

PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

POLICY TITLE: Purpose of Board Policies
POLICY NUMBER: 1000
Originally Adopted: October 2001
Revised:
Reviewed: June 28, 2022

1000.10 It is the intent of the Port San Luis Harbor District Board of Harbor Commissioners to maintain a Manual of Policies entitled, Port San Luis Harbor District - Policy Handbook. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Policy Handbook will serve as a resource for Commissioners, staff and members of the public in determining the manner in which matters of District business are to be conducted.

1000.20 If any policy or portion of a policy contained within the Policy Handbook is in conflict with rules, regulations or legislation having authority over Port San Luis Harbor District, then said rules, regulations or legislation shall prevail.

PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

POLICY TITLE: Adoption/Amendment of Policies
POLICY NUMBER: 1010
Originally Adopted: October 2001
Revised: January 2012; June 2022
Reviewed: June 28, 2022

1010.10 Consideration by the Board of Commissioners to adopt a new policy or to amend an existing policy may be initiated by any Commissioner or by the Harbor Director. The proposed amendment or new policy is initiated by submitting a written draft to each Commissioner and the Harbor Director. Then by requesting that item be included for consideration at a regular Board of Commissioners meeting as deemed appropriate by the Commission President.

1010.20 Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Commissioners and shall require three (3) affirmative votes of the Board of Commissioners.

1010.30 Before considering adoption or amendment of any policy, Commissioners shall have the opportunity to review the proposed adoption or amendment at a regular Board of Commissioners meeting. Copies of the proposed policy adoption or amendment shall be included in the agenda information packet for any meeting of consideration. The agenda information packets shall be made available to each Commissioner for review at least three (3) days prior to any meeting of consideration.

PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

POLICY TITLE: Conflict of Interest Code
POLICY NUMBER: 1020
Originally Adopted: July 2002
Revised: September 2008; September 2014; August 2018; June 2022
Reviewed: June 28, 2022

1020.10 The Political Reform Act, Government Code 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A and Appendix B (and per Board Resolution) in which members of the Board of Commissioners and employees are designated, and in which disclosure categories are set forth, constitute the conflict of interest code of the Port San Luis Harbor District.

1020.20 Designated persons shall file statements of economic interests with the Clerk of the County of San Luis Obispo. Those designated persons are: five current Commissioners, the Harbor Director, the Business Manager, the Facilities Manager, Chief Harbor Patrol Officer, the District Treasurer and Legal Counsel.

APPENDIX A

PART I - DESIGNATED EMPLOYEES

<u>Position</u>	<u>Disclosure Category</u>
Board Members	1, 2
Harbor Director	1, 2
Business Manager	1, 2
Facilities Manager	1, 2
Chief Harbor Patrol Officer	1, 2
Treasurer	1, 2
Legal Counsel	1, 2

PART II - DISCLOSURE CATEGORIES

1. Investments and business positions in any business entity and sources of income listed in Appendix B are disclosable if:
 - a. The business entity or business position in which the investment is held or which is the source of income is of the type which, within the last two years, has contracted with the District; or,
 - b. The business entity or business position in which the investment is held or which is the source of income is of the type which, within the last two years, has contracted to furnish supplies or services as subcontractors in any contract with the District.
2. With respect to designated positions, investments or business positions in any business entity or sources of income which are (1) private companies or (2) entities or persons engaged in real estate development (within the District's boundaries and not at the primary residence) or owners of real estate, and interests in real property are disclosable if held, regardless of any contractual relationship with the District if any.

APPENDIX B

All interests in real property as well as investments and business positions in business entities and income from sources which provide facilities, services, supplies, or equipment of the type utilized by the District, including but not limited to:

- Pipe, valves, fittings, etc.
- Pumps, motors, etc.
- Meters and other water measurement equipment
- Construction and building materials
- Engineering services, including hydrology services
- Construction contractors
- Safety equipment and facilities
- Hardware tools and supplies
- Freight and hauling
- Motor vehicles, heavy equipment, special vehicles and parts and services thereto
- Petroleum products
- Photographic services, supplies and equipment
- Janitorial services
- Water quality testing
- Pesticides and herbicides
- Communications equipment and services
- Well drilling supplies and contractors
- Electrical equipment, including pumping equipment
- Computer hardware and software
- Architectural services
- Water treatment equipment, supplies and services
- Custom farming services such as weed abatement, etc.
- Telemetry equipment
- Appraisal services
- Printing, reproduction, record keeping, etc.
- Office equipment
- Accounting services
- Real estate agents/brokers and investment firms
- Title companies
- Public utilities
- Canal and pipeline maintenance services
- Insurance companies

PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

POLICY TITLE: Public Complaints
POLICY NUMBER: 1030
Originally Adopted: October 2001
Revised:
Reviewed: June 28, 2022

1030.10 The Board of Commissioners desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic.

1030.20 A public complaint is an allegation by a member of the public of a violation or a misinterpretation of a District policy, state or federal statute or policy of which the individual has been adversely affected.

1030.30 The method of resolving complaints shall be as follows:

1030.31 The individual with a complaint shall first discuss the matter with a Department Manager or supervisor with the objective of resolving the matter informally.

1030.32 If the Department Manager or supervisor does not satisfy the individual registering the complaint with the disposition of the complaint, the complaint may then be filed with the Harbor Director. Within a reasonable time, the Harbor Director shall review the matter and may discuss with the person filing the complaint to resolve the matter. At the option of the Harbor Director, he/she may conduct conferences and take testimony or written documentation in an effort to resolve the complaint. The individual filing the complaint may request a written decision from the Harbor Director.

1030.33 If the individual filing the complaint is not satisfied with the disposition of the matter by the Harbor Director, a written complaint may be filed with the Board of Commissioners within thirty (30) days of receiving the Harbor Director's decision. The Board may consider the matter at a regular meeting, or call a special meeting. The Board will expeditiously review the matter. In making the final decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The individual filing the complaint may request a written decision from the Board.

1030.40 This policy in no way prohibits or is intended to deter a member of the community or staff member from appearing before the Board to present a verbal testimony, complaint, or statement in regard to actions of the Board, District programs and services, or impending considerations of the Board.

PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

POLICY TITLE: Copying Public Documents
POLICY NUMBER: 1050
Originally Adopted: October 2001
Revised: April 2017; June 2022
Reviewed: June 28, 2022

1050.10 Individuals requesting copies of public documents shall be charged in accordance with the Fee Schedule set forth in Chapter 4.500 of the Port San Luis Code of Ordinances (Code of Ordinances) to defray expenses associated with the copying process.

1050.20 Copies of agendas and other writings (staff reports - except for privileged documents) distributed to a majority of the Board of Commissioners at open Board meetings shall be made available for viewing by the public free of charge. A limited quantity of the agendas (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at no charge. (Individuals requesting copies of staff reports prior to the Board meeting will be charged in accordance with the Fee Schedule set forth in Chapter 4.500 of the Code of Ordinances.)

1050.30 Fees: The District has limited copying facilities. Therefore, the District may send copying requests to a private copying service. The requestor shall prepay all copying charges. Fees are subject to change.

1050.31 Fees for Record Used as Evidence: For actions in which the District is not a party, Evidence Code Section §1563 designates the fees for requested documents.

1050.32 Fees for Records Requested Under the Public Records Act: Under Government Code Section §6250, et. seq., the District must charge members of the public a fee covering the direct costs of making copies of requested records under the Public Records Act. Person in charge of the records may waive the fees when the request is clearly in the public interest, as in requests from schools or non-profit groups. If clerical personnel are used, fees will be assessed.

1050.33 General Fees and Charges: Unless otherwise specified, the District's fees and charges for copies are as set forth in Chapter 4 – Fees, Tariffs and Other Charges of the Code of Ordinances.

PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

POLICY TITLE: Executive Officer
POLICY NUMBER: 2000
Originally Adopted: October 2001
Revised: June 2022
Reviewed: June 28, 2022

2000.10 The Harbor Director shall be the Executive Officer of the Port San Luis Harbor District and for the Board of Commissioners.

2000.20 The terms and conditions of the Harbor Director’s employment shall be specified in an agreement of employment established between the Harbor Director and the Board of Commissioners. The agreement of employment shall be for the period of time as specified therein.

2000.30 If the agreement of employment established between the Harbor Director and the Board of Commissioners is in conflict with any District policy, said agreement of employment shall prevail.

PORT SAN LUIS HARBOR DISTRICT POLICY HANDBOOK

POLICY TITLE: Employee Status
POLICY NUMBER: 2080
Originally Adopted: October 2001
Revised:
Reviewed: June 28, 2022

2080.10 In order to determine eligibility for benefits, various employment categories have been established. If you are uncertain as to which categories apply to you, or do not see listed here the category you believe applies to you, please contact your Department Head. The basic employment categories are:

2080.20 Regular Employees

2080.21 Full-Time. An employee who is regularly scheduled to work a minimum of forty (40) hours a week (not counting overtime) on a continuing basis is considered a regular full-time employee. Regular full-time employees are eligible for all benefits.

2080.22 Part-Time. An employee who is regularly scheduled to work less than forty (40) hours a week (not counting overtime) on a continuing basis is considered a regular part-time employee. Regular part-time employees are eligible for a prorated level of vacation and sick benefits. Regular part-time employees regularly scheduled to work thirty (30) or more hours a week (not counting overtime) on a continuing basis are also provided with health insurance benefits.

2080.30 Temporary and Contract Employees

2080.31 A temporary or contract employee is an employee who is expressly hired on a temporary basis or for the completion of a specific task or project, or for a relatively short duration, typically up to 180 days. An employee will not automatically change from temporary or contract to any other status merely by working in excess of the period originally expected and designated. Nor is the employee guaranteed continued employment for the duration of the special project or designated time period for which the employee was hired. Temporary and contract employees may be either full-time or part-time and may be terminated with or without cause or notice.

2080.40 Seasonal Employees

2080.41 Seasonal employees are those who are appointed to perform work that is typically utilized only during particular times of the year, generally dependent upon fluctuations in the weather or the work load during the course of any given year. The District does not guarantee that any particular person will be employed for the entire duration of the seasonal work available in a given year, or that he or she will continue as a seasonal employee in any subsequent years. However, seasonal employees, such as lifeguards, may be retained in duty status and may become subject to step increases. At all times, the District or the seasonal employee may terminate employment with or without cause or notice. Seasonal employees are not eligible for benefits.

2080.50 Non-Exempt and Exempt Employee

2080.51 Non-exempt employees include all employees who are covered by the overtime provisions of applicable laws. Employees in this category are entitled to premium pay for work in excess of forty (40) hours in a workweek or eight (8) hours in a workday.

2080.52 Exempt employees are all employees who are classified by the District as exempt from the overtime provisions in accordance with applicable laws. While exempt employees are expected to adhere to regular and predictable work schedules to ensure effective workflow, the number of hours actually worked in a given week may vary. There is no overtime pay available for exempt employees.

2080.60 Probationary Status

2030.61 The probationary period is our opportunity to become acquainted with each other, and is the first six months from your initial date of employment. During this time, you will have an opportunity to learn your job, learn the District's procedures and demonstrate your abilities. Employees become eligible for most benefits upon starting employment. The employment relationship may be terminated at any time during the initial probationary period.

2080.62 If you were promoted, you normally would be on probation for the first 90 days in your new position. If your performance is not satisfactory, you may be reinstated to your former position, or a similar position, if available, at the end of this probationary period. Alternatively, the probationary period may be extended upon mutual consent. If there is no vacancy, or no agreement to extend the probation, you will be placed on the pre-employment hire list for one year.