

(g) "Fixed Assets" are any permanent recreation-related structures, fixtures, or capital improvements placed on the Demised Premises, and recreation-related plant, property and equipment (PP&E) placed on or used within the LCRA by the Casitas and/or Concessionaire during the term of this Agreement or any extension thereof, whether constructed or acquired with or without Federal Financial Assistance.

(h) "Fixtures" includes "non-removable equipment" and means manufactured items of property of an independent form and utility, necessary for the basic functioning of a structure, that are affixed to and considered to be part of the structure such that title is with the Casitas as real property once installed. Fixtures do not include building materials (e.g. wallboards, flooring, concrete, cinder blocks, steel beams, studs, window frames, windows, rafters, roofing, framing, siding, lumber, insulation, wallpaper, and paint).

(i) "Concession Fee" means the fee established by a third party concessions contract, which the Concessionaire must pay to Casitas for operation of the concession. The fee is assessed as a percentage of the gross receipts.

(j) "Good repair" means maintaining functional use and longevity of facilities and equipment through use of appropriate actions including controlled maintenance, standard operating procedures, maintenance manuals, etc.; meeting Federal, State and applicable local health department standards; meeting public safety needs and standards; and maintaining facilities in a safe, neat, clean, and well kept condition.

(k) "Casitas" means the Casitas Municipal Water District, or its duly authorized representative(s).

(l) "Merchandise" means items incorporating the words and/or logo of the Casitas Municipal Water District, Lake Casitas Recreation Area and Casitas Water Adventure, such as T shirts, mugs, etc.

(m) "Mobile Food Facility" (MFF) is defined as any motorized or non-motorized portable food service unit upon which food is sold.

(n) "Mutually agreed" means both parties' designated representatives are in agreement on a proposed action. Such agreements shall be in writing

(o) "National Environmental Policy Act" (NEPA) established an environmental policy for the United States, providing federal agencies with an interdisciplinary framework and action-forcing procedures for environmental planning and decision-making, and requiring public involvement throughout the process.

(p) "Property Inventory List" means an inventory list of Fixed Assets and Equipment acquired, including any items acquired, installed or constructed with the assistance of Federal funds, by Casitas or by Concessionaire solely at its own expense or at the expense of its contractors. The list provides details about each item including a description of each Fixed Asset, a serial number or identification number, the source of the item, who holds title, the acquisition date and cost of the item, the percentage of Federal participation in the cost, the location and condition of the item, and ultimate disposal data.

(q) "Property Record Inventory" means a list of all Fixed Assets at the time of execution of this Agreement. The list shall include a description of each Fixed Asset, a serial number or identification number, the source of the item, who holds title, the acquisition date and cost of the item, the percentage of Federal participation in the cost, and the location and condition of the item.

(r) "USBR" means the United States Department of the Interior, Bureau of Reclamation, or its duly authorized representative(s).

(s) "Recreation facilities" means those facilities constructed or installed within the LCRA for recreational use by the public or for support of such recreational use. Said facilities may include, but are not limited to, buildings and other structures (such as park headquarters, visitor centers, maintenance shops, etc.), campgrounds, picnic grounds, boat docks and ramps, electrical lines, water systems, roads, trails, parking areas, sewer systems, signs, trash facilities, boundary and interior fencing, etc.

(t) "Residual Value" means the value of a Fixed Asset after all of the depreciation has been incurred

(u) "Resource Management Plan" means the plan prepared in accordance with Title XXVIII of Public Law 102-575 and Reclamation's Resource Management Plan Guidebook.

(v) "Salvage Value" means the value of an item of Equipment after all of the depreciation has been incurred.

(w) "Structure" means a building, dock, or similar edifice affixed to the land so as to be part of the real estate. A structure may include both constructed infrastructure (e.g. water, power, and sewer lines) and constructed site improvements (e.g. paved roads, retaining walls, sidewalks, and paved parking areas) that are permanently affixed to the land so as to be part of the real estate and that are in direct support of the use of a building, dock, or similar edifice. Landscaping that is integral to the construction of a structure is considered as part of a structure. Interior furnishings that are not fixtures are not part of a structure.

(x) "Gross Sales" means money, cash receipts, assets, property or other things of value, including, but not limited to, gross charges, sales, fees and commissions made or earned by Concessionaire and/or all the assignees, subcontractors, licensees, permittees or concessionaires thereof, whether collected or accrued from any business, use or occupation or any combination thereof, originating, transacted, or performed in whole or in part, on the Demised Premises, including, but not limited to, food and beverage sales, merchandise sales, catering and "to-go" sales and services, and other revenues of any kind except: (i) the amount of any sales tax, use tax, gross receipts tax, successor tax or similar tax, imposed by a federal, state, municipal or governmental authority directly on sales and collected from customers; (ii) the exchange of merchandise between other concessions and/or stores of Concessionaire where such exchange is made solely for the convenient operation of the business of Concessionaire and not for the purpose of depriving Casitas of the benefit of a sale which otherwise would be made from the

Comment [s8]: Definition??

Demised Premises; (iii) proceeds from the sale of trade fixtures, machinery and equipment; and (iv) the amount of any cash or credit refund made upon any sale from the Demised Premises previously included in Gross Sales.

(y) "Temporary Seasonal" means facilities, equipment and all concession items are temporary in nature, can and will be completely installed or parked and then removed from the Demised Premises each annual season of the Casitas Water Adventure. The season generally runs from the weekend of Memorial Day through and including Labor Day and is set in writing Casitas by the last day of February for that calendar year's season.

Appendix 2: List of Acronyms

ESA	Endangered Species Act
IPM	Integrated Pest Management
LCRA	Lake Casitas Recreation Area
NEPA	National Environmental Protection Act
NHPA	National Historic Preservation Act
PP&E	Plant, Property and Equipment
RMP	Resource Management Plan
USBR	U.S. Bureau of Reclamation

EXHIBIT A

CASITAS WATER ADVENTURE SNACK BAR - DEMISED PREMISES

The purpose of Exhibit A is to establish the physical boundaries of the concession operation as generally illustrated in Exhibit A-1 and A-2, attached hereto. Casitas owns and maintains the asphalt parking lot, a portion of which is used as temporary structure foundation of approximately 24 feet by 24 feet, ½ " water line for potable water and a two (2) phase 90 Amp electrical power outlet box. All picnic tables and trash receptacles in adjacent picnic area are the property of Casitas

The Casitas Water Adventure Temporary Seasonal Snack Bar Concession is authorized to conduct its business within the specified locations in the LCRA, Casitas and the USBR will continue have ownership/management over all assigned Demised Premises.

Exhibit A - 2



EXHIBIT B ENVIRONMENTAL REQUIREMENTS

(a) Concessionaire shall operate, maintain and manage all structures, facilities and lands to minimize environmental consequences. Consideration will be given to alleviating potential harmful effects on landscape, soils, water, wildlife, cultural resources, timber, population, or other resources. Prior to any action which would modify the environment beyond those currently covered by existing NEPA documents, the Casitas will need to submit any necessary environmental reports as directed by the United States. No such modifications of the environment shall be undertaken without prior written approval of the United States.

(b) Violation of any of the provisions of this Exhibit may constitute grounds for termination of this Agreement. Such violations require immediate corrective action by the Concessionaire and shall make the Concessionaire liable for the cost of full and complete remediation and/or restoration of any Federal resources or facilities that are adversely affected as a result of the violation.

(c) The Concessionaire agrees to include the provisions contained in this Exhibit in any subcontractor or third-party contract it may enter into pursuant to this Agreement.

(d) Casitas agrees to provide information necessary for the Concessionaire, using reasonable diligence, to comply with the provision of this Exhibit.

(e) Concessionaire shall fully comply with all applicable Federal laws, orders, and regulations, and the laws of the State of California concerning the pollution of streams, reservoirs, ground water, or water courses.

(f) In accordance with the National Historic Preservation Act of 1966 and Executive Order 11593, cultural resources will be given full consideration in any proposed actions initiated by the Concessionaire beyond those approved in existing plans and documents. Cultural resources (including archaeological, historical, structural, and Native American resources) that may be impacted will be adequately considered and, if necessary, any identified adverse effects will be mitigated or minimized prior to development. If, during construction or development, cultural resources are exposed, activities in the surrounding area will be halted while the resource is evaluated. Casitas will be notified immediately and will provide direction on how to proceed in compliance with 36 CFR 800.13. The cost of any recovery work, if necessary, and any required consultation between Casitas and the State Historic Preservation Officer will be borne by the Concessionaire. The Casitas will provide Concessionaire with copies of any cultural resource reports concerning the identification, evaluation, and treatment of cultural resources within the Recreation Area. Any cultural resources sites identified by the Concessionaire during its management activities will be reported to and recorded on the appropriate Casitas site record forms and copies provided to the USBR. No surface disturbing operations can proceed until the requirements of the article have been met. This provision will be included in all construction contracts.

(g) The Endangered Species Act of 1974 will be given full consideration in all activities.

(h) Concessionaire shall insure that recognized standards and proper uses are achieved on the lands covered by this Agreement. Land use planning and administration of the Federal Estate will conform to all applicable Federal laws, regulations, and Executive Orders. Following is a list of some of the more important of these:

- (1) Executive Order 11990, Protection of Wetlands.
- (2) Executive Order 11988, Floodplain Management.
- (3) Safe Drinking Water Act of 1974, (Public Law 93-523, U.S.C. 300, 88 Stat.1660).
- (4) Federal Land Policy and Management Act of 1976, (Public Law 94-579, 43 U.S.C. 1701).
- (5) Executive Orders 11664 and 11989 for Off-Road Use.

- (6) National Trails System Act, (Public Law 95-43, 16 U.S.C. 1241 Et seq.).
- (7) Fish and Wildlife Coordination Act, (Public Law 85-624, 16 U.S.C., 661, 662).
- (8) Antiquities Act of 1906, (34 Stat. 225, 16 U.S.C., 431).
- (9) National Historic Preservation Act of 1966 (NHPA), (Public Law 89-665, 80 Stat. 915, 16 U.S.C. 470) as amended by Public Laws 91-243, 93-54, 94-422, 94-458, and 96-515).
- (10) Archaeological Resources Protection Act of 1979, (Public Law 95-95, 93 Stat. 721).
- (11) Archaeological and Historic Preservation Act (Public Law 93-291).
- (12) Native American Grave Protection and Repatriation Act (25 U.S.C. 3001 et seq.).
- (13) Executive Order 11593, Protection and Enhancement of the Cultural Environment
- (14) National Environmental Policy Act, (Public Law 91-190, 83 Stat. 852).
- (15) Endangered Species Act, (Public Law 93-205, 16 U.S.C. 1531 et seq.).
- (16) Executive Order 12088, Federal compliance with Pollution Control Standards.
- (17) The Clean Air Act, (Public Law 88-206, as amended, 42 U.S.C., 7401 et seq).
- (18) Clean Water Act of 1978, (Public Law 95-217, 33 U.S.C., 1288 et seq.).
- (19) Resource Conservation and Recovery Act (RCRA), (Public Law 94-580).
- (20) Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA or Superfund), Public Law 96-510.
- (21) 43 Code of Federal Regulation, Part 420 (off-road vehicle use on USBR lands).
- (22) 36 Code of Federal Regulation, Part 800, Protection of Historical and Cultural Properties.
- (23) Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended (7 U.S.C. P.L. 100-460, 100-464, to 100-526 and 100-532).
- (24) Rehabilitation Act of 1973, Section 504, as amended (29 U.S.C. 700, et seq., P.L. 93-516 and P.L. 95-602).

EXHIBIT C

AMERICANS WITH DISABILITIES REQUIREMENTS

Concessionaire shall fully comply with the Americans With Disabilities Act (ADA) and Americans With Disabilities Guidelines (ADAG) as amended from time to time, as applicable.

EXHIBIT D-1

EQUAL OPPORTUNITY REQUIREMENTS

During the performance of this Agreement, the Concessionaire agrees as follows:

(a) The Concessionaire will not discriminate against any employee or applicant for employment because of race, color, age, religion, sex, or national origin. Concessionaire will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, age, religion, sex, or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Concessionaire agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the United States setting forth the provisions of this Equal Opportunity clause.

(b) Concessionaire will, in all solicitations or advertisements for employees placed by or in behalf of the Casitas Water Adventure Snack Bar Concession, state that all qualified applicants will receive consideration for employment without regard to race, color, age, religion, sex, or national origin.

(c) Concessionaire will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the United States, advising the labor union or workers representative of the Concessionaire commitments under this Equal Opportunity clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) Concessionaire will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(e) Concessionaire will furnish all information and reports required by said amended Executive Order and by the rules, regulations, and orders of the Secretary of Labor, or pursuant, thereto, and will permit access to its books, records, and accounts by the United States and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(f) In the event of Concessionaire's noncompliance with the Equal Opportunity clause of this Agreement or with any of the said rules, regulations, or orders, this Agreement may be canceled, terminated, or suspended, in whole or in part, by Casitas or the USBR and the Concessionaire may be declared ineligible for further Government contracts in accordance with procedures authorized in said amended Executive Order, and such other sanctions may be imposed and remedies invoked as provided in said Executive Order, or by rules, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

(g) Concessionaire will include the provisions of paragraphs (a) through (f) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of said amended Executive Order, so that such provisions will be binding upon each subcontractor or vendor. The Concessionaire will take such action with respect to any subcontract or purchase order the United States may direct as a means of enforcing such provisions, including sanctions for noncompliance: provided, however, that in the event Concessionaire becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the United States, Casitas may request the United States to enter into such litigation to protect the interests of the United States.

EXHIBIT D-2

CERTIFICATION OF NONSEGREGATED FACILITIES

The term segregated facilities means: any waiting rooms, work areas, restrooms and washrooms, restaurants or eating areas, time clocks, locker rooms, storage areas, dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habitat, local custom, or otherwise. The Managing Partner certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The Managing Partner agrees that a breach of this certification is a violation of the Equal Opportunity Clause in this contract. The Managing Partner agrees that (except where it has obtained identical certification from proposed subcontractors for specific time periods) it will obtain identical certification from proposed subcontractors prior to the award of subcontractors exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause, and that it will retain such certification in its files.

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

EXHIBIT E

TITLE VI, CIVIL RIGHTS ACT OF 1964

(a) Concessionaire agrees that it will comply with Title VI of the Civil Rights Act of July 2, 1964 (78 Stat. 241), and all requirements imposed by or pursuant to that title, to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the grounds of race, color, sex, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Managing Partner receives financial assistance from the United States and hereby gives assurance that it will immediately take any measures to effectuate this Agreement.

(b) If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to Concessionaire by the United States, this assurance obligates Concessionaire; or in the case of any transfer of such property or structure is used for a purpose involving the provision of similar service or benefits. If any personal property is so provided, this assurance obligates Concessionaire for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates Concessionaire for the period during which the Federal financial assistance is extended to it by the United States.

(c) This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to Concessionaire by the United States, including installment payments after such date on account of arrangements for Federal financial assistance which were approved before such date. Concessionaire recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall reserve the right to seek judicial enforcement of this assurance. This assurance is binding on Concessionaire, its successors, transferees, and assignees.

EXHIBIT F

DISPUTE RESOLUTION, MEDIATION AND ARBITRATION

(a) In the event of dispute or controversy arising out of or relating to this Agreement, the parties shall, without delay, continue to perform their respective obligations under this Agreement which are not affected by the dispute.

Mediation

In the event that the parties can not by exercise of their best efforts resolve the dispute, they shall submit the dispute to Mediation. The parties shall, without delay, continue to perform their respective obligations under this Agreement which are not affected by the dispute. The invoking party shall give to the other party written notice of its decision to do so, including a description of the issues subject to the dispute and a proposed resolution thereof. Designated representatives of both parties shall attempt to resolve the dispute within [time period] after such notice. If those designated representatives cannot resolve the dispute, the parties shall meet at a mutually agreeable location and describe the dispute and their respective proposals for resolution to responsible executives of the disputing parties, who shall act in good faith to resolve the dispute. If the dispute is not resolved within [time period] after such meeting, the dispute shall be submitted to binding arbitration in accordance with the Arbitration provision of this Agreement.

Arbitration

Any controversies or disputes arising out of or relating to this Agreement shall be resolved by binding arbitration in accordance with the then current Commercial Arbitration Rules of the American Arbitration Association. The parties shall endeavor to select a mutually acceptable arbitrator knowledgeable about issues relating to the subject matter of this Agreement. In the event the parties are unable to agree to such a selection, each party will select an arbitrator and the arbitrators in turn shall select a third arbitrator.

(a) The arbitration shall take place at a location that is reasonably centrally located between the parties, or otherwise mutually agreed upon by the parties.

(b) All documents, materials, and information in the possession of each party that are in any way relevant to the claim(s) or dispute(s) shall be made available to the other party for review and copying no later than thirty (30) days after the notice of arbitration is served.

(c) The arbitrator(s) shall not have the authority, power, or right to alter, change, amend, modify, add, or subtract from any provision of this Agreement or to award punitive damages. The arbitrator shall have the power to issue mandatory orders and restraining orders in connection with the arbitration. The award rendered by the arbitrator shall be final and binding on the parties, and judgment may be entered thereon in any court having jurisdiction. The agreement to arbitration shall be specifically enforceable under prevailing arbitration law. During the continuance of any arbitration proceeding, the parties shall continue to perform their respective obligations under this Agreement.

MEMORANDUM

TO: Steve Wickstrum, General Manager
FROM: Carol Belser, Parks Services Manager
RE: DRAFT PARK RANGER POLICY MANUAL
DATE: December 29, 2016

RECOMMENDATION

It is recommended that the Board of Directors review and comment on the previously distributed Draft Park Ranger Policy Manual dated 12/14/2016 for subsequent approval and implementation.

BACKGROUND

The Draft Park Ranger Policy Manual dated 12/14/2016 was distributed to the Board to the Board at the 12/14/2016 meeting. It is anticipated that a comment and question/answer session will be held after the Directors have had time to review the document. The Policy Manual was developed as a Board direction at the May 25, 2016 meeting when the Board continued their evaluation of authorizing the employment of qualified Casitas employees with limited peace officer authority under the California Water Code 71341.5 and Penal Code 830.34(d). That meeting the Board approved Ordinance 16-01 "An Ordinance of the Casitas Municipal Water District Establishing Rules and Regulations for Public Use of the Lake Casitas Recreation Area" granting peace officer authority for Park Rangers under Penal Code 830.34(d). Additionally at that meeting the Board approved the job classifications of Park Ranger I,II, III and IV. During the process and through Board discussions it was specifically requested by the Board that they review the proposed policies for the new Park Rangers prior to implementation.

ANALYSIS

Casitas contracted the services of Lexipol LLC., as recommended by Special Counsel, of Lawrence Beach Allen and Choi to draft a Park Ranger Policy Manual specific to the Casitas Municipal Water District using the expertise and template of policies provided by Lexipol. The custom policy manual is the product of several months of collaborative effort between Lexipol professional staff, and review and comment by Special Counsel,

Casitas General Manager, Casitas Human Resources Manager, and Casitas personnel. The manual has been distributed for review and comment to SEIU Local 721.

The Park Ranger Policy Manual is a living document. Through the contract with Lexipol, Casitas will receive on-going support and will be provided with recommended policy updates as law and case law change law enforcement practices, as well as daily bulletins and a mechanism for documenting staff's review of updates, new and deleted policies. This recommended procedure for Board's review of the Park Ranger Policy Manual was discussed by the Recreation Committee at their December 6, 2016 meeting.

The Park Ranger Policy Manual is the critical component to the Park Ranger implementation and integration into the Lake Casitas Recreation Area staffing structure as discussed by the Board at the September 14, 2016 meeting. Once review, comment and approval of the Park Ranger Policy Manual by the Board is finalized, Casitas staff will complete hiring phase of Park Ranger's managed by the Division Officer.

Casitas Municipal Water District

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PARK SERVICES MANAGER PREFACE

The Casitas Park Rangers are the ambassadors of the Lake Casitas Recreation Area and the surrounding Charles M. Teague Memorial Watershed with the primary objective to protect the water quality of Lake Casitas and the area's flora and fauna while ensuring public safety. The Casitas Park Ranger Division have a unique role to serve and educate the visiting public while enforcing Casitas Ordinances. The Division works closely and depends on the Ventura County Sheriff's Office and federal law enforcement to fulfil the objectives with integrity and professionalism.

Casitas Municipal Water District

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PARK RANGER LAW ENFORCEMENT CODE OF ETHICS

As a Park Ranger with limited peace officer authority, my fundamental duty is to serve the Casitas Municipal Water District, the visiting public and the employee communities; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of Park Ranger service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other Park Rangers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . a Casitas Municipal Water District Park Ranger.

Casitas Municipal Water District

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CASITAS PARK RANGER MISSION STATEMENT

Our highly trained and motivated Casitas Park Rangers are committed to protect the resources of Lake Casitas Recreation Area and the Charles M. Teague Memorial Watershed in balance with providing a safe and enjoyable recreation experience for the visiting public.

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Chapter 1 - Law Enforcement Role and Authority

Park Ranger Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the Park Rangers of the Casitas Municipal Water District to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Casitas Municipal Water District to limit its members to only exercise the authority granted to them by law.

It is the policy of Casitas Municipal Water District to limit the Park Ranger's jurisdiction and boundaries of authority to be only within the boundaries of the Charles M. Teague Memorial Watershed.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, Park Rangers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate the abuse of law enforcement authority.

Park Rangers will generally patrol in clearly marked vehicles and vessels, patrol assigned jurisdictional areas, respond to calls for assistance, act as a deterrent to crime, enforce Casitas' Ordinance, state, federal and local laws and respond to emergencies 24 hours per day seven days per week.

100.3 PARK RANGER LIMITED PEACE OFFICER POWERS

The California Water Code Section 71341.5 authorizes the Casitas Municipal Water District Board of Directors to appoint Park Rangers as peace officers. Park Rangers are sworn officers by authority of Penal Code Section 830.34(d). Sworn members of this department are authorized to exercise peace officer powers pursuant to applicable state law Penal Code § 830.34 (d).

The role of the Park Ranger as a peace officer is to enforce the Casitas Municipal Water District's Ordinance for the Public use of the Lake Castias Recreation Area, and applicable federal, state and local laws directly related to the protection and safe use of District lands. Park Rangers enjoy limited peace officer powers. These powers apply only while the Park Ranger is on duty and in the performance of their duties while within the jurisdiction boundaries.

100.3.1 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE CASITAS MUNICIPAL WATER DISTRICT

On-duty arrests will not generally be made outside the jurisdiction of this department. On-duty Park Rangers who discover criminal activity outside the jurisdiction of the District shall, when circumstances permit, consider reporting the activity to the agency having primary jurisdiction.

On-duty Park Rangers will not conduct investigations nor make arrests outside the jurisdiction of the District.

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Park Ranger Authority

100.3.2 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE CASITAS MUNICIPAL WATER DISTRICT

The arrest authority within the District's is governed by Penal Code Section Penal Code § 830.34. (d) and the Casitas Municipal Water District Ordinances.

- (a) Park Rangers coming into contact with subjects having active arrest warrants will immediately notify the Ventura County Sheriff's Office and allow that agency to further investigate and if necessary arrest the subject.

100.4 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and California Constitutions.

Oath of Office

101.1 PURPOSE AND SCOPE

Park Rangers of this department are sworn to uphold the federal and state constitutions and to enforce federal, state and local laws.

101.1.1 OATH OF OFFICE

Upon employment, all sworn employees shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer (Cal. Const. Art. 20, § 3; Government Code § 3102). The oath shall be as follows:

I, (employee name), do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Park Ranger Policy Manual

102.1 PURPOSE AND SCOPE

The Park Ranger Policy Manual of the Casitas Municipal Water District is hereby established and shall be referred to as the Policy Manual or the Park Ranger Policy Manual. The manual is a statement of the current policies, rules and guidelines of this department. All Park Ranger members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

102.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

102.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Casitas Municipal Water District and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the District, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Casitas Municipal Water District reserves the right to revise any policy content, in whole or in part.

102.3 AUTHORITY FOR PARK RANGER MANUAL

The General Manager or his/her designee shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The General Manager's authorized designee is the Park Services Manager who is authorized to issue Memorandums and updates, which shall modify those provisions of the manual to which they pertain. Memorandums shall remain in effect until such time as they may be permanently incorporated into the manual.

102.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

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Casitas - Casitas Municipal Water District.

CCR - California Code of Regulations (Example: 15 CCR 1151).

CHP- The California Highway Patrol.

CFR - Code of Federal Regulations.

District - Casitas Municipal Water District.

Civilian - Employees and volunteers who are not sworn peace officers.

Control 2 - Refers to the civilian staff who work the front entrance kiosk of the Lake Casitas Recreation Area.

Department - Casitas Municipal Water District - Recreation Department.

Dispatcher - The person who passes on information to a responding Park Ranger or other personnel.

District Lands - All lands, structures, improvements and waters owned, controlled or managed by Casitas Municipal Water District.

Division - The Park Ranger branch of the Department

DMV - The Department of Motor Vehicles.

Employee - Any person employed by the District or Department.

Jurisdiction - The boundaries within the Charles M. Teague Memorial Watershed that also include the Lake Casitas Recreation Area. The jurisdiction outlines the limited peace officer authority of Park Rangers.

Juvenile - Any person under the age of 18 years.

Manual - The Casitas Municipal Water District Park Ranger Policy Manual.

Management - Management personnel of the Casitas Municipal Water District. It includes the General Manager, Human Resources Manager, Park Services Manager and the other managers serving in that official capacity.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Casitas Municipal Water District, including:

- Full and part-time employees
- Sworn peace officers
- Reserve, auxiliary Park Rangers
- Civilian employees
- Volunteers

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Park Ranger - Those employees, regardless of rank, who are sworn peace officers of the Casitas Municipal Water District.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Ordinance - The Casitas Municipal Water District Board Director's current and approved "An Ordinance Of The Casitas Municipal Water District Establishing Rules And Regulations For The Public Use Of The Lake Casitas Recreation Area".

POST - The California Commission on Peace Officer Standards and Training.

Rank - The title of the classification held by a Park Ranger.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., Park Ranger-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

USC - United States Code.

102.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Park Services Manager or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Memorandums. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

102.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Park Services Manager will ensure that the Policy Manual is periodically reviewed and updated as necessary.

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102.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Ranger Supervisor will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Ranger Supervisors, who will consider the recommendations and forward them to the command staff as appropriate.

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Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 DEPARTMENTS

The Park Services Manager is responsible for administering and managing the Park Rangers.

200.2.1 PARK RANGERS DIVISION

The Park Rangers Division is commanded by a Ranger Supervisor, who is designated by the Park Services Manager whose primary responsibility is to provide general management direction and control for the Park Rangers Division. The Park Rangers Division consists of uniformed patrol and Control 2 and assigned support staff and assistants.

200.2.2 OUTSIDE LAW ENFORCEMENT

The Ventura County Sheriff's Office and/or state and federal law enforcement provide integral law enforcement support services for Park Rangers upon request or when notified of public safety issues that are outside the jurisdiction and investigation authority of Park Rangers.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Park Services Manager exercises command over all personnel in the Department. During planned absences or unavailability the Park Services Manager will designate a Ranger Supervisor or qualified Department employee such as another Park Ranger to serve as the acting Park Services Manager.

200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., Park Service Officer, Casitas Water Adventure, Maintenance Division, Guest Services), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

Memorandums

201.1 PURPOSE AND SCOPE

Memorandums establish an interdepartmental communication that may be used by the Park Services Manager to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding and as permitted by Government Code § 3500 et seq. Memorandums will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 MEMORANDUM PROTOCOL

Memorandums will be incorporated into the manual as required upon approval of the Park Services Manager. Memorandums will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Memorandums have now been incorporated in the updated Policy Manual as of the below revision date.

Any Memorandums issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number 01. For example, 18-01 signifies the first Memorandum for the year 2018.

201.2 RESPONSIBILITIES

201.2.1 GENERAL MANAGER AND PARK SERVICES MANAGER

The General Manager and/or the Park Services Manager shall issue all Memorandums.

201.3 ACCEPTANCE OF MEMORANDUMS

All employees are required to read and obtain any necessary clarification of all Memorandums. All employees are required to acknowledge in writing the receipt and review of any new Memorandum. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Ranger Supervisor.

Emergency Action Plan

202.1 PURPOSE AND SCOPE

The District has prepared an Emergency Action Plan for use by all District employees in the event of a major disaster or other emergency event. The plan provides for a strategic response by all employees and assigns specific responsibilities in the event that the plan is activated (Government Code § 8610).

202.2 ACTIVATING THE EMERGENCY PLAN

The Emergency Action Plan can be activated on the order of the official designated by local ordinance.

202.2.1 RECALL OF PERSONNEL

In the event that the Emergency Action Plan is activated, all employees the Casitas Municipal Water District are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Park Services Manager or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

202.3 LOCATION OF THE PLAN

The Emergency Action Plan is available in Management and the Ranger Supervisor's office. All supervisors should familiarize themselves with the Emergency Action Plan. The Park Services Manager should ensure that department personnel are familiar with the roles police personnel will play when the plan is implemented.

202.4 UPDATING OF MANUALS

The Park Services Manager or designee shall review the Emergency Action Plan Manual at least once every two years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS) and should appropriately address any needed revisions.

Training Policy

203.1 PURPOSE AND SCOPE

It is the policy of this Department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Park Ranger Division will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

203.2 PHILOSOPHY

The Division seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. Whenever possible, the Park Ranger Division will use courses certified by the California Commission on Peace Officer Standards and Training (POST).

203.3 OBJECTIVES

The objectives of the Training Program are to:

- (a) Enhance the level of law enforcement service to the public
- (b) Increase the technical expertise and overall effectiveness of our personnel
- (c) Provide for continued professional development of department personnel

203.4 TRAINING PLAN

A training plan will be developed and maintained by the Ranger Supervisor. It is the responsibility of the Ranger Supervisor to maintain, review, and update the training plan on an annual basis. The plan will address but is not limited to the following areas and may include the below in the form of a checklist, spreadsheet, certification, qualification form or combination of these documents and or electric files.

State Mandated Training

Professional Level First Aid/CPR/AED

Use of Equipment

Use of Force

Invasive Species Prevention/Control and Management

Emergency Situations and Evacuations of the LCRA

Wildlife Handling and Issues

Dog Encounters

Fire Mitigation Procedures

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Boating Related Laws and Equipment

203.5 TRAINING COMMITTEE

The Ranger Supervisor shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Ranger Supervisor may remove or replace members of the committee at his/her discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Committee should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of an employee.
- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The Training Committee should convene on a regular basis as determined by the Ranger Supervisor to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Ranger Supervisor. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Ranger Supervisor will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

203.6 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances
 - 2. First choice vacation
 - 3. Sick leave
 - 4. Physical limitations preventing the employee's participation.
 - 5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:

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1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
2. Document his/her absence in a memorandum to his/her supervisor.
3. Make arrangements through his/her supervisor and the Ranger Supervisor to attend the required training on an alternate date.

203.7 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) is a web-accessed system that provides training on the Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Ranger Supervisor.

Personnel assigned to participate in DTBs should only use the password and login name assigned to them by the Ranger Supervisor. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

203.8 CASITAS SAFETY OFFICER ASSIGNED TRAINING

All Casitas personnel are subject to on-going training as assigned by the Safety Officer. Training assigned by the Safety Officer is mandatory, and considered congruent to any and all aforementioned training protocols.

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the Department's electronic mail (email) system by employees of this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., California Public Records Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of the Department.

204.2 EMAIL RIGHT OF PRIVACY

All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are department property. The Department reserves the right to access, audit or disclose, for any lawful reason, any message including any attachment that is transmitted over its email system or that is stored on any department system.

The email system is not a confidential system since all communications transmitted on, to or from the system are the property of the Department. Therefore, the email system is not appropriate for confidential communications. If a communication must be private, an alternative method to communicate the message should be used instead of email. Employees using the Department's email system shall have no expectation of privacy concerning communications utilizing the system.

Employees should not use personal accounts to exchange email or other information that is related to the official business of the Department.

204.3 PROHIBITED USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users and must be approved by the Park Services Manager or a Ranger Supervisor. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user's name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual's email, name and/or password by others.

204.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the California Public Records Act and must be managed in accordance with the established records retention schedule and in compliance with state law.

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The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Administrative Communications

205.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

205.2 MEMORANDUMS

Memorandums may be issued periodically by the Park Services Manager to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

205.3 CORRESPONDENCE

In order to ensure that the letterhead and name of the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Park Services Manager or designated employee. Personnel should use Department letterhead only for official business and with approval of their supervisor.

205.4 SURVEYS

All surveys made in the name of the Department shall be authorized by the Park Services Manager.

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Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Force - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Park Rangers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Park Rangers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting Park Rangers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE

Any Park Ranger present and observing another Park Ranger using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. Park Ranger who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

300.3 USE OF FORCE

Park Rangers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the Park Ranger at the time of the event to accomplish a legitimate law enforcement purpose consistent with their training, enforcement duties and applicable state and federal laws.

The reasonableness of force will be judged from the perspective of a reasonable Park Ranger on the scene at the time of the incident. Any evaluation of reasonableness must allow for the

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fact that Park Rangers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation a Park Ranger might encounter, Park Rangers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which Park Rangers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Park Rangers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a Park Ranger to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

Any peace officer may use reasonable force to effect an arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance on the part of the person being arrested; nor shall a Park Ranger be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest, prevent escape or to overcome resistance (Penal Code § 835a).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a Park Ranger has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to Park Rangers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the Park Ranger at the time.
- (c) Park Ranger/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of Park Rangers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Subject's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.

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- (h) The availability of other options and their possible effectiveness.
- (i) Seriousness of the suspected offense or reason for contact with the individual.
- (j) Training and experience of the Park Ranger.
- (k) Potential for injury to Park Rangers, suspects and others.
- (l) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the Park Ranger.
- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the Park Ranger or others.
- (p) Prior contacts with the subject or awareness of any propensity for violence.
- (q) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Park Rangers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Park Rangers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the person can comply with the direction or orders of the Park Ranger.
- (c) Whether the person has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the Park Ranger determines that compliance has been achieved.

300.3.4 USE OF FORCE TO SEIZE EVIDENCE

In general, Park Rangers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, Park Rangers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, Park Rangers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Park Rangers are encouraged to use techniques and methods taught by the Casitas Municipal Water District for this specific purpose.

300.4 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The Park Ranger

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should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

300.4.1 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable Park Ranger to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) An application of handcuffs.
- (f) The individual subjected to the force was rendered unconscious.
- (g) An individual was struck or kicked.
- (h) An individual alleges any of the above has occurred.

300.4.2 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Assistant to the General Manager or General Manager or the authorized designee shall ensure that data required by the Department of Justice (DOJ) regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is collected and forwarded to the DOJ as required by Government Code § 12525.2.

300.5 MEDICAL CONSIDERATION

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the Park Ranger's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another Park Ranger and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling Park Ranger shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall

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include a description of the force used and any other circumstances the Park Ranger reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who require a protracted physical encounter with multiple Park Rangers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Park Rangers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

300.6 SUPERVISOR RESPONSIBILITY

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved Park Rangers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 1. The content of the interview should not be summarized or included in any related criminal charges.
 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the subject may pursue civil litigation.
 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

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- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.6.1 RANGER SUPERVISOR RESPONSIBILITY

The Ranger Supervisor shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

300.7 TRAINING

Park Rangers will receive periodic training on this policy and demonstrate their knowledge and understanding.

300.8 USE OF FORCE ANALYSIS

At least annually, the Park Rangers Ranger Supervisor should prepare an analysis report on use of force incidents. The report should be submitted to the Park Services Manager. The report should not contain the names of Park Rangers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

Use of Force Review Panels

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Casitas Municipal Water District to review the use of force by its employees.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or evaluation of the use of deadly force.

301.2 POLICY

The Casitas Municipal Water District will objectively evaluate the use of force by its members to ensure that their authority is used lawfully, appropriately and is consistent with training and policy.

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

Generally, whenever an employee's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that employee will be placed in a temporary administrative assignment pending an administrative review. The Park Services Manager may exercise discretion and choose not to place an employee in an administrative assignment in any case.

301.4 REVIEW PANEL

The Use of Force Review Panel will be convened when the use of force by a member results in very serious injury or death to another.

The Use of Force Review Panel will also investigate and review the circumstances surrounding every discharge of a firearm, whether the employee was on-duty or off-duty, excluding training or recreational use.

The Park Services Manager may request the Use of Force Review Panel to investigate the circumstances surrounding any use of force incident.

The Ranger Supervisor will convene the Use of Force Review Panel as necessary. It will be the responsibility of the Ranger Supervisor or supervisor of the involved employee to notify the Management Ranger Supervisor of any incidents requiring panel review. The involved employee's Ranger Supervisor or supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the Panel.

301.4.1 COMPOSITION OF THE PANEL

The Park Services Manager should select Use of Force Review Panel members from the following, as appropriate:

- Ranger Supervisor
- Non-administrative supervisor

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- A peer Park Ranger

The senior ranking command representative who is not in the same division as the involved employee will serve as chairperson.

301.4.2 RESPONSIBILITIES OF THE PANEL

The Use of Force Review Panel is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The Panel members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved employee to appear. The involved employee will be notified of the meeting of the Panel and may choose to have a representative through all phases of the review process.

The panel does not have the authority to recommend discipline.

The Park Services Manager will determine whether the Panel should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges the decision not to file criminal charges, or any other action. The Panel should be provided all relevant available material from these proceedings for its consideration.

Absent an express waiver from the employee, no more than two members of the Panel may ask questions of the involved employee (Government Code § 3303). Other members may provide questions to these members.

The review shall be based upon those facts which were reasonably believed or known by the Park Ranger at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the Park Ranger at the time shall neither justify nor call into question a Park Ranger's decision regarding the use of force.

Any questioning of the involved employee conducted by the Panel will be in accordance with the department's disciplinary procedures, the Personnel Complaints Policy, the current collective bargaining agreement and any applicable state or federal law.

The Panel shall make one of the following recommended findings:

- (a) The employee's actions were within department policy and procedure.
- (b) The employee's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the Panel. The Panel may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The Panel chairperson will submit the written recommendation to the Park Services Manager.

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The Park Services Manager shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional actions, investigations or reviews are appropriate. The Park Services Manager's final findings will be forwarded to the involved employee's Ranger Supervisor for review and appropriate action. If the Park Services Manager concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Park Services Manager.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs during detentions and arrests.

302.2 POLICY

The Casitas Municipal Water District authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

302.3 USE OF RESTRAINTS

Only members who have successfully completed Casitas Municipal Water District-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, Park Rangers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain an individual who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of Park Rangers and others. When deciding whether to remove restraints from a detainee, Park Rangers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and in no event shall these persons be restrained by the use of leg irons, waist chains or handcuffs behind the body.

No person who is in labor, delivery or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized

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determination that such restraints are necessary for the safety of the arrestee, Park Rangers or others (Penal Code § 3407; Penal Code § 6030).

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the Park Ranger has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the Park Ranger or damage property.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Park Rangers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, Park Rangers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person's size, Park Rangers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

302.5 REQUIRED DOCUMENTATION

If an individual is restrained and released without an arrest, the Park Ranger shall document the details of the detention and the need for handcuffs or other restraints.

If an individual is arrested, the use of restraints other than handcuffs shall be documented in the related report. The Park Ranger should include, as appropriate:

- (a) The amount of time the suspect was restrained.
- (b) How the suspect was transported and the position of the suspect.
- (c) Observations of the suspect's behavior and any signs of physiological problems.
- (d) Any known or suspected drug use or other medical problems.

Control Devices and Techniques

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Casitas Municipal Water District authorizes Park Rangers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department and approved by the General Manager.

Only Park Rangers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent, and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, Park Rangers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

303.4.1 PARK SERVICES MANAGER RESPONSIBILITIES

The Park Services Manager may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

303.4.2 CONTROL DEVICE RESPONSIBILITIES

The Ranger Supervisor shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Ranger Supervisor or the designated instructor for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

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Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Ranger Supervisor for disposition. Damage to District property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

303.5 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

303.5.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

303.5.2 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

303.6 POST-APPLICATION NOTICE

Whenever OC has been introduced into a motor home, building interior, vehicle or other enclosed area, Park Rangers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

303.7 TRAINING FOR CONTROL DEVICES

The Ranger Supervisor shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the Park Ranger's training file.
- (c) Park Rangers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If a Park Ranger cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the Park Ranger will be restricted from carrying the control device and may be subject to discipline.

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303.8 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Firearms

304.1 POLICY

The Casitas Municipal Water District Board of Directors have not authorized Park Rangers or any other employee to use or carry firearms.

Vehicle and Vessel Pursuits

305.1 PURPOSE AND SCOPE

In recognizing the potential risk to public safety created by vehicular and or vessel pursuits, no Park Ranger or Ranger Supervisor shall engage in any vehicle or vessel pursuit. In addition, no employees, including Park Rangers and Ranger Supervisors will participate in any vehicle or vessel pursuit being conducted or initiated by any other outside agency.

Park Ranger Response to Calls

306.1 PURPOSE AND SCOPE

It is the policy of the District that Park Rangers responding to emergency and non-emergency situations whether dispatched or self-initiated shall obey all rules of the road as pronounced in the California Vehicle Code.

306.2 DEFINITIONS

Code-3:

Code 3 indicates there is an emergency that requires immediate response of emergency personell. This type of response will require the responding Park Rangers to operate vehicles or vessels equipped with, and using emergency lights and siren to ensure his/her and the public's saftey.

306.3 RESPONSE TO CALLS

Park Rangersresponding "Code-3" shall advise Control 2 of their response and proceed immediately. Park Rangers responding Code-3 shall continuously operate emergency lighting equipment, including at minimum a steady forward facing red light, and shall sound the siren as reasonably necessary pursuant to Vehicle Code § 21055.

Responding with emergency light(s) and siren does not relieve the Park Ranger of the duty to continue to drive with due regard for the safety of all persons. The use of any other warning equipment without a red light and siren does not provide any exemption from the Vehicle Code.

Park Rangers should only respond Code-3 when when circumstances reasonably indicate an emergency response is required. Park Rangers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

306.4 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of Park Rangers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting Park Ranger shall immediately notify Control 2.

If circumstances permit, the requesting Park Ranger should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

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306.4.1 NUMBER OF UNITS ASSIGNED

Normally, only one unit should respond to an emergency call Code-3 unless the Ranger Supervisor or the field supervisor authorizes an additional unit(s).

306.5 INITIATING CODE 3 RESPONSE

If a Park Ranger believes a Code-3 response to any call is appropriate, the Park Ranger shall immediately notify Control 2. Generally, only one unit should respond Code-3 to any situation. Should another Park Ranger believe a Code-3 response is appropriate, Control 2 shall be notified and the Ranger Supervisor or field supervisor will make a determination as to whether one or more Park Rangers driving Code-3 is appropriate.

306.6 RESPONSIBILITIES OF RESPONDING PARK RANGERS

Park Rangers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Park Rangers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a Code-3 response is at the discretion of the Park Ranger. If, in the Park Ranger's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the Park Ranger may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the Park Ranger should immediately notify Control 2. Park Ranger shall also discontinue the Code-3 response when directed by a supervisor.

Upon receiving authorization or determining a Code-3 response is appropriate, a Park Ranger shall immediately give the location from which he/she is responding.

306.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the Ranger Supervisor or the field supervisor shall verify the following:

- (a) The proper response has been initiated
- (b) No more than those units reasonably necessary under the circumstances are involved in the response
- (c) Affected outside jurisdictions are being notified as practical

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Ranger Supervisor or the field supervisor should consider the following:

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- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

306.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the Park Ranger must terminate the Code-3 response and respond accordingly. In all cases, the Park Ranger shall notify the Ranger Supervisor, field supervisor, or Control 2 of the equipment failure so that another unit may be assigned to the emergency response.

Domestic Violence

307.1 POLICY

Any Park Ranger or member receiving information about a domestic violence incident or witnessing a domestic violence incident shall immediately notify and request response from the Ventura County Sheriff's Office. A Park Ranger on scene may attempt to maintain the peace until Ventura County Sheriff's Office personnel arrive.

307.2 OFFICER SAFETY

Domestic violence cases often place law enforcement in emotionally and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all Park Rangers to exercise due caution and reasonable care in providing for the safety of any Park Rangers and parties involved.

307.3 DISPATCH ASSISTANCE

All calls or reports of Domestic Violence should be immediately transferred to the Ventura County Sheriff's Office Dispatch Center and a request made for Sheriff's Office response to the District. The Ventura County Sheriff's Office shall be immediately notified of all reports of Domestic Violence occurring within the jurisdiction of the District.

Search and Seizure

308.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Casitas Municipal Water District personnel to consider when dealing with search and seizure issues.

308.2 POLICY

It is the policy of the Casitas Municipal Water District to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to Park Rangers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

308.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, Park Rangers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

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308.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

When the person subject a pat down search is of the opposite sex as the searching Park Ranger, a reasonable effort should be made to summon a Park Ranger of the same sex as the subject to conduct the search. When it is not practicable to summon a Park Ranger of the same sex as the subject, the following guidelines should be followed:

- a. Members of this department will strive to conduct searches with dignity and courtesy.
- b. Park Rangers should explain to the person being searched the reason for the search and how the search will be conducted.
- c. Searches should be carried out with due regard and respect for private property interests ad in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- d. In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access when a search of locked property is anticipated.
- e. When the person to be searched is of the opposite sex as the searching Park Ranger, a reasonable effort should be made to summon a Park Ranger of the same sex as the subject to conduct the search. When it is not possible to summon a Park Ranger of the same sex as the subject, the following guidelines should be followed:
 1. Another Park Ranger or a supervisor should witness the search.
 2. The Park Ranger should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

308.5 DOCUMENTATION

Park Rangers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon a Park Ranger of the same sex as the person being searched and the identification of any witness Park Ranger

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Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

Temporary Custody of Juveniles

309.1 POLICY

Park Rangers dealing with juvenile offenders will cite and release in the field if a citation would be appropriate. At no time will a juvenile offender be placed into custody. All other criminal matters or investigations will be immediately referred to the Ventura County Sheriff's Office.

Adult Abuse

310.1 POLICY

Park Rangers will immediately request response and investigation from the Ventura County Sheriff's Office regarding any reports or observations of any offense involving violence or neglect of an adult who may be more vulnerable than others and/or require mandated reporting or notification to a social service agency or law enforcement agency pursuant to Penal Code Section 368.

Discriminatory Harassment

311.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

311.2 POLICY

The Casitas Municipal Water District is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

311.3 DEFINITIONS

Definitions related to this policy include:

311.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks; making slurs or off-color jokes, stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

311.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of

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discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation will not be tolerated.

311.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

311.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the California Fair Employment and Housing Council guidelines.
- (b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with District or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

311.4 RESPONSIBILITIES

This policy applies to all department personnel. All members shall follow the intent of these guidelines in a manner that reflects department policy, professional law enforcement standards and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to his/her immediate supervisor may bypass the chain of command and make the report to a higher ranking supervisor or manager. Complaints may also be filed with the Park Services Manager, the Human Resources Manager or the General Manager.

Any member who believes, in good faith, that he/she has been discriminated against, harassed or subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

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Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

311.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, a manager, the Park Services Manager, the Human Resources Manager, the General Manager or the California Department of Fair Employment and Housing for further information, direction or clarification.

311.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of each supervisor and manager shall include, but are not limited to:

- (a) Continually monitoring the work environment and strive to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Park Services Manager or Human Resources Manager in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

311.4.3 SUPERVISOR'S ROLE

Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors and managers shall be aware of the following considerations:

- (a) Behavior of supervisors and managers should represent the values of our Department and professional law enforcement standards.
- (b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members or issuing discipline, in a manner that is consistent with established procedures.

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311.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation or harassment shall be fully documented and promptly and thoroughly investigated.

311.5.1 SUPERVISORY RESOLUTION

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

311.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but is not limited to, details of the specific incident, frequency dates of occurrences and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status, are encouraged to follow the chain of command but may also file a complaint directly with the Park Services Manager, Human Resources Manager or the General Manager.

311.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated or retaliated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

311.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Human Resources Manager. The outcome of all reports shall be:

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- Approved by the Park Services Manager, the General Manager or the Human Resources Manager, depending on the ranks of the involved parties.
- Maintained in accordance with the department's established records retention schedule.

311.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

311.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

311.7.1 SUPERVISOR TRAINING

All supervisors shall receive specific training and education regarding sexual harassment and prevention of abusive conduct within six months of assuming a supervisory position. Refresher training shall be provided every two years thereafter (Government Code § 12950.1; 2 CCR 11023).

311.7.2 TRAINING RECORDS

The Ranger Supervisor shall be responsible for maintaining records of all discriminatory harassment training provided to members. Records shall be retained in accordance with established records retention schedules and for a minimum of two years (2 CCR 11023).

Child Abuse

312.1 POLICY

Park Rangers will immediately request response and investigation from the Ventura County Sheriff's Office regarding any reports or observations of an offense involving violence or neglect with a child victim and mandate notification to a social service agency or law enforcement agency pursuant to Penal Code Section 11165.9 and 11166.

Missing Persons

313.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

313.1.1 DEFINITIONS

At risk - Includes, but is not limited to (Penal Code § 14215):

- A victim of a crime or foul play.
- A person missing and in need of medical attention.
- A missing person with no pattern of running away or disappearing.
- A missing person who may be the victim of parental abduction.
- A mentally impaired missing person.

Missing person - Any person who is reported missing to law enforcement when the person's location is unknown. This includes a child who has been taken, detained, concealed, enticed away or kept by a parent in violation of the law (Penal Code § 277 et seq.). It also includes any child who is missing voluntarily, involuntarily or under circumstances that do not conform to his/her ordinary habits or behavior, and who may be in need of assistance (Penal Code § 14215).

Missing person networks - Databases or computer networks available to law enforcement and that are suitable for information related to missing persons investigations. These include the National Crime Information Center (NCIC), the California Law Enforcement Telecommunications System (CLETS), Missing Person System (MPS) and the Unidentified Persons System (UPS).

313.2 POLICY

The Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Department gives missing person cases priority over property-related cases and will not require any time frame to pass before immediately notifying the Ventura County Sheriff's Office and/or federal law enforcement agency where appropriate and assist these agencies as requested.

A Park Ranger who learns of a missing person will immediately contact a Ranger Supervisor. The Park Ranger or Ranger Supervisor shall immediately contact the Ventura County Sheriff's Office and/or federal law enforcement agency if appropriate to report the missing person and turn the matter over for the investigation.

313.3 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay (Penal Code § 14211). This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to render immediate assistance shall promptly dispatch or alert a member who can take the report.

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A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any other question of jurisdiction (Penal Code § 14211).

313.4 INITIAL INVESTIGATION

Park Rangers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call for service as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- (c) Notify the Ventura County Sheriff's Department.
- (d) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (e) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

313.5 REPORT PROCEDURES AND ROUTING

Employees should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

313.5.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the Management.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing persons networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

313.5.2 MANAGEMENT RESPONSIBILITIES

The receiving member shall:

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- (a) As soon as reasonable under the circumstances, notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction (Penal Code § 14211).
- (b) Notify and forward a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen (Penal Code § 14211).
- (c) Notify and forward a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.
- (d) Forward a copy of the report to the Ventura County Sheriff's Office or Federal Law Enforcement.
- (e) Coordinate with the NCIC Terminal Contractor for California to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (42 USC § 5780).

313.6 VENTURA COUNTY SHERIFF'S OFFICE OR FEDERAL LAW ENFORCEMENT FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Shall ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
 - 1. The notice shall be in writing and should also include a photograph (Education Code § 49068.6).
 - 2. The investigator should meet with school officials regarding the notice as appropriate to stress the importance of including the notice in the child's student file, along with contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available via the reporting party.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update CLETS, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (42 USC § 5780).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children® (NCMEC) if the missing person is under the age

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of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (42 USC § 5780).

- (g) Should make appropriate inquiry with the County Coroner/Bureau of Reclamation.
- (h) Should obtain and forward medical and dental records, photos, X-rays and biological samples pursuant to Penal Code § 14212 and Penal Code § 14250.
- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not previously been obtained and forward the photograph to California DOJ (Penal Code § 14210) and enter the photograph into applicable missing person networks (USC § 5780).
- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 586).

313.7 WHEN A MISSING PERSON IS FOUND

Any Park Ranger who locates a known missing person will contact the Ventura County Sheriff's Office.

313.8 CASE CLOSURE

The Ventura County Sheriff's Office or Federal Law Enforcement supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence has matched an unidentified person or body.
- (b) If the missing person is a resident of Casitas or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

313.9 TRAINING

Subject to available resources, the Ranger Supervisor should ensure that members of this department whose duties include missing person investigations and reports receive regular training that includes:

- (a) The initial investigation:

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1. Assessments and interviews
 2. Use of current resources, such as Mobile Audio Video (MAV)
 3. Confirming missing status and custody status of minors
 4. Evaluating the need for a heightened response
 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.
- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., Internet use, cell phone use).
- (n) Media relations.

Standards of Conduct

314.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Casitas Municipal Water District and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

314.2 POLICY

The continued employment or appointment of every member of the Casitas Municipal Water District shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on-duty or off-duty, may be cause for disciplinary action.

314.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

314.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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The person countermanning the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

314.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

314.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

314.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

314.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or District manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

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314.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

314.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

314.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

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314.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

314.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Park Services Manager or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Department badge, uniform, identification card or Department property for personal use, personal gain or any other improper or unauthorized use or purpose.
- (e) Using Department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

314.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address, contact telephone numbers or marital status.

314.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.

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- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of a Park Ranger official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or, on department property except as expressly authorized by District policy, the memorandum of understanding, or the Park Services Manager.
- (h) Engaging in political activities during assigned working hours except as expressly authorized by District policy, the memorandum of understanding, or the Park Services Manager.
- (i) Any act on- or off-duty that brings discredit to this department.

314.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the District.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.

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- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any memorandum of understanding or contract to include fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Park Services Manager of such action.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

314.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off- duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic collision.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

314.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

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- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

Information Technology Use

315.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

315.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Casitas Municipal Water District that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

315.2 POLICY

It is the policy of the Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

315.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

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However, the Department may not require a member to disclose a personal username or password or open a personal social website, except when access is reasonably believed to be relevant to the investigation of allegations of work-related misconduct (Labor Code § 980).

315.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Ranger Supervisors.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

315.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Park Services Manager or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or District-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

315.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

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315.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

315.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

315.5 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

315.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department

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involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

Department Use of Social Media

316.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

316.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services

316.2 POLICY

The Casitas Municipal Water District may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

316.3 AUTHORIZED USERS

Only members authorized by the Park Services Manager or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Park Services Manager may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

316.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

Examples of appropriate content include:

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- (a) Announcements.
- (b) Tips and information related to crime prevention.
- (c) Investigative requests for information.
- (d) Requests that ask the community to engage in projects that are relevant to the department mission.
- (e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.
- (f) Traffic information.
- (g) Press releases.
- (h) Recruitment of personnel.

316.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

316.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

- (a) Content that is abusive, discriminatory, inflammatory or sexually explicit.
- (b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.
- (c) Any information that could compromise an ongoing investigation.
- (d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Casitas Municipal Water District or its members.
- (e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.
- (f) Any content posted for personal use.
- (g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

316.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

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316.6 MONITORING CONTENT

The General Manager will appoint a Manager to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

316.7 RETENTION OF RECORDS

The Assistant to the General Manager is the Custodian of Records and establishes methods of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

316.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

Report Preparation

317.1 PURPOSE AND SCOPE

Report preparation is a major part of each Park Ranger's job. The purpose of reports is to document sufficient information to refresh the Park Ranger's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

317.1.1 REPORT PREPARATION

Park Rangers should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned Park Ranger to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Park Rangers who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Park Rangers who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Park Rangers shall not suppress, conceal or distort the facts of any reported incident, nor shall any Park Ranger make a false report orally or in writing. Generally, the reporting Park Ranger's opinions should not be included in reports unless specifically identified as such.

317.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate department approved form unless otherwise approved by a supervisor.

317.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. Activity to be documented in a written report includes:

- (a) All arrests
- (b) All felony crimes
- (c) Non-Felony incidents involving threats or stalking behavior
- (d) Situations covered by separate policy. These include:
 1. Use of Force Policy

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2. Domestic Violence Policy
3. Child Abuse Policy
4. Adult Abuse Policy
5. Hate Crimes Policy
6. Suspicious Activity Reporting Policy

(e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

317.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate approved report:

- (a) Any use of force against any person by a member of this department (see the Use of Force Policy)
- (b) Any firearm discharge (see the Firearms Policy)
- (c) Anytime a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy)
- (d) Any found property taken for safe keeping
- (e) Any traffic collisions above the minimum reporting level (see Traffic Collision Reporting Policy)
- (f) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy
- (g) All protective custody detentions
- (h) Suspicious incidents that may place the public or others at risk
- (i) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor

317.2.3 DEATH CASES

All death cases will be handled by the Ventura County Sheriff's Office.

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. The handling Park Ranger should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following cases shall be appropriately investigated and documented by the Ventura County Sheriff's Office.

- (a) Sudden or accidental deaths.
- (b) Suicides.

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- (c) Homicide or suspected homicide.
- (d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
- (e) Found dead bodies or body parts.

317.2.4 INJURY OR DAMAGE BY DISTRICT PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a District employee. Additionally, reports shall be taken involving damage to District property or District equipment.

317.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose
- (b) Attempted suicide
- (c) The injury is major/serious, whereas death could result
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

317.2.6 MANDATORY REPORTING OF GUNSHOT INJURIES

The Ventura County Sheriff's Department will be called on all gunshot incidents.

317.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all Park Rangers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

317.3.1 GENERAL POLICY OF HANDWRITTEN REPORTS

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for departmental consistency.

317.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

317.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete the Report Correction form stating the reasons for rejection.

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The original report and the correction form should be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating Park Ranger to ensure that any report returned for correction is processed in a timely manner.

317.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Management for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Management may be corrected or modified by the authoring Park Ranger only with the knowledge and authorization of the reviewing supervisor.

Media Relations

318.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, emergencies and other Park Ranger's law enforcement activities

318.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Public Information Officer (PIO) however, in situations not warranting immediate notice to the PIO and in situations where the Park Services Manager has given prior approval, Ranger Supervisors and designated employees may prepare and release information to the media in accordance with this policy and the applicable law.

318.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the PIO designated department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated department media representative.
- (b) In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Park Services Manager.
- (d) The Ventura County Sheriff's Office and/or federal law enforcement agencies provides their own media release and access.

318.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation

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operations. All information released to the media should be coordinated through the department designated spokesperson.

- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).
- (d) Media interviews with individuals who are in custody should not be permitted without the approval of the arresting Law Enforcement Officer and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

318.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of Park Rangers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media by Casitas Municipal Water District personnel.

Subpoenas and Court Appearances

319.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Casitas Municipal Water District to cover any related work absences and keep the Department informed about relevant legal matters.

319.2 POLICY

Casitas Municipal Water District members will respond appropriately to all subpoenas and any other court-ordered appearances.

319.3 SUBPOENAS

Only Department members authorized to receive a subpoena on behalf of this Department or any of its members may do so. This may be accomplished by personal service to the Park Ranger or by delivery of two copies of the subpoena to the Park Ranger's supervisor or other authorized departmental agent (Government Code § 68097.1; Penal Code § 1328(c)).

The party that issues a civil subpoena to a Park Ranger to testify as a witness must tender the statutory fee of \$275 with the subpoena for each day that an appearance is required before service is accepted of the subpoena (Government Code § 68097.2).

An immediate supervisor or authorized individual may refuse to accept service for a criminal subpoena if (Penal Code § 1328(d)(e)):

- (a) He/she knows that he/she will be unable to deliver a copy of the subpoena to the named Park Ranger within sufficient time for the named Park Ranger to comply with the subpoena.
- (b) It is less than five working days prior to the date listed for an appearance and he/she is not reasonably certain that service can be completed.

If, after initially accepting service of a criminal subpoena, a supervisor or other authorized individual determines that he/she is unable to deliver a copy of the subpoena to the named Park Ranger within sufficient time for the named Park Ranger to comply with the subpoena, the supervisor or the subpoena clerk shall notify the server or the attorney named on the subpoena of such not less than 48 hours prior to the date listed for the appearance (Penal Code § 1328(f)).

319.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the District Counsel or the prosecutor shall notify his/her immediate supervisor without delay regarding:

- (a) Any civil case where the District or one of its members, as a result of his/her official capacity, is a party.
- (b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

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- (c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.
- (d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Casitas Municipal Water District.
- (e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Casitas Municipal Water District.

The supervisor will then notify the Park Services Manager and the appropriate prosecuting attorney as may be indicated by the case. The Park Services Manager should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

319.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding or collective bargaining agreement.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

319.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

319.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

319.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

319.6 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.

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- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

319.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

319.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.

Mutual Aid and Outside Agency Assistance

320.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to Park Rangers in the request of or answering the request for assistance involving another law enforcement agency.

It is the policy of this Department to provide assistance whenever possible, consistent with the applicable laws of arrest and detention policies of this division, when another law enforcement agency requests assistance with an arrest or detention of any person. This Department may also request an outside agency to provide assistance.

320.1.1 ASSISTING OUTSIDE AGENCIES

Generally, calls for assistance from other agencies are routed to the Ranger Supervisor's office for approval. When an authorized employee of an outside agency requests the assistance of this Department in taking a person into custody, available Park Rangers shall respond and assist in making a lawful arrest. If a Park Ranger receives a request in the field for assistance, that Park Ranger shall notify a supervisor. Arrestees may be temporarily detained by our agency until arrangements for transportation are made by the outside agency. Only in exceptional circumstances will this Department provide transportation of arrestees to other county facilities.

When such assistance is rendered, a case number will be issued to report action taken by Casitas Municipal Water District Personnel. Probation violators temporarily detained by this Department will not be booked at this department.

320.1.2 REQUESTING ASSISTANCE FROM OUTSIDE AGENCIES

This section does not apply for the normal calls for service to local, state or federal agencies having jurisdiction.

If assistance is needed from another agency, the employee requesting assistance shall first notify a supervisor of his/her intentions. The handling Park Ranger or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting Park Ranger should secure radio frequencies for use by all involved agencies so that communication can be coordinated as needed. If necessary, reasonable effort should be taken to provide radio equipment capable of communicating on the assigned frequency to any personnel who do not have compatible radios.

Registered Offender Information

321.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Casitas Municipal Water District will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex, arson and drug offenders.

321.2 POLICY

It is the policy of the Department not to identify and monitor registered offenders living within this jurisdiction. If a registered offender is identified, the Department may take reasonable steps to evaluate the risk and assess the need for contacting the Ventura County Sheriff's Office due to the risks those persons may pose.

321.3 DISSEMINATION OF PUBLIC INFORMATION

Members will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Park Services Manager if warranted. A determination will be made by the Park Services Manager, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on sex registrants should be provided the Megan's Law website.

The Assistant to the General Manager or General Manager may release local registered offender information to residents only in accordance with applicable law (Penal Code § 290.45; Penal Code § 290.46; Penal Code § 457.1; Health and Safety Code § 11594), and in compliance with a California Public Records Act (Government Code § 6250-6276.48) request.

Major Incident Notification

322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this Department in determining when, how and to whom notification of major incidents should be made.

322.2 POLICY

The Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

322.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Park Services Manager and the affected Ranger Supervisor. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see Officer-Involved Shootings and Deaths Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent Casitas official
- Arrest of a department employee or prominent Casitas official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths

322.4 RANGER SUPERVISOR RESPONSIBILITY

The Ranger Supervisor is responsible for making the appropriate notifications. The Ranger Supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Ranger Supervisor shall attempt to make the notifications as soon as practicable. Notification should be made by calling the home telephone number first and then by any other available contact numbers.

322.4.1 STAFF NOTIFICATION

In the event an incident occurs described in the Major Incident Notification Policy, the General Manager, and the Park Services Manager shall be notified along with the affected Ranger Supervisor

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322.4.2 PUBLIC INFORMATION OFFICER (PIO)

The PIO shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.

Death Investigation

323.1 PURPOSE AND SCOPE

The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

323.2 NOTIFICATIONS

Upon discovery, the Ventura County Sheriff's Office will be notified immediately on all human deaths that occur in the jurisdiction of Casitas Municipal Water District regardless of cause. The Bureau of Reclamation's District Liaison will be notified within 24 hours.

323.3 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (e.g., decapitated, decomposed). A supervisor shall be notified in all death investigations.

The Park Ranger will maintain all death scenes as crime scenes until relieved by the Ventura County Sheriff's Department.

323.3.1 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Coroner arrives, the Coroner's office will issue a "John Doe" or "Jane Doe" number for the report.

323.3.2 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

323.3.3 EMPLOYMENT RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness, or serious injury has occurred as a result of an accident at or in connection with the victim's employment shall ensure that the nearest office of Cal-OSHA is notified by telephone immediately or as soon as practicable with all pertinent information (8 CCR 342(b)).

Public Safety Video Surveillance System

324.1 PURPOSE AND SCOPE

This policy provides guidance for the placement and monitoring of Department public safety video surveillance, as well as the storage and release of the captured images.

This policy only applies to overt, marked public safety video surveillance systems operated by the Department. It does not apply to mobile audio/video systems, covert audio/video systems or any other image-capturing devices used by the Department.

324.2 POLICY

The Department operates a public safety video surveillance system to complement its anti-crime strategy, to effectively allocate and deploy personnel, and to enhance public safety and security in public areas. Cameras may be placed in strategic locations throughout the District to detect and deter crime, to help safeguard against potential threats to the public, to help manage emergency response situations during natural and man-made disasters and to assist District officials in providing services to the community.

Video surveillance in public areas will be conducted in a legal and ethical manner while recognizing and protecting constitutional standards of privacy.

324.3 OPERATIONAL GUIDELINES

Only department-approved video surveillance equipment shall be utilized. Members authorized to monitor video surveillance equipment should only monitor public areas and public activities where no reasonable expectation of privacy exists. The General Manager or the authorized designee shall approve all proposed locations for the use of video surveillance technology and should consult with and be guided by legal counsel as necessary in making such determinations.

324.3.1 PLACEMENT AND MONITORING

Camera placement will be guided by the underlying purpose or strategy associated with the overall video surveillance plan. As appropriate, the Park Services Manager should confer with other affected departments and the Bureau of Reclamation when evaluating camera placement. Environmental factors, including lighting, location of buildings, presence of vegetation or other obstructions, should also be evaluated when determining placement.

The cameras shall only record video images and not sound. Recorded images may be used for a variety of purposes, including criminal investigations and monitoring of activity around high-value or high-threat areas. The public video surveillance system may be useful for the following purposes:

- (a) To prevent, deter and identify criminal activity.
- (b) To target identified complaints or suspicious activity.
- (c) To respond to critical incidents.

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- (d) To assist in identifying, apprehending and prosecuting offenders.
- (e) To document Park Ranger and offender conduct during interactions to safeguard the rights of the public and Park Rangers
- (f) To augment resources in a cost-effective manner.
- (g) To monitor pedestrian and vehicle traffic activity.
- (h) To monitor wildlife.

Images from each camera should be recorded in a manner consistent with the underlying purpose of the particular camera. Images should be transmitted to monitors installed in the Park Services Manager's office and when activity warranting further investigation is reported or detected at any camera location, the available information can be provided to responding Law Enforcement Officer Park Rangers in a timely manner upon request. The Information Technology Specialist or authorized personnel are authorized to adjust the cameras to more effectively view a particular area for any legitimate public safety purpose.

The Park Services Manager may authorize video feeds from the public safety video surveillance system to be forwarded to a specified location for monitoring by other than Ranger personnel, such as allied government agencies, road or traffic crews, or fire or emergency operations personnel.

Unauthorized recording, viewing, reproduction, dissemination or retention is prohibited.

324.3.2 CAMERA MARKINGS

All public areas monitored by public safety surveillance equipment shall be marked in a conspicuous manner with appropriate signs to inform the public that the area is under Ranger surveillance. Signs should be well lit, placed appropriately and without obstruction to ensure visibility.

324.4 VIDEO SUPERVISION

Supervisors can monitor video surveillance access and usage to ensure members are within department policy and applicable laws. Supervisors should ensure such use and access is appropriately documented.

324.4.1 VIDEO LOG

A log should be maintained at all locations where video surveillance monitors are located. The log should be used to document all persons not assigned to the monitoring locations who have been given access to view or monitor images provided by the video surveillance cameras. The logs should, at a minimum, record the:

- (a) Date and time access was given.
- (b) Name and agency of the person being given access to the images.
- (c) Name of person authorizing access.
- (d) Identifiable portion of images viewed.

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324.4.2 PROHIBITED ACTIVITY

Public safety video surveillance systems will not intentionally be used to invade the privacy of individuals or observe areas where a reasonable expectation of privacy exists.

Public video surveillance equipment shall not be used in an unequal or discriminatory manner and shall not target protected individual characteristics including, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.

Video surveillance equipment shall not be used to harass, intimidate or discriminate against any individual or group.

324.5 STORAGE AND RETENTION OF MEDIA

All downloaded media shall be stored in a secure area with access restricted to authorized persons. A recording needed as evidence shall be copied to a suitable medium and booked into evidence in accordance with established evidence procedures. All actions taken with respect to retention of media shall be appropriately documented.

The type of video surveillance technology employed and the manner in which recordings are used and stored will affect retention periods. The recordings should be stored and retained in accordance with the established records retention schedule and for a minimum of one year. Prior to destruction, written consent shall be obtained from the District Counsel. If recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved (Government Code § 34090.6).

Any recordings needed as evidence in a criminal or civil proceeding shall be copied to a suitable medium and booked into evidence in accordance with current evidence procedures.

324.5.1 EVIDENTIARY INTEGRITY

All downloaded and retained media shall be treated in the same manner as other evidence. Media shall be accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, digital masking of innocent or uninvolved individuals to preserve anonymity, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

324.6 RELEASE OF VIDEO IMAGES

All recorded video images gathered by the public safety video surveillance equipment are for the official use of the Department.

Requests for recorded video images from the public or the media shall be processed in the same manner as requests for department public records.

Requests for recorded images from other law enforcement agencies shall be referred to the General Manager for release in accordance with a specific and legitimate law enforcement purpose.

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Recorded video images that are the subject of a court order or subpoena shall be processed in accordance with the established department subpoena process.

324.7 VIDEO SURVEILLANCE AUDIT

The Park Services Manager or the authorized designee will conduct an annual review of the public safety video surveillance system. The review should include an analysis of the cost, benefit and effectiveness of the system, including any public safety issues that were effectively addressed or any significant prosecutions that resulted, and any systemic operational or administrative issues that were identified, including those related to training, discipline or policy.

The results of each review shall be appropriately documented and maintained by the Park Services Manager or the authorized designee and other applicable advisory bodies. Any recommendations for training or policy should be promptly addressed.

324.8 TRAINING

All department members authorized to operate or access public video surveillance systems shall receive appropriate training. Training should include guidance on the use of cameras, interaction with dispatch and patrol operations and a review regarding relevant policies and procedures, including this policy. Training should also address state and federal law related to the use of video surveillance equipment and privacy.

Child and Dependent Adult Safety

325.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department (Penal Code § 833.2(a)).

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse Policy and the Adult Abuse Policy.

325.2 POLICY

It is the policy of this Department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected.

325.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, Park Rangers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, Park Rangers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken (Penal Code § 13517.7(b)(1)):

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Park Rangers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, Park Rangers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, Park Rangers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the Park Ranger at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

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325.3.1 AFTER AN ARREST

Whenever an arrest is made, the Park Ranger should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Park Rangers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 1. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), Park Rangers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
 2. Except when a court order exists limiting contact, the Park Ranger should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (b) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (c) Notify Child Protective Services or the Division of Aging and Adult Services, if appropriate.
- (d) Notify the field supervisor or Ranger Supervisor of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting Park Ranger should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions must be documented in the associated report.

325.3.2 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting employee will document the following information:
 1. Name
 2. Sex
 3. Age

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4. How, where and with whom or which agency the child was placed
- (b) For all arrests where dependent adults are present or living in the household, the reporting employee will document the following information:
1. Name
 2. Sex
 3. Age
 4. Whether he/she reasonably appears able to care for him/herself
 5. Disposition or placement information if he/she is unable to care for him/herself

325.3.3 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling Park Rangers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

325.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling Park Ranger should consider contacting the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate (Welfare and Institutions Code § 305).

Only when other reasonable options are exhausted should a child or dependent adult be transported to the Ranger facility, transported in a marked patrol car or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

325.5 TRAINING

The Ranger Supervisor is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults receive approved POST-approved training on effective safety measures when a parent, guardian or caregiver is arrested (Penal Code § 13517.7).

Service Animals

326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA).

326.1.1 DEFINITIONS

Definitions related to this policy include:

Service animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability (28 CFR 35.104; Health and Safety Code § 113903).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

326.2 POLICY

It is the policy of the Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

The Ventura County Public Health Department does not allow service animals in municipal pool water.

The American with Disabilities Act (ADA) does not override public health rules that prohibit dogs in municipal pool water. However, dogs are allowed on the pool deck and anywhere else the public is allowed.

326.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.

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- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

326.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Department affords to all members of the public (28 CFR 35.136).

326.4.1 INQUIRY

If it is apparent or if a member is aware that an animal is a service animal, the individual generally should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the member should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The individual should not be questioned about his/her disability nor should the person be asked to provide any license, certification or identification card for the service animal.

326.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

326.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, a Park Ranger may direct the handler to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to

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an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability, with or without a service animal.

326.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their handlers into the same areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, Park Rangers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Off-Duty Law Enforcement Actions

327.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place a Park Ranger as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for Park Rangers of the Casitas Municipal Water District with respect to taking law enforcement action while off-duty.

327.2 POLICY

Park Rangers have limited peace officer powers. These powers apply only while on-duty and within the jurisdiction boundaries. There is no legal authority for off-duty Park Rangers to take any law enforcement action.

327.4 DECISION TO INTERVENE

There is no legal authority given for off-duty Park Rangers to take law enforcement action.

327.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary the Park Ranger should attempt to call or have someone else call 9-1-1 to request immediate assistance. The dispatcher should be informed that an off-duty Park Ranger is on-scene and should be provided a description of the officer if possible.

327.4.2 INCIDENTS OF PERSONAL INTEREST

Park Rangers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances Park Rangers should call the responsible agency to handle the matter.

327.4.3 CIVILIAN RESPONSIBILITIES

Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

327.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed Park Ranger in public, uniformed Park Rangers should wait for acknowledgement by the non-uniformed Park Ranger in case he/she needs to maintain an undercover capability.

327.4 REPORTING

Any off-duty Park Ranger who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Ranger Supervisor as soon as practicable. The Ranger Supervisor shall determine whether a report should be filed by the employee.

Park Rangers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

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Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION

Park Rangers will generally patrol in clearly marked vehicles and vessels, patrol assigned jurisdiction areas respond to calls for assistance, act as a deterrent to crime, enforce Casitas' Ordinance, state, federal and local laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the preservation of peace, prevention of Ordinance violations, criminal acts, collisions, the maintenance of public order, and the discovery of hazardous situations or conditions or fire threats, deterrent of criminal acts, traffic collisions
- (b) Calls for service, both routine and emergency in nature
- (c) Customer contacts of a positive nature
- (d) The sharing of information between the Patrol and other division within the Department, as well as other outside governmental agencies
- (e) The application of resources to specific problems or situations within the LCRA, Vessel inspection, fire protection,
- (f) Traffic direction and control as needed

400.1.2 TERRORISM

It is the goal of the Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Park Rangers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI). The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Ventura County Sheriff's Office and/or federal law enforcement personnel immediately.

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the Casitas Municipal Water District.

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400.2.1 INCIDENT CRIME REPORTS

An Incident Report shall be completed by any patrol Park Ranger who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.2 PATROL BRIEFINGS

Ranger supervisors, and assigned supervisors are encouraged to share information as much as possible. All supervisors and/or Park Rangers will be provided an opportunity to share information at the daily patrol briefings as time permits.

400.2.3 BULLETIN BOARDS

A bulletin board will be kept in the briefing room for display of suspect information, intelligence reports and photographs. New Memorandums will be made available for patrol supervisors and will be discussed at briefings and shift meetings. A copy of the Memorandum will be placed on the briefing room clipboard.

400.3 CROWDS, EVENTS AND GATHERINGS

Park Rangers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Park Rangers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Park Rangers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Park Rangers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Park Rangers should consider enforcement of applicable state and local laws, such as Penal Code 602.1 (obstructing or intimidating business operators), when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

Racial- or Bias-Based Profiling

401.1 PURPOSE AND SCOPE

This policy provides guidance to Department members and establishes appropriate controls to ensure that members of the Department do not engage in racial or bias-based profiling or violate any related laws while serving the community.

401.1.1 DEFINITIONS

Definitions related to this policy include:

Racial- or bias-based profiling - An inappropriate reliance on factors such as race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group as a factor in deciding whether to take law enforcement action or to provide service. This includes gender identity or expression (Penal Code § 13519.4).

401.2 POLICY

The Casitas Municipal Water District is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law.

401.3 RACIAL- OR BIAS-BASED PROFILING PROHIBITED

Racial- or bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit a Park Ranger from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

401.4 MEMBER RESPONSIBILITY

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial- or bias-based profiling to a supervisor.

401.4.1 REASON FOR DETENTION

Park Rangers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual's membership in a protected class.

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To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved Park Ranger should include those facts giving rise to the Park Ranger's reasonable suspicion or probable cause for the detention, as applicable.

Nothing in this policy shall require any Park Ranger to document a contact that would not otherwise require reporting.

401.5 SUPERVISOR RESPONSIBILITY

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved Park Ranger and his/her supervisor in a timely manner.
- (b) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (c) Supervisors should ensure that not retaliatory action is taken against any member of this Department who discloses information concerning racial or bias-based profiling.

401.6 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Human Resources Manager and the Assistant to the General Manager or General Manager or the authorized designee shall ensure that all data required by the Department of Justice (DOJ) regarding citizen complaints of racial bias against Park Rangers is collected and reported annually to DOJ (Penal Code § 13012; Penal Code § 13020).

401.7 ADMINISTRATION

Each year, Ranger Supervisor shall review the efforts of the Department to prevent racial- or bias-based profiling and submit an overview, including public concerns and complaints, to the Park Services Manager.

This report should not contain any identifying information regarding any specific complaint, citizen or Park Rangers. It should be reviewed by the Park Services Manager to identify any changes in training or operations that should be made to improve service.

Supervisors shall review the annual report and discuss the results with those they are assigned to supervise.

401.8 TRAINING

Training on racial- or bias-based profiling and review of this policy should be conducted as directed by the Ranger Supervisor.

- (a) All sworn members of this department will be scheduled to attend Peace Officer Standards and Training (POST)-approved training on the subject of racial- or bias-based profiling.

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- (b) Pending participation in such POST-approved training and at all times, all members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of this community.
- (c) Each sworn member of this department who received initial racial- or bias-based profiling training will thereafter be required to complete an approved refresher course every five years, or sooner if deemed necessary, in order to keep current with changing racial, identity and cultural trends (Penal Code § 13519.4(i)).

Briefing Training

402.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the Park Ranger's assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Briefing; however Park Rangers may conduct Briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

- (a) Briefing Park Rangers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations
- (b) Notifying Park Rangers of changes in schedules and assignments
- (c) Notifying Park Rangers of new Memorandums or changes in Memorandums
- (d) Reviewing recent incidents for training purposes
- (e) Providing training on a variety of subjects

402.2 PREPARATION OF MATERIALS

The supervisor conducting Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate Park Ranger in his or her absence or for training purposes.

402.3 RETENTION OF BRIEFING TRAINING RECORDS

Briefing training materials and a curriculum or summary shall be forwarded to the Ranger Supervisor for inclusion in training records, as appropriate.

Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY

It is the policy of the Casitas Municipal Water District to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY

The first Park Ranger at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Park Rangers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once a Park Ranger has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the Park Ranger shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance from the Ventura County Sheriff's Department and or Federal Law Enforcement.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

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403.5 SEARCHES

Park Rangers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once Park Rangers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Park Rangers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT

When possible, Park Rangers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6 EXECUTION OF HEALTH ORDERS

Any sworn member of this department is authorized to enforce all orders of the local health officer that have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (Health and Safety Code § 120155).

Hazardous Material Response

404.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees resulting from their exposure. To comply with Title 8, California Code of Regulations, § 5194, the following is to be the policy of this department.

404.1.1 HAZARDOUS MATERIAL DEFINED

A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

404.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Attempt to identify the type of hazardous substance. (Identification can be determined by placard, driver's manifest or statements from the person transporting).
- (b) Notify the Fire Department.
- (c) Provide first-aid for injured parties if it can be done safely and without contamination.
- (d) Begin evacuation of the immediate area and surrounding areas, depending on the substance. Voluntary evacuation should be considered; however, depending on the substance, mandatory evacuation may be necessary.
- (e) Notify the local health authority. Such notification is mandatory when a spilled or released item is a pesticide (Health and Safety Code § 105215). Notify Casitas' Water Quality Supervisor and the Bureau of Reclamation Liaison.
- (f) Notify the Department of Toxic Substances Control. This is mandatory when a Park Ranger comes in contact with, or is aware of, the presence of a suspected hazardous substance at a site where an illegal controlled substance is or was manufactured (Health and Safety § 25354.5).

404.3 REPORTING EXPOSURE(S)

Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an employee memorandum that shall be forwarded via chain of command to the

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Commanding Officer. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

404.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by the Department will be obtained through the Fire Department.

Hostage and Barricade Incidents

405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where Park Rangers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the Park Rangers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that Park Rangers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

405.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

405.2 POLICY

The Ventura County Sheriff's Office shall be immediately notified and requested to handle all incidents involving barricaded situations or hostage situations.

405.3 COMMUNICATION

When circumstances permit, initial responding Park Rangers should try to maintain the safety of others in the area by preventing access to the involved area and relaying all information about the incident to responding unity from the Ventura County Sheriff's Office.

405.4 FIRST RESPONDER CONSIDERATIONS

First responding Park Rangers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding Park Ranger should immediately request the Ventura County Sheriff's Office as well as the Ranger Supervisor. The first responding Park Ranger shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The Park Ranger shall continually evaluate the situation, including the level of risk to Park Rangers, to the persons involved and to bystanders, and the resources currently available.

The handling Park Ranger should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

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Upon arrival of the Ventura County Sheriff's Office, the Park Ranger or their supervisor will give complete control of the incident to that agency.

Response to Bomb Calls

406.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Park Rangers in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

406.2 POLICY

It is the policy of the Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property. Upon receiving information of a possible bomb threat, the member will notify the Federal Protective Service and the Ventura County Sheriff's Office and request they handle the incident.

406.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

Upon receiving information of a possible Bomb threat, the member will notify the Federal Protective Service and the Ventura County Sheriff's Office and request they handle the incident.

The member receiving the bomb threat should ensure that the Ranger Supervisor is immediately advised and informed of the details. This will enable the Ranger Supervisor to ensure that the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.

406.4 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the District of Casitas, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

- (a) The location of the facility.
- (b) The nature of the threat.
- (c) Whether the type and detonation time of the device is known.
- (d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.
- (e) Whether the individual is requesting Ranger assistance at the facility.
- (f) Whether there are any internal facility procedures regarding bomb threats in place, such as:

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1. No evacuation of personnel and no search for a device.
2. Search for a device without evacuation of personnel.
3. Evacuation of personnel without a search for a device.
4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Ranger Supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

406.4.1 ASSISTANCE

The Ranger Supervisor should be notified when Ranger assistance is requested. The Ranger Supervisor will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including Ranger control over the facility.

Should the Ranger Supervisor determine that the Department will assist or control such an incident, he/she will determine:

- (a) The appropriate level of assistance.
- (b) The plan for assistance.
- (c) Whether to evacuate and/or clear the facility.
- (d) Whether to involve facility staff in the search or evacuation of the building.
 1. The safety of all participants is the paramount concern.
- (e) The need for additional resources, including:
 1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a lead agency does not request Ranger assistance to clear the interior of a building, based upon the circumstances and known threat, Park Rangers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

406.5 FOUND DEVICE

When handling an incident involving a suspected explosive device, the Ventura County Sheriff's Office and federal law enforcement will be called and the following guidelines, while not all inclusive, should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.
- (b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.

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- (c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:
 - 1. Two-way radios
 - 2. Cell phones
 - 3. Other personal communication devices
- (d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.
- (f) A safe access route should be provided for support personnel and equipment.
- (g) Search the area for secondary devices as appropriate and based upon available resources.
- (h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.
- (i) Promptly relay available information to the Ranger Supervisor including:
 - 1. The time of discovery.
 - 2. The exact location of the device.
 - 3. A full description of the device (e.g., size, shape, markings, construction).
 - 4. The anticipated danger zone and perimeter.
 - 5. The areas to be evacuated or cleared.

406.6 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding Park Rangers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

406.6.1 CONSIDERATIONS

Park Rangers responding to explosions, whether accidental or a criminal act, will notify the Ventura County Sheriff's Office and federal law enforcement and should consider the following actions:

- (a) Assess the scope of the incident, including the number of victims and extent of injuries.
- (b) Request additional personnel and resources, as appropriate.
- (c) Assist with first aid.
- (d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.
- (e) Assist with the safe evacuation of victims, if possible.
- (f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.

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- (g) Preserve evidence.
- (h) Establish an outer perimeter and evacuate if necessary.
- (i) Identify witnesses.

406.6.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Park Services Manager, General Manager, Board of Directors
- Ranger Supervisor
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

406.6.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

406.6.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Ranger Supervisor should assign Park Rangers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

Mental Illness Commitments

407.1 PURPOSE AND SCOPE

This policy provides guidelines for when Park Rangers may request the Ventura County Sheriff's Office take a person into custody for psychiatric evaluation and treatment (5150 commitment) (Welfare and Institutions Code § 5150).

407.2 POLICY

It is the policy of the Department to protect the public and individuals through legal and appropriate use of the 72-hour treatment and evaluation commitment (5150 commitment) process.

407.3 AUTHORITY

Park Ranger having probable cause may contact the Ventura County Sheriff's Office to take a person into custody and place the person in an approved mental health facility for 72-hour treatment and evaluation when the Park Ranger believes that, as a result of a mental disorder, the person is a danger to him/herself or others or the person is gravely disabled (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5585.50).

When determining whether to contact the Ventura County Sheriff's Office to take a person into custody, Park Rangers are not limited to determining the person is an imminent danger and shall consider reasonably available information about the historical course of the person's mental disorder, which may include evidence presented from any of the following (Welfare and Institutions Code § 5150; Welfare and Institutions Code § 5150.05):

- (a) An individual who is providing or has provided mental health treatment or related support services to the person
- (b) A family member
- (c) The person subject to the determination or anyone designated by the person

407.3.1 VOLUNTARY EVALUATION

If a Park Ranger encounters an individual who may qualify for a 5150 commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the person so desires, the Park Rangers should contact Ventura County Sheriff's Office to:

- (a) Transport the person to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a 5150 commitment.
- (b) If at any point the person changes his/her mind regarding voluntary evaluation, Park Rangers should proceed with the 5150 commitment, if appropriate.
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

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407.4 CONSIDERATIONS AND RESPONSIBILITIES

Any Park Ranger handling a call involving an individual who may qualify for a 5150 commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the person's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade Park Rangers from taking reasonable action to ensure the safety of the Park Rangers and others.

Park Rangers should consider a 5150 commitment over arrest when mental health issues appear to be a mitigating factor for people who are suspected of committing minor crimes or creating other public safety issues.

407.4.1 SECURING OF PROPERTY

When a person is taken into custody for evaluation, or within a reasonable time thereafter, and unless a responsible relative, guardian or conservator is in possession of the person's personal property, the Park Ranger shall take reasonable precautions to safeguard the individual's personal property in his/her possession or on the premises occupied by the person (Welfare and Institutions Code § 5150).

The Park Ranger requesting the person be taken into custody shall provide a report that describes the person's property and its disposition in the format provided in Welfare and Institutions Code § 5211, unless a responsible person took possession of the property, in which case the Park Ranger shall only include the name of the responsible person and the location of the property (Welfare and Institutions Code § 5150).

407.5 DOCUMENTATION

The Park Ranger shall complete a report giving details of the circumstances for the call for a 72-Hour detention for evaluation and treatment.,

The Park Ranger should also provide a verbal summary to any supervising staff member regarding the circumstances leading to the detention.

407.6 TRAINING

This department will endeavor to provide Peace Officer Standards and Training (POST)-approved advanced officer training on interaction with mentally disabled persons, 5150 commitments and crisis intervention.

Cite and Release Policy

408.1 PURPOSE AND SCOPE

This policy provides guidance on when to release adults who are arrested for a criminal misdemeanor offense on a written notice to appear (citation) and when to hold for court or bail.

408.2 POLICY

It is the policy of the Casitas Municipal Water District to release all persons arrested on misdemeanor or other qualifying charges on a citation with certain exceptions (Penal Code § 853.6).

If there is a reason for non-release, the Department's mission to protect the community will be the primary consideration when determining whether to release any individual in lieu of holding for court or bail.

In the event a person is not suitable for release via citation, the Ventura County Sheriff's Office will be called and assume the arrest.

408.3 RELEASE BY CITATION

Except in cases where a reason for non-release as described below exists, adults arrested for a misdemeanor offense, including a private persons arrest, shall be released from custody on a citation (Penal Code § 853.6).

The citing Park Ranger shall, at the time the defendant signs the notice to appear, call attention to the time and place for appearance and take any other steps he/she deems necessary to ensure that the defendant understands his/her written promise to appear.

408.3.1 FIELD CITATIONS

In most cases an adult arrested for a misdemeanor offense may be released in the field on a citation in lieu of physical arrest when booking and fingerprinting is not practicable or immediately required provided the individual can be satisfactorily identified, there is no outstanding arrest warrant for the individual and none of the below described disqualifying circumstances are present (Penal Code § 853.6; Penal Code § 1270.1). In such cases the arresting Park Ranger should check the booking required box on the citation form to indicate that the person will be photographed and fingerprinted at a later time when ordered by the court.

408.4 NON-RELEASE

408.4.1 DISQUALIFYING OFFENSES

The Park Ranger shall notify the Ventura County Sheriff's Office on all arrests that involve a disqualifying offense.

An adult arrested on any of the following disqualifying charges shall not be released on citation and shall be transported to the appropriate detention facility or held for court or bail after booking:

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Disqualifying offenses include (Penal Code § 1270.1):

- (a) Misdemeanor domestic battery (Penal Code § 243(e)(1)).
- (b) Felony domestic battery (Penal Code § 273.5).
- (c) Serious or violent felonies (Penal Code § 1270.1(a)(1)).
- (d) Violation of a protective order and the arrested person has made threats, used violence or has gone to the protected person's workplace or residence (Penal Code § 273.6).
- (e) Stalking (Penal Code § 646.9).
- (f) Misdemeanor violations of a protective order relating to domestic violence if there is a reasonable likelihood the offense will continue or the safety of the individuals or property would be endangered (Penal Code § 853.6).

408.4.2 REASONS FOR NON-RELEASE

A person arrested for a misdemeanor shall be released on a citation unless there is a reason for non-release. The Ranger Supervisor may authorize a release on citation regardless of whether a reason for non-release exists when it is determined to be in the best interest of the Department and does not present an unreasonable risk to the community (e.g., release of an intoxicated or ill person to a responsible adult).

Reasons for non-release include (Penal Code § 853.6(i)):

- (a) The person arrested is so intoxicated that he/she could be a danger to him/herself or to others. Release may occur as soon as this condition no longer exists.
- (b) The person arrested requires medical examination or medical care or is otherwise unable to care for his/her own safety
 - 1. The Casitas Municipal Water District shall not release an arrestee from custody for the purpose of allowing that person to seek medical care at a hospital, and then immediately re-arrest the same individual upon discharge from the hospital, unless the hospital determines this action will enable it to bill and collect from a third-party payment source (Penal Code § 4011.10).
- (c) The person is arrested for one or more of the offenses listed in Vehicle Code §§ 40302, 40303 and 40305.
- (d) There are one or more outstanding arrest warrants for the person (see Misdemeanor Warrants elsewhere in this policy).
- (e) The person could not provide satisfactory evidence of personal identification.
 - 1. If a person released on citation does not have satisfactory identification in his/her possession, a right thumbprint or fingerprint should be obtained on the citation form.
- (f) The prosecution of the offense or offenses for which the person was arrested or the prosecution of any other offense or offenses would be jeopardized by the immediate release of the person arrested.

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- (g) There is a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by the release of the person arrested.
- (h) The person arrested demands to be taken before a magistrate or has refused to sign the notice to appear.
- (i) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically documented. Reasons may include:
 - (a) Previous failure to appear is on record
 - (b) The person lacks ties to the area, such as a residence, job or family
 - (c) Unusual circumstances lead the Park Ranger responsible for the release of prisoners to conclude that the suspect should be held for further investigation

When a person is arrested on a misdemeanor offense and is not released by criminal citation, the reason for non-release shall be noted on the booking form. This form shall be submitted to the Ranger Supervisor for approval and included with the case file.

408.5 MISDEMEANOR WARRANTS

A Park Ranger who detains a subject who has a warrant for their arrest, will notify the Ventura County Sheriff's Office to handle the arrest. The Park Ranger may continue the reasonable detention of the wanted subject until the Sheriff's personnel arrival.

An adult arrested on a misdemeanor warrant may be released, subject to Ranger Supervisor approval, unless any of the following conditions exist:

- (a) The misdemeanor cited in the warrant involves violence
- (b) The misdemeanor cited in the warrant involves a firearm
- (c) The misdemeanor cited in the warrant involves resisting arrest
- (d) The misdemeanor cited in the warrant involves giving false information to a Park Ranger
- (e) The person arrested is a danger to him/herself or others due to intoxication or being under the influence of drugs or narcotics
- (f) The person requires medical examination or medical care or was otherwise unable to care for his/her own safety
- (g) The person has other ineligible charges pending against him/her
- (h) There is reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be immediately endangered by the release of the person
- (i) The person refuses to sign the notice to appear
- (j) The person cannot provide satisfactory evidence of personal identification
- (k) The warrant of arrest indicates that the person is not eligible to be released on a notice to appear

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Release under this section shall be done in accordance with the provisions of this policy.

408.6 JUVENILE CITATIONS

Completion of criminal citations for juveniles is generally not appropriate with the following exceptions:

- Misdemeanor traffic violations of the Vehicle Code
- Violations of Ordinance.

All other misdemeanor violations for juveniles shall be documented with a case number and the case should be referred to the Ventura County Sheriff's Office or Federal Law Enforcement for further action including diversion.

408.7 REQUESTING CASE NUMBERS

Many cases involving a criminal citation release can be handled without requesting a case number. Traffic situations and local code violations can be documented on the reverse side of the records copy of the citation. Most Penal Code sections will require a case number to document the incident properly in a report. This section does not preclude a Park Ranger from requesting a case number if he/she feels the situation should be documented more thoroughly in a case report.

Foreign Diplomatic and Consular Representatives

409.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Casitas Municipal Water District extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

409.2 POLICY

The Casitas Municipal Water District respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

409.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

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409.4 ENFORCEMENT

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 1. Diplomatic-level staff of missions to international organizations and recognized family members
 2. Diplomatic agents and recognized family members
 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 2. Support staff of missions to international organizations
 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 4. Honorary consular officers
 5. Whenever a Park Ranger arrests and incarcerates, or detains for investigation for over two hours, a person with diplomatic and consular privileges and immunities, the Park Ranger shall promptly advise the person that he/she is entitled to have his/her government notified of the arrest or detention (Penal Code § 834c). If the individual wants his/her government notified, the Park Ranger shall begin the notification process.

409.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

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409.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise.	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise.	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts. Yes otherwise (note (c))	No immunity or inviolability

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Diplomatic-Level Staff of Missions to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Rapid Response And Deployment Policy

410.1 PURPOSE AND SCOPE

Violence in schools, workplaces and other locations by any individual or group of individuals presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding Park Rangers as they make decisions in these rapidly unfolding and tense situations.

410.2 POLICY

The policy of this Department in dealing with the crisis situation shall be:

- (a) Upon receiving information of a rapid response incident, the Park Ranger will request the Ventura County Sheriff's Office or the appropriate federal law enforcement unit for response. The Park Ranger will give complete control of the incident to the responding agency.
- (b) The Park Ranger will explore every reasonably available source of intelligence regarding the circumstances, location, and suspect(s) in the incident. This information will be given to the responding law enforcement agency.
- (c) The Park Ranger will notify and request the response of their supervisor.

Nothing in this policy shall preclude the use of necessary force, deadly or otherwise, by members of this Department in protecting themselves or others from death or serious injury.

Emergency Utility Service

411.1 PURPOSE AND SCOPE

The District Operations and Maintenance Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the on-call employee in the Department. Requests for such service received by this department should be handled in the following manner.

411.1.1 BROKEN WATER LINES

Any break or malfunction in the water system that cannot be handled by the Lake Casitas Maintenance staff will require the on-call the District's Operation and Maintenance personnel to be called as soon as practical by the Park Ranger on-duty or Maintenance staff.

411.1.2 ELECTRICAL LINES

District staff does not maintain electrical lines to street light poles. When a power line poses a hazard, a Park Ranger should be dispatched to protect against personal injury or property damage that might be caused by power lines. Edison Electric Company should be promptly notified, as appropriate.

411.1.3 PUMPS, SEWER TANKS, RESTROOMS, ROADS, ETC.

The Lake Casitas Recreation Area Maintenance Department maintains the public and employee facilities and equipment, as well as several underpass and other street drainage pipes. In the event of flooding or equipment malfunctions, Maintenance Foreman or maintenance personnel on-duty should be contacted as soon as possible.

411.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained on the emergency contact list available to each Park Ranger.

Detentions, Interviews and Pat Downs

412.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for conducting field interviews (FI) and pat-down searches, and the taking and retention of photographs of persons detained in the field but not arrested. Due to a variety of situations confronting the Park Ranger, the decision to FI or photograph a field detainee shall be left to the discretion of the involved Park Ranger based on the totality of the circumstances available to them at the time of the detention.

412.2 DEFINITIONS

Detention - Occurs when a Park Ranger intentionally, through words, actions or physical force causes an individual to reasonably believe he/she is being required to restrict his/her movement. Detentions also occur when a Park Ranger actually restrains a person's freedom of movement.

Consensual Encounter - Occurs when a Park Ranger contacts an individual but does not create a detention through words, actions or other means. In other words, a reasonable individual would believe that his/her contact with the Park Ranger is voluntary.

Field Interview - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purposes of determining the individual's identity and resolving the Park Ranger's suspicions.

Field Photographs - No field photograph will be taken. Field photographs are defined as posed photographs taken of a person during a contact, detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio Video (MAV) system when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-Down Search - This type of search is used by Park Rangers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the Park Ranger, the detainee, or others.

Reasonable Suspicion - Occurs when, under the totality of the circumstances, a Park Ranger has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

412.3 FIELD INTERVIEWS

Park Rangers may stop individuals for the purpose of conducting an FI where reasonable suspicion is present. In justifying the stop, the Park Ranger should be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to, the following:

- (a) The appearance or demeanor of an individual suggests that he/she is part of a criminal enterprise or is engaged in a criminal act.

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- (b) The actions of the suspect suggest that he/she is engaged in a criminal activity.
- (c) The hour of day or night is inappropriate for the suspect's presence in the area.
- (d) The suspect's presence in the particular area is suspicious.
- (e) The suspect is carrying a suspicious object.
- (f) The suspect's clothing bulges in a manner that suggests he/she is carrying a weapon.
- (g) The suspect is located in proximate time and place to an alleged crime.
- (h) The Park Ranger has knowledge of the suspect's prior criminal record or involvement in criminal activity.

412.3.1 INITIATING A FIELD INTERVIEW

Park Ranger may initiate the stop of a person when there is articulable, reasonable suspicion to do so. A person however, should not be detained longer than is reasonably necessary to resolve the Park Ranger's suspicions.

Nothing in this policy is intended to discourage consensual contacts. Frequent and random casual contacts with consenting individuals are encouraged by the Department to strengthen our community involvement, community awareness and problem identification.

412.4 PAT-DOWN SEARCHES

A pat-down search of a detained subject may be conducted whenever a Park Ranger reasonably believes that the person may possess an object that can be utilized as an offensive weapon or whenever the Park Ranger has a reasonable fear for his/her own safety or the safety of others. Circumstances that may establish justification for performing a pat-down search include, but are not limited to the following:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of deadly weapons is involved.
- (b) Where more than one suspect must be handled by a single Park Ranger.
- (c) The hour of the day and the location or neighborhood where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry deadly weapons.
- (e) The appearance and demeanor of the suspect.
- (f) Visual indications which suggest that the suspect is carrying a firearm or other weapon.
- (g) The age and gender of the suspect.

Whenever possible, pat-down searches should be performed by Park Rangers of the same gender.

412.5 FIELD PHOTOGRAPHS

Members shall not photograph any field detainee.

Criminal Organizations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Department only utilizes Ventura County Sheriff's Office or federal law enforcement resources investigations of criminal organizations and enterprises.

413.2 POLICY

The Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this Department to immediately report relevant information to the appropriate law enforcement agency while respecting the privacy and legal rights of the public.

Ranger Supervisor

414.1 PURPOSE AND SCOPE

Each patrol shift must be directed by a supervisor who is capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Supervisor heads each watch either by on site presence or available via cell phone. In the event the Park Ranger Supervisor or designated acting Ranger Supervisor is not available the Park Services Manager or General Manager will be contacted.

414.2 DESIGNATION AS ACTING RANGER SUPERVISOR

When a Supervisor is unavailable for duty in most instances the senior qualified assigned ranger may be designated as acting Ranger Supervisor. This policy does not preclude the Park Services Manager designating a less senior assigned ranger as an acting Ranger Supervisor.

Public Recording of Law Enforcement Activity

415.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

415.2 POLICY

The Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this Department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Park Rangers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

415.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present (Penal Code § 69; Penal Code § 148).
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the Park Rangers.
 - 4. Being so close to the activity as to interfere with a Park Ranger's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the Park Rangers, him/herself or others.

415.4 PARK RANGER RESPONSE

Park Rangers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, Park Rangers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, Park Rangers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or

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behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, a Park Ranger could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, Park Rangers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

415.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the Park Ranger and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

415.6 SEIZING RECORDINGS AS EVIDENCE

Park Rangers shall not seize recording devices or media.

Medical Marijuana

416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this Department with guidelines for investigating the acquisition, possession, transportation, delivery, production or use of marijuana under California's medical marijuana laws.

416.1.1 DEFINITIONS

Definitions related to this policy include:

Cardholder - A person issued a current identification card.

Compassionate Use Act (CUA) (Health and Safety § 11362.5) - California law intended to provide protection from prosecution to those who are seriously ill and whose health would benefit from the use of marijuana in the treatment of illness for which marijuana provides relief. The CUA does not grant immunity from arrest but rather provides an affirmative defense from prosecution for possession of medical marijuana.

Identification card - A valid document issued by the State Department of Health Services to both persons authorized to engage in the medical use of marijuana and also to designated primary caregivers.

Medical marijuana - Marijuana possessed by a patient or primary caregiver for legitimate medical purposes.

Medical Marijuana Program (MMP) (Health and Safety § 11362.7 et seq.) - California laws passed following the CUA to facilitate the prompt identification of patients and their designated primary caregivers in order to avoid unnecessary arrests and provide needed guidance to law enforcement officers. MMP prohibits arrest for possession of medical marijuana in certain circumstances and provides a defense in others.

Patient - A person who is entitled to the protections of the CUA because he/she has received a written or oral recommendation or approval from a physician to use marijuana for medical purposes or any person issued a valid identification card.

Primary caregiver - A person designated by the patient, who has consistently assumed responsibility for the patient's housing, health or safety, who may assist the patient with the medical use of marijuana under the CUA or the MMP (Health and Safety Code § 11362.5; Health and Safety Code § 11362.7).

Statutory amount - No more than eight ounces of dried, mature, processed female marijuana flowers ("bud") or the plant conversion (e.g., kief, hash, hash oil), and no more than six mature or 12 immature marijuana plants (roots, stems and stem fibers should not be considered).

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Medical Marijuana

416.2 POLICY

It is the policy of the Casitas Municipal Water District to prioritize resources to forgo making arrests related to marijuana that the arresting Park Ranger reasonably believes would not be prosecuted by state or federal authorities.

California's medical marijuana laws are intended to provide protection to those who are seriously ill and whose health would benefit from the use of medical marijuana.

However, California medical marijuana laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of marijuana. The Casitas Municipal Water District will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under California law and public resources.

416.3 INVESTIGATION

Investigations involving the possession, delivery, production or use of marijuana generally fall into one of several categories:

- (a) Investigations when no person makes a medicinal claim.
- (b) Investigations when a medicinal claim is made by a cardholder.
- (c) Investigations when a medicinal claim is made by a non-cardholder.

416.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM

In any investigation involving the possession, delivery, production or use of marijuana or drug paraphernalia where no person claims that the marijuana is used for medicinal purposes, the Park Ranger should proceed with a criminal investigation. A medicinal defense may be raised at any time, so Park Rangers should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

416.3.2 INVESTIGATIONS INVOLVING A MEDICINAL CLAIM MADE BY A CARDHOLDER

A cardholder or designated primary caregiver in possession of an identification card shall not be arrested for possession, transportation, delivery or cultivation of medical marijuana at or below the statutory amount unless there is reasonable cause to believe that (Health and Safety Code § 11362.71; Health and Safety Code § 11362.78):

- (a) The information contained in the card is false or falsified.
- (b) The card has been obtained or used by means of fraud.
- (c) The person is otherwise in violation of the provisions of the MMP.
- (d) The person possesses marijuana but not for personal medical purposes.

Park Rangers who reasonably believe that a person who does not have an identification card in his/her possession has been issued an identification card may treat the investigation as if the person had the card in his/her possession.

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Cardholders may possess, transport, deliver or cultivate medical marijuana in amounts above the statutory amount if their doctor has concluded that the statutory amount does not meet the patient's medical needs (Health and Safety Code § 11362.71; Health and Safety Code § 11362.77). Investigations involving cardholders with more than the statutory amount of marijuana should be addressed as provided in this policy for a case involving a medicinal claim made by a non-cardholder.

416.3.3 INVESTIGATIONS INVOLVING A MEDICINAL CLAIM MADE BY A NON-CARDHOLDER

No patient or primary caregiver should be arrested for possession or cultivation of an amount of medical marijuana if the Park Ranger reasonably believes that marijuana is in a form and amount reasonably related to the qualified patient's current medical needs (Health and Safety Code § 11362.5). This arrest guidance also applies to sales, transportation or, delivery of medical marijuana, or maintaining/renting a drug house or building that may be a nuisance if otherwise in compliance with MMP (Health and Safety Code § 11362.765).

Park Rangers are not obligated to accept a person's claim of having a physician's recommendation when the claim cannot be readily verified with the physician but are expected to use their judgment to assess the validity of the person's medical-use claim.

Park Rangers should review any available written documentation for validity and whether it contains the recommending physician's name, telephone number, address and medical license number for verification.

Park Rangers should generally accept verified recommendations by a physician that statutory amounts do not meet the patient's needs (Health and Safety Code § 11362.77).

416.3.4 INVESTIGATIONS INVOLVING A STATE LICENSEE

No person issued a state license under the Business and Professions Code shall be arrested or cited for cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution or sale of medical cannabis or a medical cannabis product related to qualifying patients and primary caregivers when conducted lawfully. Whether conduct is lawful may involve questions of license classifications, local ordinances, specific requirements of the Business and Professions Code and adopted regulations. Park Rangers should consider conferring with a supervisor, the Bureau of Medical Marijuana Regulation or other member with special knowledge in this area and/or appropriate legal counsel before taking enforcement action against a licensee or an employee or agent (Business and Professions Code § 19317; Business and Professions Code § 19319).

416.3.5 ADDITIONAL CONSIDERATIONS

Park Rangers should consider the following when investigating an incident involving marijuana possession, delivery, production or use:

- (a) Because enforcement of medical marijuana laws can be complex, time consuming and call for resources unavailable at the time of initial investigation, Park Rangers may consider

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submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:

1. The suspect has been identified and can be easily located at a later time.
 2. The case would benefit from review by a person with expertise in medical marijuana investigations.
 3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.
 4. Other relevant factors, such as available department resources and time constraints prohibit making an immediate arrest.
- (b) Whenever the initial investigation reveals an amount of marijuana greater than the statutory amount, Park Rangers should consider the following when determining whether the form and amount is reasonably related to the patient's needs:
1. The amount of marijuana recommended by a medical professional to be ingested.
 2. The quality of the marijuana.
 3. The method of ingestion (e.g., smoking, eating, nebulizer).
 4. The timing of the possession in relation to a harvest (patient may be storing marijuana).
 5. Whether the marijuana is being cultivated indoors or outdoors, the climate, etc.
- (c) Before proceeding with enforcement related to collective gardens or dispensaries, Park Rangers should consider conferring with a supervisor, the Bureau of Medical Marijuana Regulation or other member with special knowledge in this area and/or appropriate legal counsel. Licensing, zoning and other related issues can be complex. Patients, primary caregivers and cardholders who collectively or cooperatively cultivate marijuana for medical purposes are provided a defense under MMP (Health & Safety Code § 11362.775; Business and Professions Code § 19320 et seq.).
- (d) Investigating members should not order a patient to destroy marijuana plants under threat of arrest.

416.3.6 EXCEPTIONS

This policy does not apply to, and Park Rangers should consider taking enforcement action for the following:

- (a) Persons who engage in illegal conduct that endangers others, such as driving under the influence of marijuana in violation of the Vehicle Code (Health and Safety Code § 11362.5).
- (b) Marijuana possession in jails or other correctional facilities that prohibit such possession (Health and Safety Code § 11362.785).
- (c) Smoking marijuana (Health and Safety Code § 11362.79):

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1. In any place where smoking is prohibited by law.
 2. In or within 1,000 feet of the grounds of a school, recreation center or youth center, unless the medical use occurs within a residence.
 3. On a school bus.
 4. While in a motor vehicle that is being operated.
 5. While operating a boat.
- (d) Use of marijuana by a person on probation or parole, or on bail and use is prohibited by the terms of release (Health and Safety Code § 11362.795).

416.4 FEDERAL LAW ENFORCEMENT

Park Rangers should provide information regarding a marijuana investigation to federal law enforcement authorities when it is requested by federal law enforcement authorities or whenever the Park Ranger believes those authorities would have a particular interest in the information.

416.5 VENTURA COUNTY SHERIFF'S OFFICE OR FEDERAL LAW ENFORCEMENT SUPERVISOR RESPONSIBILITIES

The Ventura County Sheriff's Office or Federal Law Enforcement Supervisor should ensure that marijuana, drug paraphernalia or other related property seized from a person engaged or assisting in the use of medical marijuana is not destroyed pending any charges and without a court order. The Ventura County Sheriff's Office or Federal Law Enforcement Supervisor is not responsible for caring for live marijuana plants.

Upon the prosecutor's decision to forgo prosecution, or the dismissal of charges or an acquittal, the Ventura County Sheriff's Office or Federal Law Enforcement Supervisor should, as soon as practicable, return to the person from whom it was seized any useable medical marijuana, plants, drug paraphernalia or other related property.

The Ventura County Sheriff's Office or Federal Law Enforcement Supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Ventura County Sheriff's Office or Federal Law Enforcement Supervisor.

Foot Pursuits

417.1 PURPOSE AND SCOPE

This policy provides guidelines to assist Park Rangers in making the decision to initiate or continue the pursuit of suspects on foot.

417.2 POLICY

Park Rangers shall immediately notify the Ventura County Sheriff's Office when suspects involved in criminal activity to flee the jurisdiction on foot or utilizing a vehicle or vessel and provide a general description of the suspect and nature of the crime involved. Park Rangers shall not initiate pursuits of such individuals.

First Amendment Assemblies

418.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

418.2 POLICY

Casitas respects the rights of people to peaceably assemble. It is the policy of this Department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

All First Amendment assemblies requiring law enforcement presence will be handled by the Ventura County Sheriff's Office or other federal law enforcement agency having jurisdiction

418.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, Park Rangers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors Park Rangers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Park Rangers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless a Park Ranger is placing a person under lawful arrest.

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First Amendment Assemblies

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

418.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding Park Ranger should conduct an assessment of conditions, including, but not limited to, in preparation to report to responding law enforcement:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Control 2, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

418.5 PLANNED EVENT PREPARATION

For planned events special event permit issued by Casitas is required and will include comprehensive, incident-specific operational plans. Ventura County Sheriff's Office may be included in considering approval for such events.

418.6 MEDIA RELATIONS

The PIO should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the News Media Relations Policy).

418.7 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management (Penal Code § 13514.5). The Department should, when practicable, train with its external and mutual aid partners.

Suspicious Activity Reporting

419.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Race, ethnicity, national origin or religious affiliation should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include, but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphpered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

419.2 POLICY

The Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

419.3 RESPONSIBILITIES

Park Rangers will identify and report suspicious activities to Ventura County Sheriff's Officer or the law enforcement agency having jurisdiction.

Medical Aid and Response

420.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons who appear to be in need of medical aid and establishes a law enforcement response to such situations.

420.2 POLICY

It is the policy of the Department that all Park Rangers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

420.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR and use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Emergency Services directly or through Control 2 to request response by emergency medical services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Control 2 with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 1. Signs and symptoms as observed by the member.
 2. Changes in apparent condition.
 3. Number of patients, sex and age, if known.
 4. Whether the person is conscious, breathing and alert, or is believed to have consumed drugs or alcohol.
 5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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420.4 TRANSPORTING ILL AND INJURED PERSONS

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons. EMS personnel should be called to handle patient transportation.

Members shall not provide emergency escort for medical transport or civilian vehicles.

420.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, a Park Ranger shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the Park Ranger should consider proceeding with a 72-hour treatment and evaluation commitment (5150 commitment) process in accordance with the Mental Illness Commitments Policy.

If a Park Ranger believes that a person requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The Park Ranger may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

420.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints.

420.7 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

A member may use an AED only after receiving appropriate training from an approved public safety first aid and CPR course (22 CCR 100014; 22 CCR 100017; 22 CCR 100018).

420.7.1 AED USER RESPONSIBILITY

Members who are issued AEDs for use in Department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Ranger Supervisor who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

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Any member who uses an AED should contact Control 2 as soon as possible and request response by EMS.

The Park Ranger assigned, will ensure compliance with the Department's "Lake Casitas Recreation Area and Casitas Water Adventure Automated External Defibrillator Standing Operating Procedure August 2010" including perform weekly battery inspections, use reporting and equipment maintenance.

420.7.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use. The Department's AED Program Medical Director will be notified per the AED Standing Operating Procedures.

420.7.3 AED TRAINING AND MAINTENANCE

The Ranger Supervisor should ensure appropriate training and refresher training is provided to members authorized to use an AED. A list of authorized members and training records shall be made available for inspection by the local EMS agency (LEMSA) or EMS authority upon request (22 CCR 100021; 22 CCR 100022; 22 CCR 100029).

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Chapter 5 - Traffic Operations

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions and personal injury. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This Department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 ENFORCEMENT

The primary job of the Park Ranger is the enforcement of the Casitas' Ordinances, which do include traffic related sections.

While the Park Ranger conducts routine patrol and traffic enforcement, it is the intent of this policy to encourage the Park Ranger to request the California Highway Patrol or any other law enforcement agency for the enforcement of the California Vehicle Code.

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This Department does not establish ticket quotas and the number of arrests or citations issued by any Park Ranger shall not be used as the sole criterion for evaluating Park Ranger overall performance (Vehicle Code § 41603). The visibility and quality of a Park Ranger's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

500.2.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

500.2.2 CITATIONS

Citations may be issued when a Park Ranger believes it is appropriate. It is essential that Park Rangers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Park Rangers should provide the following information at a minimum:

- (a) Explanation of the violation or charge
- (b) Administrative review and appeal process
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or in person

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500.2.3 PHYSICAL ARREST

Park Rangers are discouraged from making physical arrest on criminal traffic offenses outlined in the Vehicle Code or Penal Code. Park Rangers should detain violators and request either the California Highway Patrol or any other law enforcement agency having jurisdiction.

The below listed traffic offenses are just an example of the types of violations a Park Ranger may become involved with.

- (a) Vehicular manslaughter
- (b) Felony and misdemeanor driving under the influence of alcohol/drugs
- (c) Felony or misdemeanor hit-and-run
- (d) Any other misdemeanor at the discretion of the Park Ranger, such as reckless driving with extenuating circumstances

500.3 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; 8 CCR 1598).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.3.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, Park Rangers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes Park Ranger might benefit from being readily identified as a member of law enforcement.

500.3.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in each patrol unit. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Ranger Supervisor should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

Traffic Collision Reporting

501.1 PURPOSE AND SCOPE

The Department utilizes the California Highway Patrol for the documentation of all traffic accidents.

501.2 REPORTING SITUATIONS

501.2.1 TRAFFIC COLLISIONS WITH RANGER DEPARTMENT EMPLOYEES

When an employee of this Department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction resulting in a serious injury or fatality, the Ranger Supervisor will notify the California Highway Patrol for assistance.

The term serious injury is defined as any injury that may result in a fatality.

501.2.2 TRAFFIC COLLISIONS WITH OTHER DISTRICT EMPLOYEES OR OFFICIALS

The Park Ranger Supervisor or on-duty Park Ranger, will request assistance from the California Highway Patrol for the investigation of any traffic collision involving any District official or employee where a serious injury or fatality has occurred.

Vehicle and Vessel Towing and Release

502.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Department. Nothing in this policy shall require the Department to tow a vehicle or vessel.

502.2 POLICY

All vehicles or vessels will be towed pursuant to Casitas' Ordinance.

502.2.1 VEHICLE STORAGE REPORT

Department members requesting towing of a vehicle or vessel shall complete an incident report accurately recording the mileage, if applicable and a description of property within the vehicle (Vehicle Code § 22850). A copy of the storage report should to be given to the tow truck operator and the original shall be submitted to the Management as soon as practicable after the vehicle/vessel is stored.

502.2.2 DRIVING A TOWED NON-DISTRICT VEHICLE/VESSEL

Vehicles and vessels which have been towed by or at the direction of the Department should not be driven by District members unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

502.3 TOWING SERVICES

The division periodically calls a tow firm for tow service. A firm will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle/vessel due to the inability of the owner or operator to take the required action.
- (b) When it is otherwise necessary to store a motor vehicle/vessel. This would include situations involving the recovery of stolen or abandoned vehicles/vessels, and the removal from the jurisdiction vehicles and vessels obstructing traffic in violation of state or local regulations.
- (c) Per Casitas' Ordinance for failure to pay fees.

Impaired Driving

503.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

503.2 POLICY

The Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of California's impaired driving laws.

If a Park Ranger comes into contact with a driver suspected of being under the influence, the Park Ranger will contact the California Highway Patrol or any other law enforcement agency having jurisdiction. The Park Ranger will detain the suspected driver until the responding agency arrives.

503.3 INVESTIGATIONS

All investigations involving suspected driving under the influence will be handled by the California Highway Patrol or any other law enforcement agency having jurisdiction.

Ordinance Citations

504.1 PURPOSE AND SCOPE

This policy outlines the responsibility for Casitas' Ordinance including traffic citations, the procedure for dismissal, correction, and voiding of citations.

504.2 RESPONSIBILITIES

The Ranger Supervisor shall be responsible for the development and design of all Department citations in compliance with the Casitas' Ordinance.

The Ranger Supervisor and administration staff shall be responsible for the supply and accounting of all citations books issued to members of this department.

504.3 VOIDING CITATIONS

Voiding a citation may occur when a citation has not been completed or where it is completed, but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to administration for filing.

504.4 DISPOSITION OF CITATIONS

The file copies of all citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Management.

Upon separation from employment with the this department, all employees issued traffic citations books shall return any unused citations to the Management.

504.5 NOTICE OF ORDINANCE VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Vehicle Code § 40215.

504.5.1 APPEAL STAGES

Appeals may be pursued:

- (a) Administrative reviews are conducted by the Park Ranger Supervisor or the Park Services Manager if the citation was written by the Park Ranger Supervisor who will review written/documentary data. Requests for administrative reviews are available at the Park Ranger office. These requests are informal written statements outlining why the notice of parking violation should be dismissed. Copies of documentation relating to the notice of parking violation and the request for dismissal must be mailed to the current mailing address of the processing agency.
- (b) If the appellant wishes to pursue the matter beyond administrative review, an administrative hearing may be conducted in person or by written application, at the election of the appellant. Independent referees review the existent administrative file, amendments, and/

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or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own.

- (c) If the appellant wishes to pursue the matter beyond an administrative hearing, the Casitas Board of Directors will serve as the final decision on the matter.

504.5.2 TIME REQUIREMENTS

Administrative review or appearance before a hearing examiner will not be provided if the mandated time limits are not adhered to by the violator.

- (a) Requests for an administrative review must be postmarked within 21 calendar days of issuance of the notice of parking violation, or within 14 calendar days of the mailing of the Notice of Delinquent Parking (Violation Vehicle Code § 40215(a)).
- (b) Requests for administrative hearings must be made no later than 21 calendar days following the notification mailing of the results of the administrative review (Vehicle Code § 40215(b)).
- (c) An administrative hearing shall be held within 90 calendar days following the receipt of a request for an administrative hearing, excluding time tolled pursuant to Vehicle Code § 40200 - 40225. The person requesting the hearing may request one continuance, not to exceed 21 calendar days (Vehicle Code § 40215).
- (d) Registered owners of vehicles may transfer responsibility for the violation via timely affidavit of non-liability when the vehicle has been transferred, rented or under certain other circumstances (Vehicle Code § 40209 and Vehicle Code § 40210).

504.5.3 COSTS

- (a) There is no cost for an administrative review.
- (b) Appellants must pay the full amount due for the citation, or provide satisfactory proof of their inability to pay, before receiving an administrative hearing.

504.6 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency, and the type of offense should be considered before issuing the juvenile a citation.

Disabled Vehicles

505.1 PURPOSE AND SCOPE

Vehicle Code § 20018 provides that all law enforcement agencies having responsibility for traffic enforcement may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

505.2 PARK RANGER RESPONSIBILITY

When an on-duty Park Ranger observes a disabled vehicle on the roadway, the Park Ranger should make a reasonable effort to provide assistance. If that Park Ranger is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available Park Ranger to respond for assistance as soon as practical.

505.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by department personnel will be contingent on the time of day, the location, the availability of departmental resources, and the vulnerability of the disabled motorist.

505.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle.

505.3.2 RELOCATION OF DISABLED VEHICLES

Park Rangers shall not relocate disabled vehicles. If a hazard exists, the Park Ranger will utilize his vehicles emergency lighting to help mitigate the hazard. The Park Ranger will notify the California Highway Patrol and advise them of the situation.

505.3.3 RELOCATION OF DISABLED MOTORIST

The relocation of a disabled motorist should only occur with the person's consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The Department member may stay with the disabled motorist to await pickup.

505.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

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Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY

It is the policy of the Casitas Municipal Water District to contact County of Ventura Sheriff's Office or other law enforcement agency to serve as the lead agency for crimes other than Lake Casitas Recreation Area's Ordinance violations.

600.3 INITIAL INVESTIGATION

600.3.1 PARK RANGER RESPONSIBILITIES

Park Ranger responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 1. An initial statement from any witnesses or complainants.
 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the Park Ranger shall:
 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 2. Contact the Ventura County Sheriff's Office or any other law enforcement agency having jurisdiction.
 3. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

Informants

601.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

601.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Department for law enforcement purposes. This also includes a person agreeing to supply information to the Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

601.2 POLICY

Casitas does not authorize the use of informants.

Brady Material Disclosure

602.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Brady information -Information known or possessed by the Casitas Municipal Water District that is both favorable and material to the current prosecution or defense of a criminal defendant.

602.2 POLICY

The Casitas Municipal Water District will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Casitas Municipal Water District will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

602.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Park Rangers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If a Park Ranger learns of potentially incriminating or exculpatory information any time after submission of a case, the Park Ranger or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files), the Park Ranger should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If a Park Ranger is unsure whether evidence or facts are material, the Park Ranger should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

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602.4 DISCLOSURE OF PERSONNEL INFORMATION

Whenever it is determined that *Brady* information is located in the personnel file of a member of this department who is a material witness in a criminal case, the following procedure shall apply:

- (a) In the event that a *Pitchess* motion has not already been filed by the criminal defendant or other party pursuant to Evidence Code § 1043, the prosecuting attorney shall be notified of the potential presence of *Brady* information in the Park Ranger's personnel file.
- (b) The prosecuting attorney should then be requested to file a *Pitchess* motion in order to initiate an in camera review by the court.
- (c) Any member who is the subject of such a motion shall be notified in writing that a motion has been filed.
- (d) The Custodian of Records shall accompany all relevant files during any in camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.
- (e) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.
 1. Prior to the release of any information pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.

602.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

602.6 TRAINING

Department members should receive periodic training on the requirements of this policy.

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Chapter 7 - Equipment

Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of department property may lead to discipline.

- (a) Employees shall promptly report through their chain of command, any loss, damage to, or unserviceable condition of any department issued property or equipment assigned for their use.
- (b) The use of damaged or unserviceable department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.
- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the appropriate Ranger Supervisor, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Park Services Manager who will then forward the claim to the Finance Department.

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The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

700.3.1 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Park Rangers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the District, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Ranger Supervisor.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY

The Casitas Municipal Water District allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department/Office and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

701.3.1 CALIFORNIA ELECTRONIC COMMUNICATIONS PRIVACY ACT (CALECPA)

No member is authorized to be the sole possessor of a department-issued PCD. Department-issued PCDs can be retrieved, reassigned, accessed or used by any member as directed by a supervisor without notice. Member use of a department-issued PCD and use of a personal PCD at work or for work-related business constitutes specific consent for access for department purposes. Prior to conducting an administrative search of a PCD, supervisors should consult legal counsel to ensure access is consistent with CalECPA (Penal Code § 1546; Penal Code § 1546.1).

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701.4 DEPARTMENT ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD. Department-issued or funded PCDs are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Unless a member is expressly authorized by the Park Services Manager or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned off when leaving the workplace.

701.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

- (a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.
- (b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.
- (c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.
- (d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.
 1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Park Services Manager.
- (e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Park Services Manager or the authorized designee.
- (f) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.
- (g) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Casitas Municipal Water District and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisor, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally

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owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing memorandum of understanding or collective bargaining agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

701.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

- (a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.
- (b) All PCDs in the workplace shall be set to silent or vibrate mode.
- (c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.
- (d) Members may use a PCD to communicate with other personnel in situations where the use of radio communications is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.
- (e) Members are prohibited from taking pictures, audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Park Services Manager or the authorized designee, may result in discipline.
- (f) Members will not access social networking sites for any purpose that is not official department business.
- (g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.

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- (b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.
1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
 2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Park Services Manager or the authorized designee.

701.8 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

701.9 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Park Rangers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, civilian members who are operating department vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (Vehicle Code § 23123; Vehicle Code § 23123.5). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

Vehicle and Vessel Maintenance

702.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles and vessels so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES AND VESSELS

When a department vehicle or vessel becomes inoperative or in need of repair that affects the safety of the vehicle or vessel, that vehicle or vessel shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair.

702.2.1 DAMAGE OR POOR PERFORMANCE

Vehicles or vessels that may have been damaged, or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.2.2 SEVERE USE

Vehicles and vessels operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.3 VEHICLE AND VESSEL EQUIPMENT

Certain items shall be maintained in all department vehicles and vessels for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES AND VESSELS

Park Rangers shall inspect the patrol vehicle and vessel at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

702.4 VEHICLE AND VESSEL REFUELING

Absent emergency conditions or supervisor approval, Park Rangers driving patrol vehicles and vessels shall not place a vehicle or vessel in service that has less than one-quarter tank of fuel. Vehicles and vessels shall only be refueled at the authorized location.

702.5 WASHING OF VEHICLES AND VESSELS

All units shall be kept clean at all times and weather conditions and water use due to drought conditions permitting, shall be washed on District property as necessary to enhance the appearance.

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702.6 CIVILIAN EMPLOYEE USE

Civilian employees shall also prominently display the “out of service” placards or lightbar covers at all times. Civilian employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

Vehicle and Vessel Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure Department vehicles and vessels are used appropriately. This policy provides guidelines for on-and off-duty use of Department vehicles and shall not be construed to create or imply any contractual obligation by the District to provide assigned take-home vehicles.

703.2 POLICY

Casitas provides vehicles and vessels for Department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

703.3 USE OF VEHICLES

703.3.1 SHIFT ASSIGNED VEHICLES

If applicable, the Ranger Supervisor shall ensure a copy of the shift assignment roster indicating member assignments and vehicle numbers is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

703.3.2 OTHER USE OF VEHICLES AND VESSELS

Members utilizing a vehicle or vessel for any purpose other than their normally assigned duties or normal vehicle or vessel assignment (e.g., transportation to training, community event) shall first notify the Ranger Supervisor. A notation will be made on the shift assignment roster indicating the member's name and vehicle/vessel number.

This subsection does not apply to those who are assigned to vehicle/vessel transportation duties to and from the maintenance yard or carwash.

703.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle/vessel before taking the vehicle/vessel into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

District vessels need to be appropriately cabled and a tamper proof tag added when leaving the Lake Casitas Recreation Area per the anti-invasive species program guidelines.

The interior of any vehicle/vessel that has been used to transport any person other than a member of this Department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

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All Department vehicles/vessels are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles/vessels should be locked/secured at all times. No key should be left in the vehicle/vessel except when it is necessary that the vehicle/vessel be left running (e.g., continued activation of emergency lights, equipment charging). Park Rangers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle/vessel quickly with the need to secure the vehicle/vessel.

Members shall ensure all contents are secured while the vehicle/vessel is unattended.

703.3.5 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Park Services Manager, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require Ranger Supervisor approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.6 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

703.3.7 AUTHORIZED PASSENGERS

Members operating Department vehicles shall not permit persons other than District personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized.

703.3.8 ALCOHOL

Members who have consumed alcohol are prohibited from operating any Department vehicle/vessel unless it is required by the duty assignment (e.g., task force, undercover work). Regardless

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of assignment, members may not violate state law regarding vehicle/vessel operation while intoxicated.

703.3.9 PARKING

Except when responding to an emergency or when urgent Department-related business requires otherwise, members driving Department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to Department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

703.3.10 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without permission from the Ranger Supervisor or Park Services Manager.

703.3.11 CIVILIAN MEMBER USE

Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Park Services Manager. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

703.4.1 ON-DUTY USE

Vehicle/vessel assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles/vessels may be reassigned or utilized by other Department members at the discretion of the Park Services Manager or the authorized designee.

703.4.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where Department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of the Park Services Manager and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Casitas District limits.
- (d) Off-street parking will be available at the member's residence.

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- (e) Vehicles will be locked when not attended.
- (f) Weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

703.4.3 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles/vessels. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle/vessel use or assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles/vessels for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle/vessel is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle/vessel maintenance and washes shall be performed as necessary at a facility approved by the Department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle/vessel and approve any major repairs before they are performed.
- (e) The assigned Park Ranger shall make inspections per the Safety Officer to ensure vehicles/vessels are being maintained in accordance with this policy.

703.5 DAMAGE, ABUSE AND MISUSE

When any department vehicle/vessel is involved in a collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any department vehicle/vessel that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Ranger Supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.6 ATTIRE AND APPEARANCE

When operating any Department vehicle/vessel members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

Cash Handling, Security and Management

704.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure Department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

704.2 POLICY

It is the policy of the Casitas to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of Department operations and ensure the public trust.

704.3 PETTY CASH FUNDS

The Finance Manager shall designate a person as the fund manager responsible for maintaining and managing the District's petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

704.4 PETTY CASH TRANSACTIONS

The fund manager shall document all transactions on the ledger and any other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

704.5 ROUTINE CASH HANDLING

Those who handle cash as part of their duties shall discharge those duties in accordance with this policy.

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

704.6 OTHER CASH HANDLING

Members of the Department who, within the course of their duties, are in possession of cash that is not their property or that is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence Policy.

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Cash in excess of \$10 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

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Chapter 8 - Support Services

Control 2

800.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of Control 2. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

800.2 POLICY

It is the policy of the Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability providing communication between Control 2 and Department members in the field.

800.3 CONTROL 2

The communications function is vital and central to all emergency service operations.

Control 2 is a limited communication system monitored by the gate and office staff. Park Rangers should be aware that Control 2 is limited in its hours of service and the number of gate staff working at the time. While communications via radio with the Park Ranger is a priority, Park Rangers should know there will be times that Control 2 will not be available. Park Rangers working in the field should conduct themselves accordingly. A Park Ranger needing assistance when Control 2 is unavailable should call 911 and request assistance from a responding law enforcement agency.

800.4 CALL HANDLING

When a call for services is received, the member will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

- Where?
- What?
- When?
- Who?

If the member determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately instruct the caller to dial 911.

If the member determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the member will instruct the caller to dial 911.

Member should be courteous, patient and respectful when dealing with the public.

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800.4.1 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the member has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately.

800.4.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

800.5 RADIO COMMUNICATIONS

The Ranger radio system is for official use only, to be used by member to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

- (a) Members acknowledging the member with their radio identification call signs and current location.
- (b) Member acknowledging and responding promptly to all radio transmissions.
- (c) Members keeping the member advised of their status and location.
- (d) Member acknowledgements shall be concise and without further comment unless additional information is needed.

The Ranger Supervisor shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

800.5.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

Casitas Municipal Water District radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

800.5.2 RADIO IDENTIFICATION

Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. employees shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the member. The use of the call sign allows for a brief pause so that the employee can acknowledge the appropriate department member. Members initiating communication with other

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law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

800.6 CONFIDENTIALITY

Information that becomes available through Control 2 may be confidential or sensitive in nature. All members of Control 2 shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as Department of Motor Vehicle records, warrants, criminal history information, records of internal Ranger files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

Property and Evidence

801.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

This division does not book or maintain any items that would be considered evidence in a criminal investigation. All items of evidence will be turned over to the investigating agency.

801.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law (e.g., Welfare and Institutions Code § 5150 (mentally ill persons))

Found property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

801.3 PROPERTY HANDLING

Lake Casitas Recreation Area provides storage for customers who want to voluntarily place items into safe keeping. This area is located behind the Park Ranger main office. Valuable or very small items placed into safe keeping, may be stored inside the Park Ranger main office at the discretion of the Park Ranger.

Employees placing items into safe keeping will complete the appropriate property report located at the front gate. Employees removing property from safe keeping will document its release back to the owners.

801.3.1 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be turned over to the Ventura County Sheriff's Office or any other law enforcement agency having jurisdiction.

801.3.2 EXPLOSIVES

Park Rangers who encounter a suspected explosive device shall promptly notify the Ventura County Sheriff's Office and their immediate supervisor.

Management Procedures

802.1 PURPOSE AND SCOPE

The Assistant to the General Manager or General Manager shall maintain the Department records on a current basis to reflect the procedures being followed within Management. Policies and procedures that apply to all employees of this Department are contained in this chapter.

802.1.1 NUMERICAL FILING SYSTEM

Incident Reports are filed numerically within the Department and General Manager.

Reports are numbered commencing with the last two digits of the current year followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number YY-00001 would be the first new case beginning January 1 of a new year.

802.2 FILE ACCESS AND SECURITY

All completed and signed reports including, but not limited to, initial, supplemental, follow-up, evidence, and all reports critical to a case shall be maintained in a secure area within the Management accessible only to authorized Management personnel. Access to report files after hours or when records personnel are otherwise not available may be obtained through the Ranger Supervisor.

Department employees shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether hard copy or electronic file format, except in accordance with department policy and with a legitimate law enforcement or business purpose or as otherwise permissible by law. All reports requested by other than Department, Law Enforcement or Bureau of Reclamation personnel will be released only by the Assistant to the General Manager.

802.2.1 REQUESTING ORIGINAL REPORTS

Generally, original reports shall not be removed from Management. Should an original report be needed for any reason the requesting employee shall first obtain authorization from the Assistant to the General Manager or General Manager. All original reports removed from the Management shall be recorded on the Report Check-Out Log which shall constitute the only authorized manner by which an original report may be removed from the Management.

802.3 REQUISITION OF SUPPLIES

All personnel who are in need of supplies shall complete a purchase requisition access grated by the Park Services Manager. The purchase process shall be approved by a supervisor and submitted in the Department's purchasing system.

Only designated personnel shall issue supplies.

Records Maintenance and Release

803.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

803.2 POLICY

Casitas is committed to providing public access to records in a manner that is consistent with the California Public Records Act (Government Code § 6250 et seq.).

803.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Assistant to the General Manager shall be the Custodian of Records. The responsibilities of the Custodian of Records include, but are not limited to:

- (a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records.
- (b) Maintaining and updating the department records retention schedule including:
 1. Identifying the minimum length of time the Department must keep records.
 2. Identifying the department division responsible for the original record.
- (c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.
- (d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (e) Establishing rules regarding the processing of subpoenas for the production of records.
- (f) Ensuring a current schedule of fees for public records as allowed by law is available (Government Code § 6253).
- (g) Ensuring that public records posted on the Department website meet the requirements of Government Code § 6253.10 including, but not limited to, posting in an open format where a record may be retrieved, downloaded, indexed and searched by a commonly used Internet search application.
- (h) Ensuring that a list and description, when applicable, of enterprise systems (as defined by Government Code § 6270.5) is publicly available upon request and posted in a prominent location on the Department's website.

803.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any Department member who receives a request for records shall route the request to the Custodian of Records or the authorized designee.

803.4.1 REQUESTS FOR RECORDS

Any member of the public, including the media and elected officials, may access unrestricted records of this department, during regular business hours by submitting a written and signed

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request that reasonably describes each record sought and paying any associated fees (Government Code § 6253).

The processing of requests for records is subject to the following (Government Code § 6253):

- (a) The Department is not required to create records that do not exist.
- (b) Victims of an incident or their authorized representative shall not be required to show proof of legal presence in the United States to obtain department records or information. If identification is required, a current driver's license or identification card issued by any state in the United States, a current passport issued by the United States or a foreign government with which the United States has a diplomatic relationship or current Matricula Consular card is acceptable (Government Code § 6254.30).
- (c) Either the requested record or the reason for non-disclosure will be provided promptly, but no later than 10 days from the date of request, unless unusual circumstances preclude doing so. If more time is needed, an extension of up to 14 additional days may be authorized by the Custodian of Records or the authorized designee. If an extension is authorized, the Department shall provide the requester written notice that includes the reason for the extension and the anticipated date of the response.
 1. When the request does not reasonably describe the records sought, the Custodian of Records shall assist the requester in making the request focused and effective in a way to identify the records or information that would be responsive to the request including providing assistance for overcoming any practical basis for denying access to the records or information. The Custodian of Records shall also assist in describing the information technology and physical location in which the record exists (Government Code § 6253.1).
- (d) Upon request, a record shall be provided in an electronic format utilized by the Department. Records shall not be provided only in electronic format unless specifically requested (Government Code § 6253.9).
- (e) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.
 1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions.
- (f) If a record request is denied in whole or part, the requester shall be provided a written response that includes the statutory exemption for withholding the record or facts that the public interest served by nondisclosure outweighs the interest served by disclosure (Government Code § 6255). The written response shall also include the names, titles or positions of each person responsible for the denial.

803.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record or

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- any department record, including traffic collision reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722).
- (b) Social Security numbers (Government Code § 6254.29).
 - (c) Personnel records, medical records and similar records which would involve an unwarranted invasion of personal privacy (Government Code § 6254; Penal Code § 832.7; Penal Code § 832.8; Evidence Code § 1043 et seq.).
 - 1. Peace officer personnel records are deemed confidential and shall not be made public or otherwise released to unauthorized individuals or entities absent a valid court order.
 - 2. The identity of any Park Ranger subject to any criminal or administrative investigation shall not be released without the consent of the involved Park Ranger, prior approval of the Park Services Manager or as required by law.
 - (d) Victim information that may be protected by statutes, including victims of certain crimes who have requested that their identifying information be kept confidential, victims who are minors and victims of certain offenses (e.g., sex crimes, Penal Code § 293). Addresses and telephone numbers of a victim or a witness to any arrested person or to any person who may be a defendant in a criminal action shall not be disclosed, unless it is required by law (Government Code § 6254; Penal Code § 841.5).
 - 1. Victims of domestic violence or their representative shall be provided, without charge, one copy of all domestic violence incident report face sheets, one copy of all domestic violence incident reports, or both, pursuant to the requirements and time frames of Family Code § 6228.
 - (e) Information involving confidential informants, intelligence information, information that would endanger the safety of any person involved or information that would endanger the successful completion of the investigation or a related investigation. This includes analysis and conclusions of investigating Park Rangers (Evidence Code § 1041; Government Code § 6254).
 - 1. Absent a statutory exemption to the contrary or other lawful reason to deem information from reports confidential, information from unrestricted agency reports shall be made public as outlined in Government Code § 6254(f).
 - (f) Local criminal history information including, but not limited to, arrest history and disposition, and fingerprints shall only be subject to release to those agencies and individuals set forth in Penal Code § 13300.
 - 1. All requests from criminal defendants and their authorized representatives (including attorneys) shall be referred to the District Attorney, District Counsel or the courts pursuant to Penal Code § 1054.5.
 - (g) Certain types of reports involving, but not limited to, child abuse and molestation (Penal Code § 11167.5), elder and dependent abuse (Welfare and Institutions Code § 15633) and juveniles (Welfare and Institutions Code § 827).
 - (h) Sealed autopsy and private medical information concerning a murdered child with the exceptions that allow dissemination of those reports to law enforcement agents, prosecutors,

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- defendants or civil litigants under state and federal discovery laws (Code of Civil Procedure §130).
- (i) Information contained in CCW permit applications or other files which would tend to reveal where the applicant is vulnerable or which contains medical or psychological information (Government Code § 6254).
 - (j) Traffic collision reports (and related supplemental reports) shall be considered confidential and subject to release only to the California Highway Patrol, Department of Motor Vehicles (DMV), other law enforcement agencies and those individuals and their authorized representatives set forth in Vehicle Code § 20012.
 - (k) Any record created exclusively in anticipation of potential litigation involving this department (Government Code § 6254).
 - (l) Any memorandum from legal counsel until the pending litigation has been adjudicated or otherwise settled (Government Code § 6254.25).
 - (m) Records relating to the security of the department's electronic technology systems (Government Code § 6254.19).
 - (n) Any other record not addressed in this policy shall not be subject to release where such record is exempt or prohibited from disclosure pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code § 6254).
 - (o) Information connected with juvenile court proceedings or the detention or custody of a juvenile. Federal officials may be required to obtain a court order to obtain certain juvenile information (Welfare and Institutions Code § 827.9; Welfare and Institutions Code § 831).

803.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the District Attorney, District Counsel or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

803.7 RELEASED RECORDS TO BE MARKED

Each page of any record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

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803.8 SEALED RECORD ORDERS

Sealed record orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall seal such records as ordered by the court. Records may include, but are not limited to, a record of arrest, investigation, detention or conviction. Once the record is sealed, members shall respond to any inquiry as though the record did not exist (Penal Code § 851.8; Welfare and Institutions Code § 781).

803.9 SECURITY BREACHES

The Assistant to the General Manager or General Manager shall ensure notice is given anytime there is a reasonable belief an unauthorized person has acquired unencrypted personal identifying information stored in any Department information system (Civil Code § 1798.29).

Notice shall be given as soon as reasonably practicable to all individuals whose information may have been acquired. The notification may be delayed if the Department determines that notification will impede a criminal investigation or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

For the purposes of this requirement, personal identifying information includes an individual's first name or first initial and last name in combination with any one or more of the following:

- Social Security number
- Driver license number or California identification card number
- Account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account
- Medical information
- Health insurance information
- A username or email address, in combination with a password or security question and answer that permits access to an online account
- Information or data collected by Automated License Plate Reader (ALPR) technology

803.9.1 FORM OF NOTICE

(a) The notice shall be written in plain language, be consistent with the format provided in Civil Code § 1798.29 and include, to the extent possible, the following:

1. The date of the notice.
2. Name and contact information for the Casitas Municipal Water District.
3. A list of the types of personal information that were or are reasonably believed to have been acquired.
4. The estimated date or date range within which the security breach occurred.
5. Whether the notification was delayed as a result of a law enforcement investigation.
6. A general description of the security breach.

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7. The toll-free telephone numbers and addresses of the major credit reporting agencies, if the breach exposed a Social Security number or a driver license or California identification card number.
- (b) The notice may also include information about what the Casitas Municipal Water District has done to protect individuals whose information has been breached and may include information on steps that the person whose information has been breached may take to protect him/herself (Civil Code § 1798.29).
- (c) When a breach involves an online account, and only a username or email address in combination with either a password or security question and answer that would permit access to an online account, and no other personal information has been breached (Civil Code § 1798.29):
1. Notification may be provided electronically or in another form directing the person to promptly change either his/her password or security question and answer, as applicable, or to take other appropriate steps to protect the online account with the Department in addition to any other online accounts for which the person uses the same username or email address and password or security question and answer.
 2. When the breach involves an email address that was furnished by the Casitas Municipal Water District, notification of the breach should not be sent to that email address but should instead be made by another appropriate medium as prescribed by Civil Code § 1798.29.

803.9.2 MANNER OF NOTICE

- (a) Notice may be provided by one of the following methods (Civil Code § 1798.29):
1. Written notice.
 2. Electronic notice if the notice provided is consistent with the provisions regarding electronic records and signatures set forth in 15 USC § 7001.
 3. Substitute notice if the cost of providing notice would exceed \$250,000, the number of individuals exceeds 500,000 or the Department does not have sufficient contact information. Substitute notice shall consist of all of the following:
 - (a) Email notice when the Department has an email address for the subject person.
 - (b) Conspicuous posting of the notice on the department's webpage for a minimum of 30 days.
 4. Notification to major statewide media and the California Information Security Office within the California Department of Technology.
- (b) If a single breach requires the Department to notify more than 500 California residents, the Department shall electronically submit a sample copy of the notification, excluding any personally identifiable information, to the Attorney General.

Protected Information

804.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of Casitas. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

804.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of Casitas is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

804.2 POLICY

Members of Casitas will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

804.3 RESPONSIBILITIES

The Park Services Manager shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Department of Motor Vehicle (DMV) records and California Law Enforcement Telecommunications System (CLETS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to ensure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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804.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Casitas policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

804.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor to furnish, buy, receive or possess Department of Justice criminal history information without authorization by law (Penal Code § 11143).

Authorized persons or agencies violating state regulations regarding the security of Criminal Offender Record Information (CORI) maintained by the California Department of Justice may lose direct access to CORI (11 CCR 702).

804.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know.

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Assistant to the General Manager or General Manager for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Management to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of Park Rangers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

804.5.1 REVIEW OF CRIMINAL OFFENDER RECORD

Individuals requesting to review their own California criminal history information shall be referred to the Department of Justice (Penal Code § 11121).

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Individuals shall be allowed to review their arrest or conviction record on file with the Department after complying with all legal requirements regarding authority and procedures in Penal Code § 11120 through Penal Code § 11127 (Penal Code § 13321).

804.6 SECURITY OF PROTECTED INFORMATION

The Park Services Manager will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.
- (b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Park Services Manager and appropriate authorities.

804.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

804.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

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Chapter 9 - Personnel

Recruitment and Selection

900.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Casitas Municipal Water District and that are promulgated and maintained by the Human Resources Department.

900.2 POLICY

In accordance with applicable federal, state and local law, the Casitas Municipal Water District provides equal opportunities for applicants and employees, regardless of race, gender expression, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, genetic information, veteran status, marital status, sex or any other protected class or status. The Department does not show partiality or grant any special status to any applicant, employee or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

900.3 RECRUITMENT

The Human Resources Manager should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong Internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Human Resources Manager shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

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900.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Employment eligibility verification, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents
- (e) Information obtained from public Internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state and federal criminal history record checks
- (h) Lie detector test when legally permissible (Labor Code § 432.2), or if warranted during background investigation.
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

900.4.1 VETERAN'S PREFERENCE

Qualifying veterans of the United States Armed Forces who receive a passing score on an entrance examination shall be ranked in the top rank of any resulting eligibility list. The veteran's preference shall also apply to a widow or widower of a veteran or a spouse of a 100 percent disabled veteran (Government Code § 18973.1).

900.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Department (11 CCR 1953).

The narrative report and any other relevant background information shall be shared with the psychological evaluator. Information shall also be shared with others involved in the hiring process if it is relevant to their respective evaluations (11 CCR 1953).

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900.5.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and the California Investigative Consumer Reporting Agencies Act (ICRAA) (15 USC § 1681d; Civil Code § 1786.16).

900.5.2 STATE NOTICES

If information disclosed in a candidate's criminal offender record information (CORI) is the basis for an adverse employment decision, a copy of the CORI shall be provided to the applicant (Penal Code § 11105).

900.5.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Human Resources Manager shall not require candidates to provide passwords, account information or access to password-protected social media accounts (Labor Code § 980).

The Human Resources Manager should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, Internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.
- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Human Resources Manager should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

900.5.4 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a narrative report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file (11 CCR 1953).

900.5.5 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

900.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred

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- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

900.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community. The California Commission on Peace Officer Standards and Training (POST) developed a Job Dimensions list, which is used as a professional standard in background investigations.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Human Resources Department should maintain validated standards for all positions.

900.7.1 STANDARDS FOR PARK RANGERS

Candidates shall meet the minimum standards established by POST (Government Code § 1029; Government Code § 1031; 11 CCR 1950 et seq.):

- (a) Free of any felony convictions
- (b) Citizen of the United States, or permanent resident alien eligible for and has applied for citizenship
- (c) At least 18 years of age
- (d) Fingerprinted for local, state and national fingerprint check
- (e) Good moral character as determined by a thorough background investigation (11 CCR 1953)
- (f) High school graduate, passed the GED or other high school equivalency test or obtained a two year, four year or advanced degree from an accredited or approved institution
- (g) Free from any physical, emotional or mental condition which might adversely affect the exercise of police powers (11 CCR 1954; 11 CCR 1955)

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(h) Candidates must also satisfy the POST selection requirements, including (11 CCR 1950 et seq.):

1. Reading and writing ability assessment (11 CCR 1951)
2. Oral interview to determine suitability for law enforcement service (11 CCR 1952)

In addition to the above minimum POST required standards, candidates may be subjected to additional standards established by the Department (Penal Code § 13510(d)).

Evaluation of Employees

901.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

901.2 POLICY

Casitas utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to sex, race, color, national origin, religion, age, disability or other protected classes.

901.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and civilian supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

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Evaluation of Employees

901.4 FULL TIME PROBATIONARY PERSONNEL

Civilian personnel are on probation for six months before being eligible for certification as permanent employees. An evaluation is completed monthly for all full-time civilian personnel during the probationary period.

Sworn personnel are on probation for six months before being eligible for certification as permanent employees. Probationary Park Rangers are evaluated daily, weekly and monthly during the probationary period.

901.5 FULL-TIME PERMANENT STATUS PERSONNEL

Permanent employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee's date of hire except for employees who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, then an evaluation shall be completed by the current supervisor with input from the previous supervisor.

Special - A special evaluation may be completed any time the rater and the rater's supervisor feel one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (action plan, remedial training, retraining, etc.). The evaluation form and the attached documentation shall be submitted as one package.

901.5.1 RATINGS

When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance. The definition of each rating category is as follows:

Outstanding - Is actual performance well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

Exceeds Standards - Represents performance that is better than expected of a fully competent employee. It is superior to what is expected, but is not of such rare nature to warrant outstanding.

Meets Standards - Is the performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

Needs Improvement - Is a level of performance less than that expected of a fully competent employee and less than standards required of the position. A needs improvement rating must be thoroughly discussed with the employee.

Unsatisfactory - Performance is inferior to the standards required of the position. It is very inadequate or undesirable performance that cannot be tolerated.

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Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses, and suggestions for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the rater comments section.

901.6 EVALUATION INTERVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities. The supervisor and employee will sign and date the evaluation. Permanent employees may also write comments in the Employee Comments section of the performance evaluation report.

901.6.1 DISCRIMINATORY HARASSMENT FORM

At the time of each employee's annual evaluation, the reviewing supervisor shall require the employee to read the District and Department harassment and discrimination policies. Following such policy review, the supervisor shall provide the employee a form to be completed and returned by the employee certifying the following:

- (a) That the employee understands the harassment and discrimination policies.
- (b) Whether any questions the employee has have been sufficiently addressed.
- (c) That the employee knows how and where to report harassment policy violations.
- (d) Whether the employee has been the subject of, or witness to, any conduct that violates the discrimination or harassment policy which has not been previously reported.

The completed form should be returned to the supervisor (or other authorized individual if the employee is uncomfortable returning the form to the presenting supervisor) within one week.

The employee's completed answers shall be attached to the evaluation. If the employee has expressed any questions or concerns, the receiving supervisor or other authorized individual shall insure that appropriate follow up action is taken.

901.7 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater's supervisor (Ranger Supervisor). The Ranger Supervisor shall review the evaluation for fairness, impartiality, uniformity, and consistency. The Ranger Supervisor shall evaluate the supervisor on the quality of ratings given.

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901.8 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the employee's personnel file in the office of the Human Resources Manager for the tenure of the employee's employment. A copy will be given to the employee and a copy kept with the Park Services Manager.

Promotional and Transfer Policy

902.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Casitas Municipal Water District.

902.1.1 GENERAL REQUIREMENTS

The following conditions will be used in evaluating employees for promotion and transfer:

- (a) Present a professional, neat appearance.
- (b) Maintain a physical condition which aids in their performance.
- (c) Demonstrate the following traits:
 - 1. Emotional stability and maturity
 - 2. Stress tolerance
 - 3. Sound judgment and decision-making
 - 4. Personal integrity and ethical conduct
 - 5. Leadership
 - 6. Initiative
 - 7. Adaptability and flexibility
 - 8. Ability to conform to organizational goals and objectives in a positive manner.

902.2 PROMOTIONAL SPECIFICATIONS

Specifications for promotional opportunities are on file with the Casitas Human Resources Department.

Grievance Procedure

903.1 PURPOSE AND SCOPE

It is the policy of this department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance whether or not there is a basis for the grievance. Our Department's philosophy is to promote a free verbal communication between employees and supervisors.

903.1.1 GRIEVANCE DEFINED

A grievance is any difference of opinion concerning terms or conditions of employment or the dispute involving the interpretation or application of any of the following documents by the person(s) affected:

- The employee bargaining agreement (Memorandum of Understanding)
- This Policy Manual
- District rules and regulations covering personnel practices or working conditions

Grievances may be brought by an individual affected employee or by a group representative.

Specifically outside the category of grievance are complaints related to alleged acts of sexual, racial, ethnic or other forms of unlawful harassment, as well as complaints related to allegations of discrimination on the basis of sex, race, religion, ethnic background and other lawfully protected status or activity are subject to the complaint options set forth in the Discriminatory Harassment Policy, and personnel complaints consisting of any allegation of misconduct or improper job performance against any department employee that, if true, would constitute a violation of department policy, federal, state or local law set forth in the Personnel Complaint Policy.

903.2 PROCEDURE

Except as otherwise required under a collective bargaining agreement, if an employee believes that he or she has a grievance as defined above, then that employee shall observe the following procedure:

- (a) Attempt to resolve the issue through informal discussion with immediate supervisor.
- (b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the Ranger Supervisor of the affected division or bureau.
- (c) If a successful resolution is not found with the Ranger Supervisor, the employee may request a meeting with the Park Services Manager.
- (d) If the employee and the Park Services Manager are unable to arrive at a mutual solution, then the employee shall proceed as follows:

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Grievance Procedure

1. Submit in writing a written statement of the grievance and deliver one copy to the Park Services Manager and another copy to the immediate supervisor and include the following information:
 - (a) The basis for the grievance (i.e., what are the facts of the case?).
 - (b) Allegation of the specific wrongful act and the harm done.
 - (c) The specific policies, rules or regulations that were violated.
 - (d) What remedy or goal is being sought by this grievance.
- (e) The employee shall receive a copy of the acknowledgment signed by the supervisor including the date and time of receipt.
- (f) The Park Services Manager will receive the grievance in writing. The Park Services Manager and the General Manager will review and analyze the facts or allegations and respond to the employee within 14 calendar days. The response will be in writing, and will affirm or deny the allegations. The response shall include any remedies if appropriate. The decision of the General Manager is considered final.

903.3 EMPLOYEE REPRESENTATION

Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group.

903.4 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to Management for inclusion into a secure file for all written grievances. A second copy of the written grievance will be maintained by the General Manager's office to monitor the grievance process.

903.5 GRIEVANCE AUDITS

The Ranger Supervisor shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether or not any policy/procedure changes or training may be appropriate to avoid future filings of grievances. The Ranger Supervisor shall record these findings in a confidential and generic memorandum to the Park Services Manager without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to this policy manual, the Ranger Supervisor should promptly notify the Park Services Manager.

Anti-Retaliation

904.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or memorandum of understanding.

904.2 POLICY

Casitas has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

904.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or unjustified change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

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904.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Park Services Manager or the District Human Resources Manager, or the General Manager.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

904.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Park Services Manager via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

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904.6 MANAGEMENT STAFF RESPONSIBILITIES

The Park Services Manager should communicate to all supervisors the prohibition against retaliation.

Management staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

904.7 WHISTLE-BLOWING

California law protects members who (Labor Code § 1102.5; Government Code § 53296 et seq.):

- (a) Report a violation of a state or federal statute or regulation to a government or law enforcement agency, including the member's supervisor or any other member with the authority to investigate the reported violation.
- (b) Provide information or testify before a public body if the member has reasonable cause to believe a violation of law occurred.
- (c) Refuse to participate in an activity that would result in a violation of a state or federal statute or regulation.
- (d) File a complaint with a local agency about gross mismanagement or a significant waste of funds, abuse of authority or a substantial and specific danger to public health or safety. Members shall exhaust all available administrative remedies prior to filing a formal complaint.
- (e) Are family members who have engaged in any protected acts described above.

Members are encouraged to report any legal violations through the chain of command (Labor Code § 1102.5).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Human Resources for investigation pursuant to the Personnel Complaints Policy.

904.7.1 DISPLAY OF WHISTLE-BLOWER LAWS

The Department shall display a notice to members regarding their rights and responsibilities under the whistle-blower laws, including the whistle-blower hotline maintained by the Office of the Attorney General (Labor Code § 1102.8).

904.8 RECORDS RETENTION AND RELEASE

The Assistant to the General Manager or General Manager shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

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904.9 TRAINING

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Reporting of Employee Convictions

905.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

The Human Resources Manager shall submit in a timely manner a notice to the Commission on Peace Officer Standards and Training (POST) of any appointment, termination, reinstatement, name change or status change regarding any peace officer, reserve peace officer, public safety dispatcher and records supervisor employed by this department (11 CCR 1003).

The Human Resources Manager shall submit in a timely manner a notice to POST of a felony conviction or Government Code § 1029 reason that disqualifies any current peace officer employed by this department or any former peace officer if this department was responsible for the investigation (11 CCR 1003).

905.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

California and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Penal Code § 29805).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

905.3 OTHER CRIMINAL CONVICTIONS

Government Code § 1029 prohibits any person convicted of a felony from being a peace officer in the State of California. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty or nolo contendere plea.

Convictions of certain violations of the Vehicle Code and other provisions of law may also place restrictions on an employee's ability to fully perform the duties of the job.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust.

905.4 REPORTING PROCEDURE

All members of this department and all retired Park Rangers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Park Services Manager in the case of retired Park Rangers) in writing of any past or current criminal arrest or conviction

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regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired Park Rangers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Park Services Manager in the case of retired Park Rangers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination. Any effort to remove such disqualification or restriction shall remain entirely the responsibility of the member on his/her own time and expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

905.5 PROCEDURE FOR RELIEF

Pursuant to Penal Code § 29855, a peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition under Penal Code § 29855 will not relieve one of the restrictions imposed by federal law. Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on their own time and through their own resources.

Pursuant to Family Code § 6389(h), an individual may petition the court for an exemption to any restraining order, which would thereafter permit the individual to carry a firearm as a part of their employment. Relief from any domestic violence or other restriction shall also be pursued through the employee's own resources and on the employee's own time.

Pending satisfactory proof of relief from any legal restriction imposed on an employee's duties, the employee may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

Drug- and Alcohol-Free Workplace

906.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

906.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

906.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Ranger Supervisor or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

906.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

906.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

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Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

906.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Human Resources Department, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

906.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

906.7 REQUESTING SCREENING TESTS

The supervisor may request an employee to submit to a screening test under the following circumstances:

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.
- (c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person, or substantial damage to property.

906.7.1 SUPERVISOR RESPONSIBILITY

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or drugs, or both.

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- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

906.7.2 SCREENING TEST REFUSAL

An employee may be subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.
- (c) Violates in provisions of this policy.

906.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

906.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

Sick Leave

907.1 PURPOSE AND SCOPE

Employees of this department are provided with a sick leave benefit that gives them continued compensation during times of absence due to personal or family illness. The number of hours available and terms of use are detailed in the employee's respective personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) , the California Family Rights Act, leave related to domestic violence, sexual assault, stalking or for organ or bone marrow donor procedures (29 CFR 825; Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

907.2 EMPLOYEE RESPONSIBILITIES

Sick leave may be used for absences caused by illness, injury, diagnosis, care or treatment for existing health conditions, temporary disability (including pregnancy/maternity), or for medical, dental or vision exams or medical treatment of the employee or the employee's immediate family when it is not possible to schedule such appointments during non-working hours.

Sick leave is not considered vacation, and abuse of sick leave may result in discipline and/or denial of sick-leave benefits. Employees on sick leave shall not engage in other employment or self-employment, or participate in any sport, hobby, recreational or other activity which may impede recovery from the injury or illness.

Upon return to work, employees shall complete and submit a leave request describing the type of leave used and the specific amount of time taken.

907.2.1 NOTIFICATION

Employees will to notify the Park Services Manager or appropriate supervisor as soon as they are aware that they will not be able to report to work. At a minimum, employees shall make such notification no less than one hour before the start of their scheduled shift. If an employee is unable to contact the supervisor in the case of an emergency, every effort should be made to have a representative contact the supervisor (Labor Code § 246).

When the necessity for leave is foreseeable, such as an expected birth or planned medical treatment, the employee shall, whenever possible, provide the Department with no less than 30-days notice of the intent to take leave (Labor Code § 246).

907.3 EXTENDED ILLNESS

Employees on extended absences shall, if possible, contact their unit supervisor at three-day intervals to provide an update on their absence and expected date of return. Employees absent from duty due to personal illness in excess of three consecutive days may be required to furnish

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a statement from their health care provider supporting the use of sick leave and/or the ability to return to work.

Nothing in this section precludes a supervisor, from requesting a health care provider's statement if three or more sick days are taken in a row.

907.4 SUPERVISOR RESPONSIBILITY

Supervisors should monitor sick leave usage and regularly review the attendance of employees under their command to ensure that the use of sick leave is consistent with this policy. Supervisors should address sick-leave use in the employee's performance evaluation when it has negatively affected the employee's performance or ability to complete assigned duties, and when unusual amounts of sick leave by the employee has had a negative impact on department operations. When appropriate, supervisors should counsel employees regarding the excessive use of sick leave and should consider referring the employee to the Employee Assistance Program.

907.5 REQUIRED NOTICES

The Human Resources Manager shall ensure:

- (a) Written notice of the amount of paid sick leave available is provided to employees as provided in Labor Code § 246.
- (b) A poster is displayed in a conspicuous place for employees to review that contains information on paid sick leave as provided in Labor Code § 247.

Communicable Diseases

908.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

908.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Casitas Municipal Water District. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

908.2 POLICY

The Casitas Municipal Water District is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

908.3 EXPOSURE CONTROL OFFICER

The District's Safety Officer is the person assigned as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them (15 CCR 1051; 15 CCR 1207).
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
 1. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
 2. Bloodborne pathogen mandates including (8 CCR 5193):

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- (a) Sharps injury log.
 - (b) Needleless systems and sharps injury protection.
3. Airborne transmissible disease mandates including (8 CCR 5199):
 - (a) Engineering and work practice controls related to airborne transmissible diseases.
 - (b) Distribution of appropriate personal protective equipment to minimize exposure to airborne disease.
4. Promptly notifying the county health officer regarding member exposures (Penal Code § 7510).
5. Establishing procedures to ensure that members request exposure notification from health facilities when transporting a person that may have a communicable disease (Health and Safety Code § 1797.188).

The ECO should also act as the liaison with the Division of Occupational Safety and Health (Cal/ OSHA) and may request voluntary compliance inspections. The ECO shall annually review and update the exposure control plan and review implementation of the plan (8 CCR 5193).

908.4 EXPOSURE PREVENTION AND MITIGATION

908.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (8 CCR 5193):

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.

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- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

908.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (8 CCR 5193).

908.5 POST EXPOSURE

908.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

908.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented (8 CCR 5193):

- (a) Name and Social Security number of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting Policy).

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908.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary (8 CCR 5193).

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.
- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

908.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (8 CCR 5193).

908.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate (8 CCR 5193). Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Complying with the statutory scheme of Health and Safety Code § 121060. This includes seeking consent from the person who was the source of the exposure and seeking a court order if consent is not given.
- (c) Testing the exposed member for evidence of a communicable disease and seeking consent from the source individual to either access existing blood samples for testing or for the source to submit to testing (Health and Safety Code § 120262).
- (d) Taking reasonable steps to immediately contact the County Health Officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the County Health Officer will order testing (Penal Code § 7510).
- (e) Under certain circumstances, a court may issue a search warrant for the purpose of HIV testing a person when the exposed member qualifies as a crime victim (Penal Code § 1524.1).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

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The ECO should seek the consent of the individual for testing and consult the District Counsel to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

908.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

908.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (8 CCR 5193):

- (a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.
- (b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

Smoking and Tobacco Use

909.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Casitas Municipal Water District facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

909.2 POLICY

Casitas recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and vehicles, and as is further outlined in this policy (Government Code § 7597; Labor Code § 6404.5).

909.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing Casitas.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside Casitas facilities and vehicles.

909.4 ADDITIONAL PROHIBITIONS

No person shall use tobacco products within 20 feet of a main entrance, exit or operable window of any public building (including any department facility), or buildings on the campuses of the University of California, California State University and California community colleges, whether present for training, enforcement or any other purpose (Government Code § 7596 et seq.).

909.4.1 NOTICE

The Park Services Manager or the authorized designee should ensure that proper signage is posted at each entrance to the Department facility (Labor Code § 6404.5).

Personnel Complaints

910.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of Casitas. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

910.2 POLICY

Casitas takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

910.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

910.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Ranger Supervisor is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Human Resources, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Human Resources, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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910.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

910.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

910.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the Ranger facility and be accessible through the department website. Forms may also be available at other District facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

910.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

If requested, a complainant shall be provided with a copy of his/her statement at the time it is filed with the Department (Penal Code § 832.7).

910.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Park Services Manager or the authorized designee.

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910.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows

910.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Park Services Manager or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 1. The original complaint form will be directed to the Ranger Supervisor of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Ranger Supervisor or the Park Services Manager, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Ranger Supervisor.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Ranger Supervisor and Park Services Manager are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Human Resources Department and the Ranger Supervisor for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Ranger Supervisor, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:

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1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed (Government Code § 3303 et seq.).
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

910.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by the General Manager, a designated contractor, a designee, or Human Resources Manager, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.
- (b) Unless waived by the member, interviews of an accused member shall be at the Casitas Municipal Water District or other reasonable and appropriate place.
- (c) No more than two interviewers should ask questions of an accused member.
- (d) Prior to any interview, a member shall be informed of the nature of the investigation, the name, rank and command of the Park Ranger in charge of the investigation, the interviewing officers and all other persons to be present during the interview.
- (e) All interviews shall be for a reasonable period and the member's personal needs should be accommodated.
- (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
- (g) A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a Lybarger advisement and after the investigator has consulted with the prosecuting agency.
- (h) The interviewer shall record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview shall be provided to the member prior to any subsequent interview.
- (i) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (j) All members shall provide complete and truthful responses to questions posed during interviews.

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- (k) No member may be requested or compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation (Government Code § 3307).

No investigation shall be undertaken against any Park Ranger solely because the Park Ranger has been placed on a prosecutor's Brady list or the name of the Park Ranger may otherwise be subject to disclosure pursuant to Brady v. Maryland. However, an investigation may be based on the underlying acts or omissions for which the Park Ranger has been placed on a Brady list or may otherwise be subject to disclosure pursuant to Brady v. Maryland (Government Code § 3305.5).

910.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

910.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

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If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

910.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation (Government Code § 3304).

In the event that an investigation cannot be completed within one year of discovery, the assigned investigator or supervisor shall ensure that an extension or delay is warranted within the exceptions set forth in Government Code § 3304(d) or Government Code § 3508.1.

The assigned investigator or supervisor shall ensure that within 30 days of the final disposition of the complaint, the complainant is provided written notification of the disposition (Penal Code § 832.7(e)).

910.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

Lockers and storage spaces may only be administratively searched in the member's presence, with the member's consent, with a valid search warrant or where the member has been given reasonable notice that the search will take place (Government Code § 3309).

910.7.1 DISCLOSURE OF FINANCIAL INFORMATION

An employee may be compelled to disclose personal financial information under the following circumstances (Government Code § 3308):

- (a) Pursuant to a state law or proper legal process
- (b) Information exists that tends to indicate a conflict of interest with official duties
- (c) If the employee is assigned to or being considered for a special assignment with a potential for bribes or other improper inducements

910.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Park Services Manager or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.

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- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

910.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Park Services Manager shall be notified as soon as practicable when a member is accused of criminal conduct. The District shall request a criminal investigation by an outside agency.

A member accused of criminal conduct shall be advised of his/her constitutional rights (Government Code § 3303(h)). The member should not be administratively ordered to provide any information in the criminal investigation.

No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

The Casitas Municipal Water District may release information concerning the arrest or detention of any member, including a Park Ranger, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

910.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Park Services Manager through the chain of command. Each level of command should review and include their comments in writing before forwarding the report. The Park Services Manager may accept or modify any classification or recommendation for disciplinary action.

910.10.1 DIVISION COMMANDER RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Ranger Supervisor of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Ranger Supervisor may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Park Services Manager, the Ranger Supervisor may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Park Services Manager, the Ranger Supervisor shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

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910.10.2 GENERAL MANAGER RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the General Manager shall review the recommendation and all accompanying materials. The General Manager may modify any recommendation and/or may return the file to the Ranger Supervisor for further investigation or action.

Once the General Manager is satisfied that no further investigation or action is required by staff, the General Manager shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the General Manager shall provide the member with a pre-disciplinary procedural due process hearing (Skelly) by providing written notice of the charges, proposed action and reasons for the proposed action. Written notice shall be provided within one year from the date of discovery of the misconduct (Government Code § 3304(d)). The General Manager shall also provide the member with:

- (a) Access to all of the materials considered by the General Manager in recommending the proposed discipline.
- (b) An opportunity to respond orally or in writing to the General Manager within five days of receiving the notice.
 1. Upon a showing of good cause by the member, the General Manager may grant a reasonable extension of time for the member to respond.
 2. If the member elects to respond orally, the presentation may be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the General Manager shall consider all information received in regard to the recommended discipline. The General Manager shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the General Manager has issued a written decision, the discipline shall become effective.

910.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the General Manager after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the General Manager to consider.

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- (d) In the event that the General Manager elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the General Manager on the limited issues of information raised in any subsequent materials.

910.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

910.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement, Memorandum of Understanding and/or personnel rules.

In the event of punitive action against an employee covered by the POBR, the appeal process shall be in compliance with Government Code § 3304 and Government Code § 3304.5.

During any administrative appeal, evidence that a Park Ranger has been placed on a Brady list or is otherwise subject to Brady restrictions may not be introduced unless the underlying allegations of misconduct have been independently established. Thereafter, such Brady evidence shall be limited to determining the appropriateness of the penalty (Government Code § 3305.5).

910.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and those members other than non-probationary employees may be released from employment for non-disciplinary reasons (e.g., failure to meet standards) without adherence to the procedures set forth in this policy or any right to appeal. However, any probationary Park Ranger subjected to an investigation into allegations of misconduct shall be entitled to those procedural rights, as applicable, set forth in the Peace Officer Bill of Rights (Government Code § 3303; Government Code § 3304). At-will, probationary employees and those other than non-probationary employees subjected to discipline or termination as a result of allegations of misconduct shall not be deemed to have acquired a property interest in their position, but shall be given the opportunity to appear before the Park Services Manager or authorized designee for a non-evidentiary hearing for the sole purpose of attempting to clear their name or liberty interest. There shall be no further opportunity for appeal beyond the liberty interest hearing and the decision of the Park Services Manager shall be final.

910.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Files Policy.

Seat Belts

911.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in Department vehicles (Vehicle Code § 27315.5).

911.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

911.2 POLICY

It is the policy of Casitas that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

911.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

911.4 TRANSPORTING CHILDREN

Children under the age of 8 shall be transported in compliance with California's child restraint system requirements (Vehicle Code § 27360; Vehicle Code § 27363).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible. A child shall not be transported in a rear-facing child restraint system in the front seat in a vehicle that is equipped with an active frontal passenger airbag (Vehicle Code § 27363).

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911.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

911.6 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Park Services Manager.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

911.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

911.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Body Armor

912.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

912.2 POLICY

It is the policy of the Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

912.3 ISSUANCE OF BODY ARMOR

The Management supervisor shall ensure that body armor is issued to all Park Rangers when the Park Ranger begins service at the Casitas Municipal Water District and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Management supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

912.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Park Rangers shall only wear agency-approved body armor.
- (b) Park Rangers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Park Rangers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when a Park Ranger is working in uniform.
- (e) Park Ranger may be excused from wearing body armor when he/she is involved in vessel patrol, or work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

912.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness, and signs of damage, abuse and wear.

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912.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

Personnel Files

913.1 PURPOSE AND SCOPE

This section governs the maintenance, retention and access to peace officer personnel files in accordance with established law. It is the policy of this department to maintain the confidentiality of peace officer personnel records pursuant to Penal Code § 832.7.

913.2 PERSONNEL FILES DEFINED

Pursuant to Penal Code § 832.8, peace officer personnel records shall include any file maintained under an individual Park Ranger's name relating to:

- (a) Personal data, including marital status, family members, educational and employment history, or similar information.
- (b) Medical history including medical leave of absence forms, fitness for duty examinations, workers compensation records, medical releases and all other records which reveal an employee's past, current or anticipated future medical conditions.
- (c) Election of employee benefits.
- (d) Employee advancement, appraisal, or discipline.
- (e) Complaints, or investigations of complaints, concerning an event or transaction in which the Park Ranger participated, or which the Park Ranger perceived, and pertaining to the manner in which the Park Ranger performed official duties.
- (f) Any other information the disclosure of which would constitute an unwarranted invasion of personal privacy.

913.3 EMPLOYEE RECORD LOCATIONS

Employee records will generally be maintained in any of the following:

Department File - That file which is maintained in the office of the Park Services Manager as a permanent record of a sworn Park Ranger's employment with this department.

Division File - Any file which is separately maintained internally by an employee's supervisor(s) within an assigned division for the purpose of completing timely performance evaluations.

Supervisor Log Entries - Any written comment, excluding actual performance evaluations, made by a supervisor concerning the conduct of an employee of this department.

Training File - Any file which documents the training records of an employee.

Internal Affairs Files - Those files that contain complaints of employee misconduct and all materials relating to the investigation into such allegations, regardless of disposition.

Medical File - That file which is maintained separately that exclusively contains material relating to an employee's medical history.

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913.4 CONFIDENTIALITY OF ALL PERSONNEL FILES

Pursuant to Penal Code § 832.7, all of the above-defined personnel records shall be deemed confidential and shall not be subject to disclosure except pursuant to the discovery procedures set forth in Evidence Code § 1043, et seq. or in accordance with applicable federal discovery laws. Nothing in this section is intended to preclude review of personnel files by the General Manager, District Counsel or other attorneys or representatives of the District in connection with official business.

913.5 REQUESTS FOR DISCLOSURE

Only written requests for the disclosure of any information contained in any peace officer personnel record will be considered. Since the format of such requests may be strictly governed by law with specific responses required, all such requests shall be promptly brought to the attention of the Ranger Supervisor, the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected employee(s) as soon as practicable that such a request has been made (Evidence Code § 1043(a)).

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this will require assistance of approved and available legal counsel.

All requests for disclosure, which result in access to an employee's personnel file(s), shall be logged in the corresponding file.

913.5.1 RELEASE OF CONFIDENTIAL INFORMATION

Except as provided by this policy or pursuant to lawful process, no information contained in any confidential peace officer personnel file shall be disclosed to any unauthorized person(s) without the express consent of the involved Park Ranger or written authorization of the Park Services Manager or his or her designee.

Any person who maliciously, and with the intent to obstruct justice or the due administration of the laws, publishes, disseminates, or otherwise discloses the residence address or telephone number of any member of this department may be guilty of a misdemeanor (Penal Code § 146e).

Pursuant to Penal Code § 832.7(e), the disposition of any citizen's complaint shall be released to the complaining party within 30 days of the final disposition. This release shall be limited to the disposition and shall not include what discipline, if any was imposed.

The Department may also release any factual information concerning a disciplinary investigation if the Park Ranger who is the subject of the investigation (or the Park Ranger's representative) publicly makes a statement which is published in the media and which the Park Ranger (or representative) knew to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement (Penal Code § 832.7(d)).

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913.6 EMPLOYEE ACCESS TO OWN FILE

Any employee may request access to his/her own personnel file(s) during the normal business hours of the individual(s) responsible for maintaining such file(s). Any employee seeking the removal of any item from his/her personnel file shall file a written request to the Park Services Manager through the chain of command. The Department shall thereafter remove any such item if appropriate or within 30 days provide the employee with a written explanation why the contested item will not be removed (Government Code 3306.5). If the contested item is not removed from the file, the employee's request and the department's written response shall be retained with the contested item in the employee's personnel file.

Employees may be restricted from accessing files containing any of the following information:

- (a) Ongoing Internal affairs investigations to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the employee of the intent to discipline.
- (b) Confidential portions of Internal Affairs files which have not been sustained against the employee

913.7 TYPES OF PERSONNEL FILES

Peace officer personnel files can be located in any of the following places:

913.7.1 DEPARTMENT FILE

The Department file should contain, but is not limited to, the following:

- (a) Performance evaluation reports regularly completed by appropriate supervisor and signed by the affected employee shall be permanently maintained.
- (b) Records of all training (original or photocopies of available certificates, transcripts, diplomas and other documentation) and education shall be maintained.
 - 1. It shall be the responsibility of the involved employee to provide the Ranger Supervisor or immediate supervisor with evidence of completed training/education in a timely manner.
 - 2. The Ranger Supervisor or supervisor shall ensure that copies of such training records are placed in the employee's department file.
- (c) Disciplinary action:
 - 1. Disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained in the individual employee's department file at least two years (Government Code § 34090).
 - 2. Disciplinary action resulting from a sustained citizen's complaint shall be maintained in the individual employee's department file at least five years (Penal Code § 832.5).

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3. Investigations of complaints which result in a finding of not-sustained, unfounded or exonerated shall not be placed in the employee's department file, but will be separately maintained for the appropriate retention period in the internal affairs file.
- (d) Adverse comments such as supervisor log entries may be retained in the department file or division file after the employee has had the opportunity to read and initial the comment and for a period up to two years Government Code § 3305).
1. Once an employee has had an opportunity to read and initial any adverse comment prior to entry into a file, the employee shall be given the opportunity to respond in writing to such adverse comment within 30 days (Government Code § 3306).
 2. Any such employee response shall be attached to and retained with the original adverse comment.
 3. If an employee refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination nor shall it prohibit the entry of the adverse comment into the employee's file.
- (e) Commendations shall be retained in the employee's department file, with a copy provided to the involved employee.
- (f) Personnel Action Reports reflecting assignments, promotions and other changes in the employee's employment status shall be permanently retained.
- (g) A photograph of the employee shall be permanently retained.

913.7.2 DIVISION FILE

The Division File should contain, but is not limited to, the following:

- (a) Supervisor log entries, notices to correct and other materials intended to serve as a foundation for the completion of timely Performance Evaluations
1. All materials intended for this interim file shall be provided to the employee prior to being placed in the file in accordance with Government Code §§ 3305 and 3306.
 2. Duplicate copies of items that will also be included in the employee's department file may be placed in this interim file in anticipation of completing any upcoming performance evaluation.
 3. Once the permanent performance evaluation form has been made final, the underlying foundational material(s) and/or duplicate copies may be purged in accordance with this policy.
- (b) All rules of confidentiality and disclosure shall apply equally to the division file.

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913.7.3 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Human Resources in conjunction with the office of the Park Services Manager. Access to these files may only be approved by the Park Services Manager or the supervisor of the Human Resources. These files shall contain:

- (a) The complete investigation of all formal complaints of employee misconduct, regardless of disposition
 - 1. Each investigation file shall be sequentially numbered within a calendar year (e.g., yy-001, yy-002).
 - 2. Each investigation file arising out of a formal citizen's complaint or a complaint involving a discriminatory harassment or hostile work environment shall be maintained no less than five years (Penal Code § 832.5(b)). Investigation files arising out of other internally generated complaints shall be maintained no less than two years (Government Code § 34090).
- (b) Investigations that result in other than a sustained finding shall be maintained for the minimum statutory period but may not be used by the Department to adversely affect an employee's career (Penal Code § 832.5 (c)).

913.7.4 TRAINING FILES

An individual training file shall be maintained by the Training for each employee. Training files will contain records of all training and education mandated by law or the Department, including firearms qualifications and mandated annual proficiency requalification.

- (a) It shall be the responsibility of the involved employee to provide the Ranger Supervisor or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Ranger Supervisor or supervisor shall ensure that copies of such training records are placed in the employee's training file.

913.7.5 MEDICAL FILE

A medical file shall be maintained separately from all other files and shall contain all documents relating to the employee's medical condition and history, including but not limited to the following:

- (a) Materials relating to medical leaves of absence.
- (b) Documents relating to workers compensation claims or receipt of short or long term disability benefits.
- (c) Fitness for duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records which reveal an employee's medical condition.

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- (e) Any other documents or material which reveals the employee's medical history or medical condition, including past, present, or future anticipated mental, psychological, or physical limitations.

913.8 PURGING OF FILES

Formal citizen complaints and all related files not pending litigation or other ongoing legal proceedings may be purged no sooner than five years from the underlying complaint date (Penal Code § 832.5).

All other disciplinary files and investigations of non-citizen initiated complaints not pending litigation or other ongoing legal proceedings may be purged no sooner than two years from the underlying complaint date (Government Code § 34090; Government Code § 26202).

- (a) Each supervisor responsible for completing the employee's performance evaluation shall also determine whether any prior sustained disciplinary file should be retained beyond the statutory period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the applicable statutory period, approval for such retention shall be obtained through the chain of command from the Park Services Manager.
- (c) During the preparation of each employee's performance evaluation, all complaints and discipline should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. If, in the opinion of the Park Services Manager, a complaint or disciplinary action beyond the statutory retention period is no longer relevant, all records of such matter may be destroyed pursuant to resolution.

Request for Change of Assignment

914.1 PURPOSE AND SCOPE

It is the intent of the Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

914.2 REQUEST FOR CHANGE OF ASSIGNMENT

Personnel wishing a change of assignment are to complete a Request for Change of Assignment form. The form should then be forwarded through the chain of command to their Ranger Supervisor.

914.2.1 PURPOSE OF FORM

The form is designed to aid employees in listing their qualifications for specific assignments. All relevant experience, education and training should be included when completing this form.

All assignments an employee is interested in should be listed on the form.

The Request for Change of Assignment form will remain in effect until the end of the calendar year in which it was submitted. Effective January 1st of each year, employees still interested in new positions will need to complete and submit a new Change of Assignment Request form.

914.3 SUPERVISOR'S COMMENTARY

The Park Ranger's immediate supervisor shall make appropriate comments in the space provided on the form before forwarding it to the Ranger Supervisor of the employee involved. In the case of patrol Park Rangers, the Ranger Supervisor must comment on the request with his/her recommendation before forwarding the request to the Ranger Supervisor. If the Ranger Supervisor does not receive the Change of Assignment Request Form, the Ranger Supervisor will initial the form and return it to the employee without consideration.

Employee Commendations

915.1 PURPOSE AND SCOPE

Special recognition may be in order whenever an employee performs his/her duties in an exemplary manner. This procedure provides general guidelines for the commending of exceptional employee performance.

915.2 WHO MAY MAKE COMMENDATIONS

A written commendation may be made by any supervisor regarding any other employee of the Department, provided the reporting person is superior in rank or is the person-in-charge of the individual being commended. Additionally, investigating Park Rangers may commend uniformed Park Rangers for exceptional assistance in investigative functions, with approval from the investigator's supervisor. Any employee may recommend a commendation to the supervisor of the employee subject to commendation.

915.3 COMMENDABLE ACTIONS

A meritorious or commendable act by an employee of this department may include, but is not limited to, the following:

- Superior handling of a difficult situation by an employee
- Conspicuous bravery or outstanding performance by any employee of the Department
- Any action or performance that is above and beyond the typical duties of an employee

915.3.1 COMMENDATION INCIDENT REPORT

The Commendation Incident Report shall be used to document the commendation of the employee and shall contain the following:

- (a) Employee name, job title, and assignment at the date and time of the commendation
- (b) A brief account of the commendable action shall be documented on the form with report numbers, as appropriate
- (c) Signature of the commending supervisor

Completed reports shall be forwarded to the appropriate Ranger Supervisor for his/her review. The Ranger Supervisor shall sign and forward the report to the Park Services Manager for his/her review.

The Park Services Manager will return the commendation to the employee for his/her signature. The report will then be returned to the Human Resources Manager for entry into the employee's personnel file.

Fitness for Duty

916.1 PURPOSE AND SCOPE

All Park Rangers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all Park Rangers of this department remain fit for duty and able to perform their job functions (Government Code § 1031).

916.2 EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.
- (b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive, and capable of performing his/her assigned responsibilities.
- (d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

916.3 SUPERVISOR RESPONSIBILITIES

- (a) A supervisor observing an employee, or receiving a report of an employee who is perceived to be, unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
- (b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
- (d) In conjunction with the Ranger Supervisor or employee's available Ranger Supervisor, a determination should be made whether or not the employee should be temporarily relieved from his/her duties.
- (e) The Park Services Manager shall be promptly notified in the event that any employee is relieved from duty.

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916.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition which warrants a temporary relief from duty may be required to use sick leave or other paid time off (PTO) in order to obtain medical treatment or other reasonable rest period.

916.5 WORK RELATED CONDITIONS

Any employee suffering from a work related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Ranger Supervisor or unit supervisor and concurrence of a Ranger Supervisor, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the wellbeing of the employee and until such time as the following may be completed:

- (a) A preliminary determination that the employee's conduct appears to be in compliance with policy and, if appropriate.
- (b) The employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

916.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Park Services Manager may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Human Resources Department to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.
- (b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, listing any functional limitations which limit the employee's ability to perform job duties. If the employee places his/her condition at issue in any subsequent or related administrative action/grievance, the examining physician or therapist may be required to disclose any and all information which is relevant to such proceeding (Civil Code § 56.10(c)(8)).
- (c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.
- (d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.
- (e) Any employee ordered to receive a fitness for duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply

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with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline up to and including termination.

- (f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.

916.7 APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty examination shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.

Meal Periods and Breaks

917.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all District employees that has been established by the General Manager.

917.1.1 MEAL PERIODS

Uniformed patrol Park Rangers shall request clearance from Control 2 prior to taking a meal period. Uniformed Park Rangers shall take their breaks within the District limits unless on assignment outside of the District.

The time spent for the meal period shall not exceed the authorized time allowed.

Lactation Break Policy

918.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child (29 USC § 207 and Labor Code §§ 1030-1032).

918.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing infant child (29 USC § 207 and Labor Code § 1030).

918.3 LACTATION BREAK TIME

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Such breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid (Labor Code § 1030).

Employees desiring to take a lactation break shall notify Control 2 or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt department operations (Labor Code § 1032).

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

918.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207 and Labor Code § 1031).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

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918.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the employee ends her shift.

Payroll Record Procedures

919.1 PURPOSE AND SCOPE

Payroll records are submitted to Management on a bi-weekly basis for the payment of wages.

919.1.1 RESPONSIBILITY FOR COMPLETION OF PAYROLL RECORDS

Employees are responsible for the accurate and timely submission of payroll records for the payment of wages.

919.1.2 TIME REQUIREMENTS

All employees are paid on a bi-weekly basis usually on Thursday with certain exceptions such as holidays. Payroll records shall be completed and submitted to the Payroll Department no later than 11:00 am on the Monday morning after the end of the pay period, unless specified otherwise.

Overtime Compensation Requests

920.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime by payment of wages as agreed and in effect through the Memorandum of Understanding (MOU).

920.1.1 DEPARTMENT POLICY

Because of the nature of Park Ranger , and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled unofficially between the supervisor (if provided for in the MOU) and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a form for such a period, the employee shall comply.

920.2 REQUEST FOR OVERTIME COMPENSATION

Employees shall submit all overtime compensation requests to their immediate supervisors as soon as practicable for verification and forwarding to the Management Department.

Failure to submit a request for overtime compensation in a timely manner may result in discipline.

920.2.1 EMPLOYEES RESPONSIBILITY

Employees shall complete the requests immediately after working the overtime and turn them in to their immediate supervisor or the Ranger Supervisor. Employees submitting overtime cards for on-call pay when off duty shall submit cards to the Ranger Supervisor the first day after returning for work.

920.2.2 SUPERVISORS RESPONSIBILITY

The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.

After the entry has been made on the employee's time card, the overtime payment request form is forwarded to the employee's Ranger Supervisor for final approval.

920.2.3 RANGER SUPERVISORS RESPONSIBILITY

Ranger Supervisors, after approving payment, will then forward the form to the Park Services Manager for review.

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920.3 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in an overtime status. In some cases, the Memorandum of Understanding provides that a minimum number of hours will be paid, (e.g., two hours for Court, four hours for outside overtime). The supervisor will enter the actual time worked.

920.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>
1 to 15 minutes	.25
16 to 30 minutes	.50
31 to 45 minutes	.75
46 to 60 minutes	1 hour

920.3.2 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case, or court trial and the amount of time for which payment is requested varies from that reported by the other Park Ranger, the Ranger Supervisor or other approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.

Outside Employment

921.1 PURPOSE AND SCOPE

In order to avoid actual or perceived conflicts of interest for departmental employees engaging in outside employment, all employees shall obtain written approval from the General Manager prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the General Manager in accordance with the provisions of this policy.

921.1.1 DEFINITIONS

Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

921.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Park Services Manager. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Outside Employment Application which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through channels to the Park Services Manager for consideration.

If approved by the Park Services manager, the request will then be forwarded to the General Manager for final consideration and approval. . Unless otherwise indicated in writing on the approved permit, a permit will be valid through the end of the calendar year in which the permit is approved. Any employee seeking to renew a permit shall submit a new Outside Employment Application in a timely manner.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial (Penal Code § 70(e)(3)).

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921.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's Outside Employment Application is denied or withdrawn by the Department, the employee may file a written notice of appeal to the General Manager within ten days of the date of denial.

If the employee's appeal is denied, the employee may file a grievance pursuant to the procedure set forth in the current Memorandum of Understanding (MOU).

921.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment permit may be revoked or suspended under the following circumstances:

- (a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Park Services Manager may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit
- (b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline
- (c) If, at any time during the term of a valid outside employment permit, an employee's conduct or outside employment conflicts with the provisions of department policy, the permit may be suspended or revoked
- (d) When an employee is unable to perform at a full duty capacity due to an injury or other condition, any previously approved outside employment permit may be subject to similar restrictions as those applicable to the employee's full time duties until the employee has returned to a full duty status

921.3 PROHIBITED OUTSIDE EMPLOYMENT

Consistent with the provisions of Government Code § 1126, the Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

- (a) Involves the employee's use of departmental time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department

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- (d) Involves time demands that would render performance of the employee's duties for this department less efficient

921.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

Park Rangers have no off-duty peace officer authority. Consistent with the provisions of Penal Code § 70, and because it would further create a potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

921.3.3 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner pursuant to department policy. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

921.3.4 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the General Manager, undercover Park Rangers or Park Rangers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity which might reasonably disclose the Park Ranger's law enforcement status.

921.4 DEPARTMENT RESOURCES

Park Rangers have no off-duty peace officer authority.

Employees are prohibited from using any department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

921.4.1 REVIEW OF FINANCIAL RECORDS

Employees approved for outside employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest (Government Code § 3308; Government Code § 1126). Prior to providing written approval for an outside employment position, the Department may request that an employee provide his/her personal financial records for review/audit in order to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his/her personal financial records for review/audit. If the employee elects not to provide the requested records, his/her off-duty work permit may be revoked pursuant to the Revocation/Suspension of Outside Employment Permits section of this policy.

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921.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his or her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Park Services Manager through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Park Services Manager any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

921.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Department members engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any related doctor's orders, and make a recommendation to the Park Services Manager whether such outside employment should continue.

In the event the Park Services Manager determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the District's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.
- (c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Casitas Municipal Water District, a request (in writing) may be made to the General Manager to restore the permit.

Occupational Disease and Work-Related Injury Reporting

922.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, psychiatric injuries and work-related injuries.

922.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - An injury, disease or psychiatric injury arising out of employment (Labor Code § 3208; Labor Code § 3208.3; Labor Code § 3212 et seq.).

922.2 POLICY

Casitas will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (Labor Code § 3200 et seq.).

922.3 RESPONSIBILITIES

922.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

922.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related Districtwide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Illness and Injury Prevention policies apply and take additional action as required.

922.3.3 RANGER SUPERVISOR RESPONSIBILITIES

The Ranger Supervisor who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Park Services Manager, the District's Human Resources Manager/Risk Manager and the Safety Officer to ensure any required Division of Occupational Health and Safety Administration (Cal/OSHA) reporting is made as required in the illness and injury prevention plan identified in the Illness and Injury Prevention Policy.

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922.3.4 PARK SERVICES MANAGER RESPONSIBILITIES

The Park Services Manager shall review and forward copies of the report to the Human Resources Department. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

922.4 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Ranger Supervisor through the chain of command and a copy sent to the Human Resources Manager.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

922.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to the Human Resources Manager as soon as possible.

922.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Human Resources Manager with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the General Manager. The purpose of such notice is to permit the District to determine whether the offered settlement will affect any claim the District may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the District's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Personal Appearance Standards

923.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the Department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

923.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all Park Rangers in uniform, except those whose current assignment would deem them not appropriate, and where the Park Services Manager has granted exception.

923.2.1 HAIR

Hairstyles of all members shall be neat in appearance. For male or female sworn members hair must not extend below the top edge of the uniform collar while assuming a normal stance or worn up in a braid or ponytail.

923.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

923.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

923.2.4 FACIAL HAIR

Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Park Services Manager or his or her designee.

923.2.5 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to Park Rangers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

923.2.6 JEWELRY AND ACCESSORIES

No jewelry or personal ornaments shall be worn by Park Rangers on any part of the uniform or equipment, except those authorized within this manual. Jewelry, if worn around the neck, shall not be visible above the shirt collar.

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Earrings shall not be worn by uniformed sworn members, detectives or special assignment personnel without permission of the Park Services Manager or his/her designee. Only one ring may be worn on each hand of the employee while on-duty.

923.3 TATTOOS

While on-duty or representing the Department in any official capacity, every reasonable effort should be made to conceal tattoos or other body art. At no time while on-duty or representing the Department in any official capacity, shall any offensive tattoo or body art be visible. Examples of offensive tattoos would include, but not be limited to, those which depict racial, sexual, discriminatory, gang related, or obscene language.

923.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited. Such body alteration includes, but is not limited to:

- (a) Tongue splitting or piercing.
- (b) The complete or transdermal implantation of any material other than hair replacement.
- (c) Abnormal shaping of the ears, eyes, nose or teeth
- (d) Branding or scarification.

Uniform Regulations

924.1 PURPOSE AND SCOPE

The uniform policy of Casitas is established to ensure that uniformed Park Rangers will be readily identifiable to the public through the proper use and wearing of Department uniforms. Employees should also refer to the following associated Policy Manual sections:

Section 700 - Department Owned and Personal Property

Section 912 - Body Armor

Section 923 - Personal Appearance Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Park Services Manager or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

Casitas will provide uniforms for all employees required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's collective bargaining agreement.

924.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Park Ranger employees wear the uniform and equipment to be identified as the law enforcement authority in society. The uniform and equipment also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.
- (b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (c) Personnel shall wear only the uniform and equipment specified for their rank and assignment.
- (d) The uniform is to be worn in compliance with the specifications set forth in the department's uniform specifications that are maintained separately from this policy.
- (e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.
- (f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official department functions or events.
- (h) If the uniform is worn while in transit, an outer garment shall be worn over the uniform shirt so as not to bring attention to the employee while he/she is off-duty.

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- (i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the department uniform, including the uniform pants.
- (j) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Park Services Manager or the authorized designee.
 - 1. Wrist watch
 - 2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand
 - 3. Medical alert bracelet

924.2.1 DEPARTMENT ISSUED IDENTIFICATION

The Department issues each employee an official department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department issued identification card at all times while on duty or when carrying a concealed weapon.

- (a) Whenever on duty or acting in an official capacity representing the department, employees shall display their department issued identification in a courteous manner to any person upon request and as soon as practical.
- (b) Park Rangers working specialized assignments may be excused from the possession and display requirements when directed by their Ranger Supervisor.

924.3 UNIFORM STANDARDS

924.3.0 UNIFORM

All Park Rangers will possess and maintain a serviceable uniform at all times.

- (a) District issued long or short sleeve shirt may be worn with the collar open. No tie is required. Shirts are to be worn tucked in to pants
- (b) A white, or black crew neck t-shirt may be worn with the uniform purchased by employee
- (c) All shirt buttons must remain buttoned, or zipped closed except for the last button at the neck
- (d) District issued long or short pants worn at the discretion of the Park Ranger, professionally hemmed at standard lengths, pants to meet the shoe at the top of the foot, and shorts at an approximate 9" length at inseam.
- (e) Approved all black shoes must be worn purchased by employee
- (f) Boots with pointed toes are not permitted

924.3.1 CLASS B UNIFORM

The Class B uniform is established to allow field personnel cooler clothing during the summer months or special duty. The Park Services Manager will establish the regulations and conditions for wearing the Class B uniform and the specifications for the Class B Uniform. The Class B uniform

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consists of a collared knit shirt, short pants and a variation of accessories and tools conducive to the assignment, such as for vessel patrol.

924.3.1 SPECIALIZED UNIT UNIFORMS

The Park Services Manager may authorize special uniforms to be worn by Park Rangers in specialized duties such as Lake Patrol, Lifeguard Team, Foot and Bicycle Patrol Park Rangers and other specialized assignments.

924.3.1 FOUL WEATHER GEAR

District issued and authorized uniform jacket and rain gear.

924.4 INSIGNIA AND PATCHES

- (a) Shoulder Patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.
- (b) Service stripes, stars, etc. - Service stripes and other indicators for length of service may be worn on long sleeved shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only.
- (c) The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first and last name. If an employee's first and last names are too long to fit on the nameplate, then the initial of the first name will accompany the last name. If the employee desires other than the legal first name, the employee must receive approval from the Park Services Manager. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket.
- (d) When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate shall be affixed to the jacket in the same manner as the uniform.
- (e) Assignment Insignias - Assignment insignias, if applicable may be worn as designated by the Park Services Manager.
- (f) Flag Pin - A flag pin may be worn, centered above the nameplate.
- (g) Badge - The department issued badge, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.
- (h) Rank Insignia - The designated insignia if applicable, indicating the employee's rank must be worn at all times while in uniform. The Park Services Manager may authorize exceptions.

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924.4.1 MOURNING BADGE

Uniformed Park Rangers shall wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

- (a) Park Ranger of this department - From the time of death until midnight on the 14th day after the death.
- (b) Park Ranger from this or an adjacent county - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out of region fallen officer.
- (d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
- (e) As directed by the Park Services Manager.

924.5 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Park Services Manager, Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a Department badge, patch or other official insignia, or cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Casitas Municipal Water District to do any of the following (Government Code §§ 3206 and 3302):

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

924.6 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Department employees may not wear any uniform item, accessory, belt, duty belt or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Park Services Manager or designee.

Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Park Services Manager or designee.

Nepotism and Conflicting Relationships

925.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or actual or potential conflicts of interest by or between members of this department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

925.1.1 DEFINITIONS

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder, or investor in an outside business, company, partnership, corporation, venture or other transaction, where the Department employee's annual interest, compensation, investment or obligation is greater than \$250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

925.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply (Government Code § 12940):

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.

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1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.
 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
- (d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of or as a direct result of any official contact.
- (e) Except as required in the performance of official duties or, in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive or registered sex offender or who engages in serious violations of state or federal laws.

925.2.1 EMPLOYEE RESPONSIBILITY

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved, immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify dispatch to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

925.2.2 SUPERVISOR'S RESPONSIBILITY

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable

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steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Park Services Manager of such actual or potential violations through the chain of command.

Department Badges

926.1 PURPOSE AND SCOPE

The Casitas Municipal Water District badge and uniform patch as well as the likeness of these items and the name of the Casitas Municipal Water District are property of the Department and their use shall be restricted as set forth in this policy.

926.2 POLICY

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

926.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and civilian uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Park Services Manager.

Employees shall not loan his/her department badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

926.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the department badge shall not be used without the expressed authorization of the Park Services Manager.

Temporary Modified-Duty Assignments

927.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, District rules, current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

927.2 POLICY

Subject to operational considerations, Casitas may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

927.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the California Fair Employment and Housing Act (Government Code § 12940 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Casitas Municipal Water District shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Human Resources Manager, General Manager or the Park Services Manager or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

927.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

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Employees seeking a temporary modified-duty assignment should submit a written request to their Ranger Supervisors or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Ranger Supervisor will make a recommendation through the chain of command to the Park Services Manager regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Park Services Manager or the authorized designee shall confer with the Human Resources Department or the District Counsel as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Ranger Supervisor or Ranger Supervisor, with notice to the Park Services Manager.

927.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Ranger Supervisor.

927.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Ranger Supervisor that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

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927.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Ranger Supervisor of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Ranger Supervisor and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

927.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

927.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

927.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the District's personnel rules and regulations regarding family and medical care leave.

927.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

927.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees

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who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

Employee Speech, Expression and Social Networking

928.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or Park Ranger associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

928.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

928.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Casitas Municipal Water District will carefully balance the individual employee's rights against the Department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

928.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Casitas Municipal Water District employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or associates.

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Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of a Park Ranger who is working undercover.
- Disclosing the address of a fellow Park Ranger.
- Otherwise disclosing where another Park Ranger can be located off-duty.

928.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or Park Ranger associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Casitas Municipal Water District or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Casitas Municipal Water District and tends to compromise or damage the mission, function, reputation or professionalism of the Casitas Municipal Water District or its employees. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitution.
 2. Expression that demonstrates support for criminal activity.
 3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Casitas Municipal Water District.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Park Services Manager or the authorized designee.

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- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Casitas Municipal Water District on any personal or social networking or other website or web page, without the express authorization of the Park Services Manager.
- (h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 - 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
 - 2. During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

928.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or Park Ranger associations, employees may not represent the Casitas Municipal Water District or identify themselves in any way that could be reasonably perceived as representing the Casitas Municipal Water District in order to do any of the following, unless specifically authorized by the Park Services Manager (Government Code § 3206; Government Code § 3302):

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group or Park Ranger associations), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Casitas Municipal Water District.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or Park Ranger associations, on political subjects and candidates at all times while off-duty.

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However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

928.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system.

The Department reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department. This includes the department e-mail system, computer network or any information placed into storage on any department system or device.

It also includes records of all key strokes or web-browsing history made at any department computer or over any department network.

The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through a department computer or network. However, the Department may not require an employee to disclose a personal user name or password or open a personal social website, except when access is reasonably believed to be relevant to the investigation of allegations of work related misconduct (Labor Code § 980).

928.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Park Services Manager or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

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928.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

Illness and Injury Prevention

929.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Department, in accordance with the requirements of 8 CCR § 3203.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Districtwide safety efforts.

929.2 POLICY

Casitas is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will establish and maintain an Illness and Injury Prevention program and will provide tools, training and safeguards designed to reduce the potential for accidents, illness and injuries. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

929.3 ILLNESS AND INJURY PREVENTION PLAN

Management is responsible for developing an illness and injury prevention plan that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will:
 1. Meet regularly.
 2. Prepare a written record of safety and health committee meetings.
 3. Review the results of periodic scheduled inspections.
 4. Review investigations of accidents and exposures.
 5. Make suggestions to command staff for the prevention of future incidents.
 6. Review investigations of alleged hazardous conditions.
 7. Submit recommendations to assist in the evaluation of member safety suggestions.
 8. Assess the effectiveness of efforts made by the Department to meet relevant standards.
- (f) Establishment of a process to ensure serious illnesses or injuries and death are reported as required by the Division of Occupational Safety and Health Administration (Cal/OSHA) (8 CCR § 342).

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929.4 SAFETY OFFICER RESPONSIBILITIES

The responsibilities of the Safety Officer include, but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 1. New member orientation that includes a discussion of safety and health policies and procedures.
 2. Regular member review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes, but is not limited to:
 1. Informing members of the illness and injury prevention guidelines.
 2. Recognizing members who perform safe work practices.
 3. Ensuring that the member evaluation process includes member safety performance.
 4. Ensuring department compliance to meet standards regarding the following:
 - (a) Respiratory protection (8 CCR § 5144)
 - (b) Bloodborne pathogens (8 CCR § 5193)
 - (c) Aerosol transmissible diseases (8 CCR § 5199)
 - (d) Heat illness (8 CCR § 3395)
 - (e) Emergency Action Plan (8 CCR § 3220)
 - (f) Fire Prevention Plan (8 CCR § 3221)
- (e) Making available the Identified Hazards and Correction Record form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available the Investigation/Corrective Action Report to document individual incidents or accidents.
- (g) Developing a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training and training providers.

929.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.

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- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Management Ranger Supervisor.
- (e) Notifying the Management Ranger Supervisor when:
 - 1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
 - 2. New, previously unidentified hazards are recognized.
 - 3. Occupational illnesses and injuries occur.
 - 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
 - 5. Workplace conditions warrant an inspection.

929.6 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on an Identified Hazards and Correction Record form. This form should be forwarded to the Management Ranger Supervisor via the chain of command.

The Management Ranger Supervisor will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

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929.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The Management Ranger Supervisor shall ensure that the appropriate documentation is completed for each inspection.

929.7.1 EQUIPMENT

Members are charged with daily vehicle inspections of their assigned vehicles and of their personal protective equipment (PPE) prior to working in the field. Members shall complete the Identified Hazards and Correction Record form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

929.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.
- (g) Completion of an Investigation/Corrective Action Report form.
- (h) Completion of an Identified Hazards and Correction Record form.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

929.9 TRAINING

The Safety Officer should work with the Park Services Manager and or Ranger Supervisor to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.

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- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Department is made aware of a new or previously unrecognized hazard.

929.9.1 TRAINING TOPICS

The Ranger Supervisor shall ensure that training includes:

- (a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves, footwear and PPE.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed.
- (i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

929.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

Line-of-Duty Deaths

930.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Casitas Municipal Water District in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Park Services Manager may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

930.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

930.2 POLICY

It is the policy of the Casitas Municipal Water District to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

930.3 INITIAL ACTIONS

- (a) Upon learning of a line-of-duty death and after law enforcement have been called in response, the deceased member's supervisor should provide all reasonably available information to the General Manager.
 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).
- (b) The Park Services Manager or Ranger Supervisor should ensure that notifications are made in accordance with the policies as applicable.
- (c) If the member has been transported to the hospital, the Ranger Supervisor or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.
- (d) The General Manager or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary

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Hospital Liaison) as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

930.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The General Manager or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

930.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Park Services Manager are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

930.6 PUBLIC INFORMATION OFFICER (PIO)

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the General Manager to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that department members are instructed to direct any media inquiries to the PIO.
- (c) Prepare necessary press releases.
 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.

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- (d) Arrange for community and media briefings by the Park Services Manager or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.
 - 1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
- (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
- (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

930.7 NON-LINE-OF-DUTY DEATH

The General Manager may authorize certain support services such as access to grievance counselors or chaplains for the death of a member not occurring in the line of duty.

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MEMORANDUM

TO: Board of Directors
From: Steven E. Wickstrum, General Manager
RE: Attendance at the Ojai Valley Chamber of Commerce Awards Gala
Date: January 5, 2016

RECOMMENDATION:

It is recommended that the Board of Directors approve and designate Directors' and staff attendance at the Ojai Valley Chamber of Commerce Awards Gala.

BACKGROUND:

The Ojai Chamber has invited Casitas to attend the Ojai Chamber of Commerce's 10th Annual Awards Gala to be held on February 23, 2017, 5:30 to 9:00 PM, at the Ojai Valley Inn. During the Gala, Casitas will be recognized as a 60-year member. Reservations for the Gala are \$100 per person. There is also an opportunity for a sponsorship of the event that is separate from the annual membership fee paid by the District.

The Casitas Municipal Water District and the Ojai Valley Chamber of Commerce have been mutually supportive for many decades. Of great significance is the community connection between Ojai and the Lake Casitas Recreation Area as local tourist destinations.

The Board should consider and decide on the number of attendees and a sponsorship. The Clerk of the Board will follow through with making the reservations.

Ojai Valley Chamber of Commerce

Gala 2017

SPONSORSHIP OPPORTUNITY

10th Annual Awards Gala ♦ February 23, 2017 ♦ Ojai Valley Inn & Spa

PREMIUM SPONSORSHIP \$1,000:

- ❖ 4 Tickets to the Gala
- ❖ 4 Raffle Tickets
- ❖ Sponsor Slide in Video
- ❖ Full Page Ad in Event Program
- ❖ 1 Year Linked Logo on Chamber Website
- ❖ Verbal Mention from the Podium
- ❖ 1/3 Page Ad in Two Issues of the Ojai Business Journal
- ❖ Social Media Spotlight

A \$1,600 value!

FRIEND SPONSORSHIP \$500:

- ❖ 2 Tickets to the Gala
- ❖ 1 Raffle Ticket
- ❖ Half Page Ad in Event Program
- ❖ Listed as Friend of the Chamber in Event Program

A \$600 value!

Please consider supporting YOUR local Chamber of Commerce with a Sponsorship for the 10th Annual Awards Gala! We're looking forward to another spectacular event at the Ojai Valley Inn & Spa on February 23, 2017. Complete this form and return it to the Chamber with your payment. Sponsorships can also be purchased online at www.OjaiChamber.org. Thank you!

Premium Sponsorship Friend of the Chamber Sponsorship

Name of Business

Your Name

Contact Phone #

Billing Address

Signature

Date

Credit Card Number

Expiration Date

Celebrating Business in the Ojai Valley

**CASITAS MUNICIPAL WATER DISTRICT
INTEROFFICE MEMORANDUM**

TO: NEIL COLE, PRINCIPAL CIVIL ENGINEER
FROM: JORDAN SWITZER, ENGINEERING TECHNICIAN
SUBJECT: LAKE CASITAS MONTHLY STATUS REPORT FOR DECEMBER 2016
DATE: JANUARY 3RD, 2017

RECOMMENDATION:

This item is presented for information only and no action is required.

DISCUSSION:

Rainfall Data for December, 2016

	<u>Casitas Dam</u>	<u>Matilija Dam*</u>
December, 2016	3.67"	4.08"
Water Year (WY) to Date (Oct 1-Sep 30)	5.31"	5.74"
Average Annual Rainfall	23.70"	28.33"

**Matilija Dam rain gage malfunctioning during Water Year 2017. Matilija Canyon rain gage used to represent rainfall at Matilija Dam.*

Robles Fish Passage and Diversion Facilities

Diversion Data

December 2016:	0 A.F.	Total Diversions to Date:	0 A.F.
Diversion Days in December:	0	Diversion Days this WY:	0

Reservoir Data

Water Surface Elevation (12/31/16):	486.00 feet
Water Storage on January 1, 2016:	89,317 A.F.
Water Storage Last Month:	90,178 A.F.
Net Change in Storage	-861 A.F.

Change in Storage from December 31, 2015: -17,802 A.F.

**CASITAS MUNICIPAL WATER DISTRICT
MEMORANDUM**

TO: STEVE WICKSTRUM, GENERAL MANAGER
FROM: RON MERCKLING, PUBLIC AFFAIRS/RESOURCE MANAGER
SUBJECT: WATER CONSERVATION NOVEMBER 2016 UPDATE
DATE: DECEMBER 8, 2016

During the month of November 2016, the following activities were taken by the Water Conservation Department:

- Facebook and Website updates
- Media relations:
 - 11/3/16 spoke with Kit Stolz regarding Ventura River
 - 11/10/16 Spoke with Bill Warner, OVN about Matilija Horizontal Boring Project
 - 11/21/16 Spoke with Bill Warner, OVN about Desalination Conference
- Managing Cross-connection control program, working on upgrades to program
 - 178 BF Communications for November to include
 - 136 Letters
 - Test Forms
 - Re-sent documents via Fax or Email
 - Plus 42 individualized incoming calls/emails
- State Water Resources Control Board monthly report filed
- Worked on Crop Report program, sending out notices
- Developing Turf removal grant program, presented proposal to Board
- Review and respond to high water use customers
- Worked on organizing joint regional Santa Barbara County and Ventura County water efficiency meeting
- Worked on SB 555 Water Loss requirements
- Organized welcome efforts and spoke to AWA bus tour participants at Casitas Dam
- Continued meetings and phone calls with dozens of customers regarding allocation program
- 3 water surveys completed
- Responded to 15 water waste reports. Some of these reports required site visits, phone calls, coordinating with other agencies, and mailings
- 0 - November rebates
- Landscape sign program – 1 signs provided in October
- Media Advertising:
 - Facebook - water conservation ad
 - Ojai Valley Quarterly – water conservation ad

- Ojai Valley Newspaper website – water conservation ad
- Attended the following meetings:
 - Water Loss meeting with consultants on November 4
 - Phone conference, Fred Pryor employee training consultants November 8
 - Met with Ojai Valley Inn management on November 14
 - CAPIO webinar on communication plans November 15
 - Met with Ventura River Water District representative November 15
 - AWA Symposium Committee on November 17
 - Met with Meiners Oaks Water Conservation representatives November 22
 - ACWA Conference Nov 29 & 30