

Library of California Board Meeting October 16, 2003

For further information contact:
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October 16, 2003
LSTA Advisory Council on Libraries Meeting
8:30 a.m. – 10:00 a.m.
California State Library
914 Capitol Mall, Room 500
Sacramento, CA

October 16, 2003
BUSINESS MEETING
10:30 a.m. – 3:00 p.m.
California State Library
914 Capitol Mall, Room 500
Sacramento, CA

A. BOARD OPENING

1. **Pledge of Allegiance**
Recite the Pledge of Allegiance
2. **Welcome and Introductions**
Welcome and introduction of Board members, staff and attendees
3. **Adoption of Agenda**
Consider agenda as presented or amended
4. **Approval of February 2003 Board Minutes – Document 1**
Consider minutes as presented or amended
5. **Resolutions – Document 2**
Consider Library of California resolutions for Liz Gibson
6. **Adoption of the Consent Calendar**
All items listed (below) on the Consent Calendar are considered by the Library of California Board to be routine and non-debatable and will be approved by a single motion. There will be no separate discussion of these items unless a Board member, staff member or other attendee requests the item removed from the Consent Calendar for separate discussion.

Consent Calendar

RECOMMENDED MOTION FOR CONSIDERATION BY THE BOARD:

I move that the Library of California Board approve the Consent Calendar included with the agenda of October 16, 2003.

ACCEPTANCE OF REPORTS WITH ACTION:

a) Resource Sharing

1. Consider CLSA System population and membership figures for 2003/04 – *Document 14*
2. Consider CLSA System Advisory Board member attendance at CLA annual conference – *Document 15*
3. Consider Fullerton Public Library withdrawal from Santiago Library System – *Document 16*
4. Consider CLSA Statewide Data Base funding for 2003/04 – *Document 17*
5. Consider applications(s) for membership with Regional Library Networks – *Document 18*
6. Consider applications from additional participating libraries of members with Regional Library Networks – *Document 18*

b) Budget and Planning

Consider 2003/04 CLSA baseline budget by program – *Document 7*

ACCEPTANCE OF REPORTS WITHOUT ACTION:

c) Support Services

CLSA System Communications and Delivery program update – *Document 19*

B. REPORTS TO THE BOARD

1. Board President's Report

Report on activities since last Board meeting

2. Board Vice President's Report

Report on activities since last Board meeting

3. Chief Executive Officer's Report

Report on activities since last Board meeting

4. Director's Update

1. Update on activities since last Board meeting – *Document 3*
2. Report on LoC/CLSA Laws and Regulations – *Document 6*
3. Update on CLSA Systems and Regional Networks – *Document 8*
4. Review LDS Staffing levels – *Document 10*

5. Election of Board Officers for 2004 – Document 4

- a. Report from the Nominating Committee – Kastanis, Chair; Fong
- b. Consider Board President and Vice-President for 2004

6. Library of California Board meeting schedule and locations – Document 5
Review Board meeting dates and locations for 2004

C. ACTION ITEMS/UPDATES

1. Consider CLSA loan reimbursement rates for 2003/04 – *Document 13*
 2. Consider prorating the CLSA loan reimbursement program for 2003/04
 3. Consider any issues addressed from the Budget and Planning Session
 4. Consider System Plans of Service for fiscal year 2003/04 – *Document 9*
 5. Consider Board positions on Federal Legislative issues – *Document 11*
 6. Consider Board positions on State Legislative issues – *Document 12*
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D. REPORTS FROM BOARD COMMITTEES

1. **BUDGET AND PLANNING COMMITTEE**
Report from the Chair
 2. **LEGISLATIVE COMMITTEE**
Report from the Chair
 3. **RESOURCE SHARING COMMITTEE**
Report from the Chair
-

E. PUBLIC COMMENT

Public comment on any item or issue that is under the purview of the Library of California Board and is not on the agenda.

F. COMMENTS FROM BOARD MEMBERS/OFFICERS

Board member or officer comment on any item or issue that is under the purview of the Library of California Board and is not on the agenda.

G. AGENDA BUILDING

Agenda items for subsequent Board meetings.

H. ADJOURNMENT

Adjourn the meeting.



TO: Elizabeth Minter, Director
Placentia Library District
Cc: Diana Paque

FROM: Bessie Condos Tichauer *BCT*
Children and Youth Services Consultant

DATE: September 16, 2003

SUBJECT: Live Homework Help Program 2003-2004

During the last two years, your library jurisdiction participated in the Live Homework Help Program that was funded by the State Library. In light of the economic climate, we have reviewed usage figures and have decided that for 2003-2004, funding would be distributed to libraries that made significant use of the service. We have decided to suspend service to libraries that had 3-4 program locations and achieved less than a total of 50 sessions of the program in 2003, and libraries that had 1-2 program locations and achieved less than a total of 25 sessions of the program in 2003. We determined that based on reported usage, your library was included in one of these groups. Would you please share this information with the staff member who has worked on this program for your library?

Thank you for your participation in the Live Homework Help Program during this two-year period.

04, funding would be distributed to libraries that made significant use of the service. We have decided to suspend service to libraries that had 3-4 program locations and achieved less than a total of 50 sessions of the program in 2003, and libraries that had 1-2 program locations and achieved less than a total of 25 sessions of the program in 2003. We determined that based on reported usage, your library was included in one of these groups. Would you please share this information with the staff member who has worked on this program for your library?

Thank you for your participation in the Live Homework Help Program during this two-year period.

California State Library
Library Services and Technology Act

Final Narrative Report

This report is due thirty (30) days after the completion date of the grant period, on October 30. Note that failure to submit this report within the timelines of the grant program could jeopardize receipt of the final 10% grant payment. Mail a total of THREE copies of the report, one with original signature. Send to:

California State Library
Budget Office - LSTA
P.O. Box 942837
Sacramento, CA 94237-0001

Date October 1, 2003

1. Grant Award ID # 40-5685
2. Project Title Public Library Staff Education Program
3. FY 2002-2003
4. Total project period October 8, 2002 - September 30, 2003
5. Grantee Jillian Christine Rakos
6. Address 411 E. Chapman Ave., Placentia, CA 92870
7. Contact Elizabeth D. Minter 8. Telephone/E-mail 714-528-1925 x203
administration@placentialibrary.org
9. Needs.

This grant was designed to assist Jillian Rakos, a library school student at San Jose State University, with tuition money to pay for her Master's classes in Library and Information Science.

Applicant Jurisdiction: Placentia Library District

Project Title: Public Library Staff Education Program

10. Project abstract.

The main purpose of this project was to help a library assistant employed at the Placentia Library District in her goal of attaining her MLIS while working full-time at the library. Jillian Rakos was hired in June 2001, and has remained a loyal employee of the Placentia Library, with ambitions of becoming a children's librarian-but because of insufficient funds, she could not reach her goal until this grant made it possible.

The idea to apply for this grant came from Elizabeth D. Minter, Director of the Placentia Library District, who heard of the LSTA grant aimed at backfilling the shortfall of children's librarian recruits in library science. This grant was created for anyone in an accredited library program, who was already employed at a public library, and who planned on becoming a children's librarian upon graduation-and Mrs. Minter, realizing Ms. Rakos's goals, emailed the grant information to her. Ms. Rakos jumped at the opportunity and wrote her essay and was awarded her tuition grant shortly after.

The goal of this project has already been realized for the Placentia Library, as they had lost a Children's Librarian in May of 2003, and were able to place Ms. Rakos, only a semester away from graduating, into the position as the Children's Librarian. The goal for Ms. Rakos will be realized when she has earned her MLIS in May of 2004, and will be bumped up to another pay scale to match that of her title, Children's Librarian, at the Placentia Library District, although she is happily gaining experience and filling in her new role as Children's Librarian quite nicely.

The objectives set for this project were professional training and advancement for an employee who wished to become a children's librarian. The library's objective was to retain an ambitious employee, and help her with her MLIS program- that they could not afford to pay for in the current budgetary climate. The objective for the employee was to remain at the Placentia Library while she was working towards her goal of becoming a children's librarian.

All of the objectives set met successful results for both Jillian Rakos and the library. The library gained a children's librarian who was already experienced with the inner workings of the Placentia Library, and Ms. Rakos is nearly finished with meeting her goal of attaining her MLIS.

The project will be continued with further professional training and workshops for Ms. Rakos with programs like MCLS and Infopeople, and Ms. Rakos has set a personal goal to continue her education as a children's librarian with Spanish lessons once she finishes her degree. In the end this training benefits all the children and young adults who frequent the Placentia Library District.

(Do not attach additional pages)

Applicant Jurisdiction: Placentia Library District

Project Title: Public Library Staff Education Program

11. Project accomplishments.

The project goals and accomplishments set for the grant year just concluded were that Jillian Rakos would complete successfully the number of courses she initially promised to complete in her LSTA grant application. She finished all of her class work with A's and B's and also completed two internships while she worked full time at the Placentia Library. Evidence that this project was conducted and accomplished exists in the school records of class schedules and grades that were submitted to the Placentia Library for tuition reimbursement.


Applicant Jurisdiction: Placentia Library District
Project Title: Public Library Staff Education Program

12. Subjective evaluation.

The project successes were that Ms. Rakos was able to complete her course work while remaining a full time employee, and was not financially strained into having to find a second job, or cut down on her current work schedule to complete her classes. The grant had no failures whatsoever, and I do not believe there would be anything I would do differently in planning or carrying out the project. The only outside party that had any information about this tuition reimbursement grant was the Placentia Library District Board of Trustees and they found the project to be an overall success and are excited about other opportunities that may exist for other staff members that wish to continue their education.

13. Project continuation.

No continuation of this project is needed as Ms. Rakos's MLIS program is nearly over. This decision was made by Ms. Rakos, and the basis for her decision was that she intends to carry out her promise to remain at the Placentia Library until her service is over to complete her promise of service that she made as part of the LSTA grant agreement, but to reapply for this grant may mean that Ms. Rakos would have to extend her term of service at the Placentia Library, and she is not certain what her plans are that far ahead in the future.

14. Signature/Date  10/1/03

714-528-1925 x203

Telephone

administration@placentialibrary.org

E-mail

California State Library
LIBRARY SERVICES AND TECHNOLOGY ACT

LSTA Grant Award I.D.: 40-5685
Date: October 1, 2003
Fiscal Year: 2002-2003

Project Title: Public Library Staff Education Program
Grantee: Jillian Christine Rakos
Telephone: 714-528-1925
Fiscal Agent: Placentia Library District

Prepared by (Signature): *[Signature]*

QUARTER:	
1st--Oct, Nov, Dec	_____
2nd--Jan, Feb, Mar	_____
3rd--Apr, May, Jun	_____
4th--Jul, Aug, Sep	_____ X _____
Liquidation	_____

Send THREE COPIES of this report (one with an original signature) to:
California State Library
Budget Office - LSTA
P.O. Box 942837
Sacramento, CA 94237-0001

Approved Budget (1)	1st (2)	2nd (3)	3rd (4)	4th (5)	Total Expended/Encumbered (6)	Unexpended/Unencumbered Balance (9)
5,160	0	1,935	0	3,225*	5,160	
516	129	129	129	129	516	
5,676	129	2,064	129	3,354	5,676	0

a. Salaries and benefits
b. Materials
c. Operating expenses
d. Equipment
e. Indirect Costs
f. TOTAL

* Actual cost \$4,515. District paid balance.

*Note that failure to submit these reports within the timelines of the grant program could jeopardize receipt of final 10% grant payment.
Any budget adjustments or modifications must be shown on LSTA 8 page 2.
If there are no changes to the current budget, page 2 need not be returned.

NOTICE

MARK YOUR CALENDAR!

Independent Special Districts of Orange County

QUARTERLY MEETING

Luncheon Meeting

Thursday, October 30, 2003

11:30 a.m.

MWDOC Headquarters

10500 Ellis Avenue, Fountain Valley

(Ellis & Ward)

SPEAKER:

**The Honorable Thomas W. Wilson
Chairman, Orange County Board of Supervisors**

Luncheon Charge: \$12.00

\$15.00 without a reservation

RSVP DEADLINE: Friday, October 24, 2003

Joan Finnegan at 949-548-3690

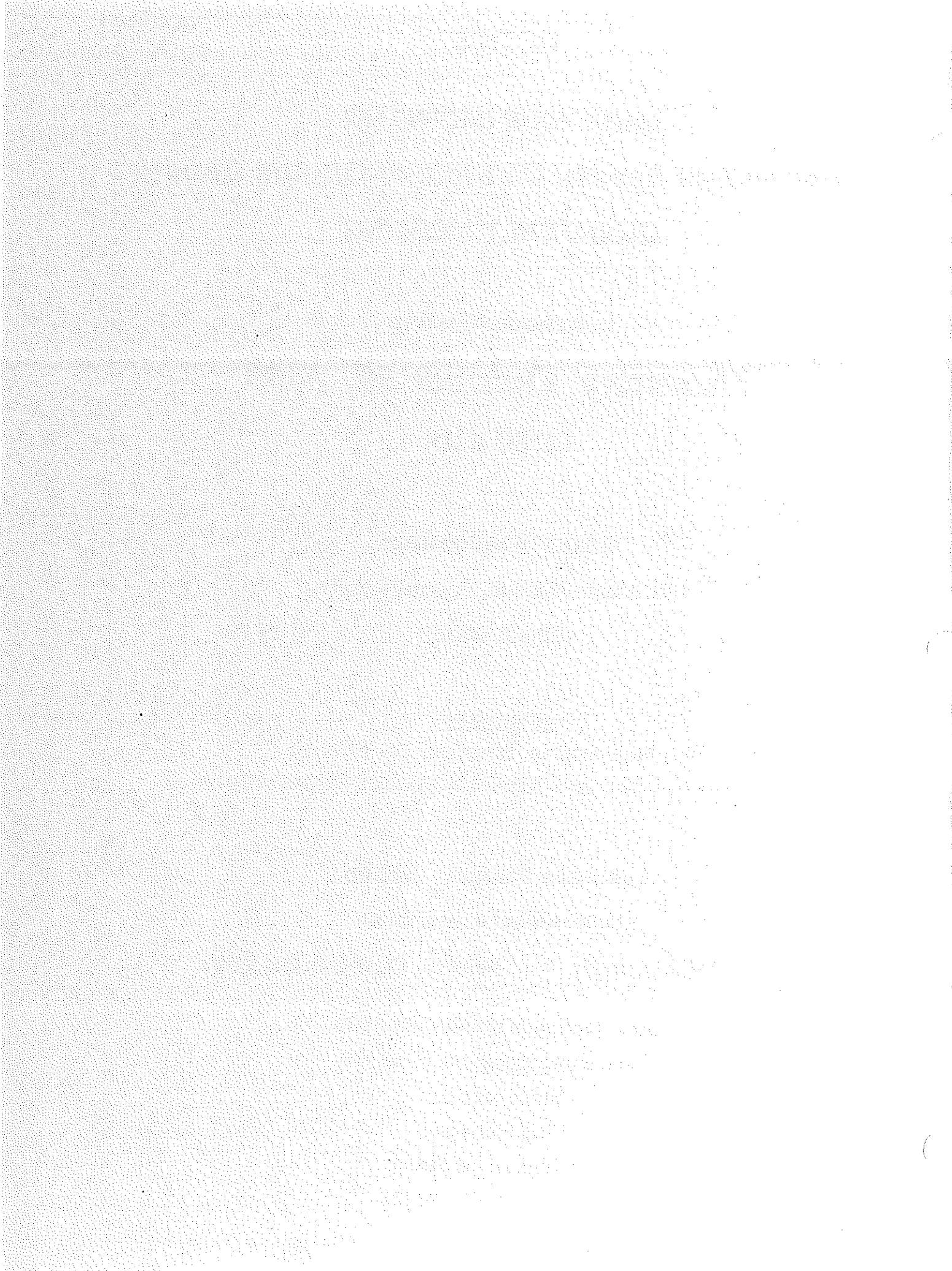
Make checks payable to ISDOC

Mail check to:

Joan Finnegan

258 Sherwood Street

Costa Mesa, CA 92627





September 12, 2003

Ms. Elizabeth Minter
Placentia Library District Of Orange County
411 East Chapman Avenue
Placentia, CA 92870-6198

RE: Placentia Library District Of Orange County Money Purchase Pension Plan

Dear Ms. Minter:

Your retirement plan was recently amended and restated to comply with the latest requirements of IRS - namely, GUST and EGTRRA. An additional amendment is now required to maintain the qualified status of your plan as mandated by the IRS interpretations of the statutory requirements as well as other "post EGTRRA" corrections enacted by Congress.

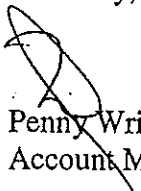
Please review the enclosed amendment or have it reviewed by your own legal and/or tax advisors to ensure that it meets your specifications and execute it by September 30, 2003. Our fee for providing this service is \$150. Please be sure to return a signed copy of the amendment along with the payment in the enclosed envelope.

Additionally, per Department of Labor regulations, the enclosed Summary of Material Modification (SMM) must be distributed to each affected party under the plan as soon as possible, but no later than 210 days after your current plan year-end.

As mentioned above, no further action is required on your part unless you choose to override a default provision in the amendment. In that event, please make the appropriate election in Article II and send us an executed copy for our files in order that we may send you a revised SMM reflecting the changes.

Should you have any questions regarding the enclosed, please do not hesitate to contact me. Thank you for your continued business and support in our efforts to best serve you.

Sincerely,


Penny Wright
Account Manager

Enclosures

**POST-EGTRRA AMENDMENT
TO THE
NATIONAL RETIREMENT SERVICES, INC.
DEFINED CONTRIBUTION PROTOTYPE PLAN & TRUST**

**NATIONAL RETIREMENT SERVICES, INC.
DEFINED CONTRIBUTION PROTOTYPE PLAN AND TRUST
POST-EGTRRA AMENDMENT**

**ARTICLE I
PREAMBLE**

- 1.1 Adoption and effective date of amendment. This amendment of the plan is adopted to reflect certain provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA"), the Job Creation and Worker Assistance Act of 2002, IRS Regulations issued pursuant to IRC §401(a)(9), and other IRS guidance. This amendment is intended as good faith compliance with the requirements of EGTRRA and is to be construed in accordance with EGTRRA and guidance issued thereunder. Except as otherwise provided, this amendment shall be effective as of the first day of the first plan year beginning after December 31, 2001.
- 1.2 Supersession of inconsistent provisions. This amendment shall supersede the provisions of the plan to the extent those provisions are inconsistent with the provisions of this amendment.
- 1.3 Adoption by prototype sponsor. Except as otherwise provided herein, pursuant to Section 5.01 of Revenue Procedure 2000-20, the sponsor hereby adopts this amendment on behalf of all adopting employers.

**ARTICLE II
ADOPTION AGREEMENT ELECTIONS**

The questions in this Article II only need to be completed in order to override the default provisions set forth below. If all of the default provisions will apply, then these questions should be skipped.

Unless the employer elects otherwise in this Article II, the following defaults apply:

- 1. For plans subject to the qualified joint and survivor annuity rules, rollovers are automatically excluded in determining whether the \$5,000 threshold has been exceeded for automatic cash-outs (if the plan provides for automatic cash-outs). This is applied to all participants regardless of when the distributable event occurred.
 - 2. If catch-up contributions are permitted, then the catch-up contributions are treated like any other elective deferrals for purposes of determining matching contributions under the plan.
 - 3. The minimum distribution requirements are effective for distribution calendar years beginning with the 2002 calendar year. In addition, participants or beneficiaries may elect on an individual basis whether the 5-year rule or the life expectancy rule in the plan applies to distributions after the death of a participant who has a designated beneficiary.
 - 4. Amounts that are "deemed 125 compensation" are not included in the definition of compensation.
- 2.1 Exclusion of Rollovers in Application of Involuntary Cash-out Provisions. If the plan is subject to the joint and survivor annuity rules and includes involuntary cash-out provisions, then unless one of the options below is elected, effective for distributions made after December 31, 2001, rollover contributions will be excluded in determining the value of a participant's nonforfeitable account balance for purposes of the plan's involuntary cash-out rules.
 - a. Rollover contributions will not be excluded.
 - b. Rollover contributions will be excluded only with respect to distributions made after _____ (Enter a date no earlier than December 31, 2001).
 - c. Rollover contributions will only be excluded with respect to participants who separated from service after _____. (Enter a date. The date may be earlier than December 31, 2001.)
 - 2.2 Catch-up contributions (for 401(k) profit sharing plans only): The plan permits catch-up contributions effective for calendar years beginning after December 31, 2001, (Article V) unless otherwise elected below.
 - a. The plan does not permit catch-up contributions to be made.
 - b. Catch-up contributions are permitted effective as of: _____ (enter a date no earlier than January 1, 2002).

And, catch-up contributions will be taken into account in applying any matching contribution under the Plan unless otherwise elected below.

- c. Catch-up contributions will not be taken into account in applying any matching contribution under the Plan.

2.3 **Amendment for Section 401(a)(9) Final and Temporary Treasury Regulations.**

a. **Effective date.** Unless a later effective date is specified in below, the provisions of Article VI of this amendment will apply for purposes of determining required minimum distributions for calendar years beginning with the 2002 calendar year.

This amendment applies for purposes of determining required minimum distributions for distribution calendar years beginning with the 2003 calendar year, as well as required minimum distributions for the 2002 distribution calendar year that are made on or after _____ (leave blank if this amendment does not apply to any minimum distributions for the 2002 distribution calendar year).

b. **Election to not permit Participants or Beneficiaries to Elect 5-Year Rule.**

Unless elected below, Participants or beneficiaries may elect on an individual basis whether the 5-year rule or the life expectancy rule in Sections 6.2.2 and 6.4.2 of this amendment applies to distributions after the death of a Participant who has a designated beneficiary. The election must be made no later than the earlier of September 30 of the calendar year in which distribution would be required to begin under Section 6.2.2 of this amendment, or by September 30 of the calendar year which contains the fifth anniversary of the Participant's (or, if applicable, surviving spouse's) death. If neither the Participant nor beneficiary makes an election under this paragraph, distributions will be made in accordance with Sections 6.2.2 and 6.4.2 of this amendment and, if applicable, the elections in Section 2.3.c of this amendment below.

The provision set forth above in this Section 2.3.b shall not apply. Rather, Sections 6.2.2 and 6.4.2 of this amendment shall apply except as elected in Section 2.3.c of this amendment below.

c. **Election to Apply 5-Year Rule to Distributions to Designated Beneficiaries.**

If the Participant dies before distributions begin and there is a designated beneficiary, distribution to the designated beneficiary is not required to begin by the date specified in the Plan, but the Participant's entire interest will be distributed to the designated beneficiary by December 31 of the calendar year containing the fifth anniversary of the Participant's death. If the Participant's surviving spouse is the Participant's sole designated beneficiary and the surviving spouse dies after the Participant but before distributions to either the Participant or the surviving spouse begin, this election will apply as if the surviving spouse were the Participant.

If the above is elected, then this election will apply to:

1. All distributions.

2. The following distributions: _____

d. **Election to Allow Designated Beneficiary Receiving Distributions Under 5-Year Rule to Elect Life Expectancy Distributions.**

A designated beneficiary who is receiving payments under the 5-year rule may make a new election to receive payments under the life expectancy rule until December 31, 2003, provided that all amounts that would have been required to be distributed under the life expectancy rule for all distribution calendar years before 2004 are distributed by the earlier of December 31, 2003, or the end of the 5-year period.

2.4 **Deemed 125 compensation.** Article VII of this amendment shall not apply unless otherwise elected below.

Article VII of this amendment (Deemed 125 Compensation) shall apply effective as of Plan Years and Limitation Years beginning on or after _____ (insert the later of January 1, 1998, or the first day of the first plan year the Plan used this definition).

**ARTICLE III
INVOLUNTARY CASH-OUTS**

3.1 Applicability and effective date. If the plan is subject to the qualified joint and survivor annuity rules and provides for involuntary cash-outs of amounts less than \$5,000, then unless otherwise elected in Section 2.1 of this amendment, this Article shall apply for distributions made after December 31, 2001, and shall apply to all participants.

- 3.2 Rollovers disregarded in determining value of account balance for involuntary distributions. For purposes of the Sections of the plan that provide for the involuntary distribution of vested accrued benefits of \$5,000 or less, the value of a participant's nonforfeitable account balance shall be determined without regard to that portion of the account balance that is attributable to rollover contributions (and earnings allocable thereto) within the meaning of Sections 402(c), 403(a)(4), 403(b)(8), 408(d)(3)(A)(ii), and 457(e)(16) of the Code. If the value of the participant's nonforfeitable account balance as so determined is \$5,000 or less, then the plan shall immediately distribute the participant's entire nonforfeitable account balance.

ARTICLE IV HARDSHIP DISTRIBUTIONS

Reduction of Section 402(g) of the Code following hardship distribution. If the plan provides for hardship distributions upon satisfaction of the safe harbor (deemed) standards as set forth in Treas. Reg. Section 1.401(k)-1(d)(2)(iv), then effective as of the date the elective deferral suspension period is reduced from 12 months to 6 months pursuant to EGTRRA, there shall be no reduction in the maximum amount of elective deferrals that a Participant may make pursuant to Section 402(g) of the Code solely because of a hardship distribution made by this plan or any other plan of the Employer.

ARTICLE V CATCH-UP CONTRIBUTIONS

Catch-up Contributions. Unless otherwise elected in Section 2.2 of this amendment, effective for calendar years beginning after December 31, 2001, all employees who are eligible to make elective deferrals under this plan and who have attained age 50 before the close of the calendar year shall be eligible to make catch-up contributions in accordance with, and subject to the limitations of, Section 414(v) of the Code. Such catch-up contributions shall not be taken into account for purposes of the provisions of the plan implementing the required limitations of Sections 402(g) and 415 of the Code. The plan shall not be treated as failing to satisfy the provisions of the plan implementing the requirements of Sections 401(k)(3), 401(k)(11), 401(k)(12), 410(b), or 416 of the Code, as applicable, by reason of the making of such catch-up contributions.

If elected in Section 2.2, catch-up contributions shall not be treated as elective deferrals for purposes of applying any Employer matching contributions under the plan.

ARTICLE VI REQUIRED MINIMUM DISTRIBUTIONS

6.1 GENERAL RULES

- 6.1.1 Effective Date. Unless a later effective date is specified in Section 2.3.a of this amendment, the provisions of this amendment will apply for purposes of determining required minimum distributions for calendar years beginning with the 2002 calendar year.
- 6.1.2 Coordination with Minimum Distribution Requirements Previously in Effect. If the effective date of this amendment is earlier than calendar years beginning with the 2003 calendar year, required minimum distributions for 2002 under this amendment will be determined as follows. If the total amount of 2002 required minimum distributions under the Plan made to the distributee prior to the effective date of this amendment equals or exceeds the required minimum distributions determined under this amendment, then no additional distributions will be required to be made for 2002 on or after such date to the distributee. If the total amount of 2002 required minimum distributions under the Plan made to the distributee prior to the effective date of this amendment is less than the amount determined under this amendment, then required minimum distributions for 2002 on and after such date will be determined so that the total amount of required minimum distributions for 2002 made to the distributee will be the amount determined under this amendment.
- 6.1.3 Precedence. The requirements of this amendment will take precedence over any inconsistent provisions of the Plan.
- 6.1.4 Requirements of Treasury Regulations Incorporated. All distributions required under this amendment will be determined and made in accordance with the Treasury regulations under Section 401(a)(9) of the Internal Revenue Code.
- 6.1.5 TBFR Section 242(b)(2) Elections. Notwithstanding the other provisions of this amendment, distributions may be made under a designation made before January 1, 1984, in accordance with Section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TBFR) and the provisions of the Plan that relate to Section 242(b)(2) of TBFR.

6.2 **TIME AND MANNER OF DISTRIBUTION**

6.2.1 Required Beginning Date. The Participant's entire interest will be distributed, or begin to be distributed, to the Participant no later than the Participant's required beginning date.

6.2.2 Death of Participant Before Distributions Begin. If the Participant dies before distributions begin, the Participant's entire interest will be distributed, or begin to be distributed, no later than as follows:

(a) If the Participant's surviving spouse is the Participant's sole designated beneficiary, then, except as provided in Article VI, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died, or by December 31 of the calendar year in which the Participant would have attained age 70½, if later.

(b) If the Participant's surviving spouse is not the Participant's sole designated beneficiary, then, except as provided in Section 2.3 of this amendment, distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the Participant died.

(c) If there is no designated beneficiary as of September 30 of the year following the year of the Participant's death, the Participant's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(d) If the Participant's surviving spouse is the Participant's sole designated beneficiary and the surviving spouse dies after the Participant but before distributions to the surviving spouse begin, this Section 6.2.2, other than Section 6.2.2(a), will apply as if the surviving spouse were the Participant.

For purposes of this Section 6.2.2 and Section 2.3, unless Section 6.2.2(d) applies, distributions are considered to begin on the Participant's required beginning date. If Section 6.2.2(d) applies, distributions are considered to begin on the date distributions are required to begin to the surviving spouse under Section 6.2.2(a). If distributions under an annuity purchased from an insurance company irrevocably commence to the Participant before the Participant's required beginning date (or to the Participant's surviving spouse before the date distributions are required to begin to the surviving spouse under Section 6.2.2(a)), the date distributions are considered to begin is the date distributions actually commence.

6.2.3 Forms of Distribution. Unless the Participant's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with Sections 6.3 and 6.4 of this amendment. If the Participant's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the Code and the Treasury regulations.

6.3 **REQUIRED MINIMUM DISTRIBUTIONS DURING PARTICIPANT'S LIFETIME**

6.3.1 Amount of Required Minimum Distribution For Each Distribution Calendar Year. During the Participant's lifetime, the minimum amount that will be distributed for each distribution calendar year is the lesser of:

(a) the quotient obtained by dividing the Participant's account balance by the distribution period in the Uniform Lifetime Table set forth in Section 1.401(a)(9)-9 of the Treasury regulations, using the Participant's age as of the Participant's birthday in the distribution calendar year; or

(b) if the Participant's sole designated beneficiary for the distribution calendar year is the Participant's spouse, the quotient obtained by dividing the Participant's account balance by the number in the Joint and Last Survivor Table set forth in Section 1.401(a)(9)-9 of the Treasury regulations, using the Participant's and spouse's attained ages as of the Participant's and spouse's birthdays in the distribution calendar year.

6.3.2 Lifetime Required Minimum Distributions Continue Through Year of Participant's Death. Required minimum distributions will be determined under this Section 6.3 beginning with the first distribution calendar year and up to and including the distribution calendar year that includes the Participant's date of death.

6.4 REQUIRED MINIMUM DISTRIBUTIONS AFTER PARTICIPANT'S DEATH

6.4.1 Death On or After Date Distributions Begin.

(a) Participant Survived by Designated Beneficiary. If the Participant dies on or after the date distributions begin and there is a designated beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's account balance by the longer of the remaining life expectancy of the Participant or the remaining life expectancy of the Participant's designated beneficiary, determined as follows:

(1) The Participant's remaining life expectancy is calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

(2) If the Participant's surviving spouse is the Participant's sole designated beneficiary, the remaining life expectancy of the surviving spouse is calculated for each distribution calendar year after the year of the Participant's death using the surviving spouse's age as of the spouse's birthday in that year. For distribution calendar years after the year of the surviving spouse's death, the remaining life expectancy of the surviving spouse is calculated using the age of the surviving spouse as of the spouse's birthday in the calendar year of the spouse's death, reduced by one for each subsequent calendar year.

(3) If the Participant's surviving spouse is not the Participant's sole designated beneficiary, the designated beneficiary's remaining life expectancy is calculated using the age of the beneficiary in the year following the year of the Participant's death, reduced by one for each subsequent year.

(b) No Designated Beneficiary. If the Participant dies on or after the date distributions begin and there is no designated beneficiary as of September 30 of the year after the year of the Participant's death, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's account balance by the Participant's remaining life expectancy calculated using the age of the Participant in the year of death, reduced by one for each subsequent year.

6.4.2 Death Before Date Distributions Begin.

(a) Participant Survived by Designated Beneficiary. Except as provided in Section 2.3, if the Participant dies before the date distributions begin and there is a designated beneficiary, the minimum amount that will be distributed for each distribution calendar year after the year of the Participant's death is the quotient obtained by dividing the Participant's account balance by the remaining life expectancy of the Participant's designated beneficiary, determined as provided in Section 6.4.1.

(b) No Designated Beneficiary. If the Participant dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the Participant's death, distribution of the Participant's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the Participant's death.

(c) Death of Surviving Spouse Before Distributions to Surviving Spouse Are Required to Begin. If the Participant dies before the date distributions begin, the Participant's surviving spouse is the Participant's sole designated beneficiary, and the surviving spouse dies before distributions are required to begin to the surviving spouse under Section 6.2.2(a), this Section 6.4.2 will apply as if the surviving spouse were the Participant.

6.5 DEFINITIONS

6.5.1 Designated beneficiary. The individual who is designated as the Beneficiary under the Plan and is the designated beneficiary under Section 401(a)(9) of the Internal Revenue Code and Section 1.401(a)(9)-1, Q&A-4, of the Treasury regulations.

6.5.2 Distribution calendar year. A calendar year for which a minimum distribution is required. For distributions beginning before the Participant's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the Participant's required beginning date. For distributions beginning after the Participant's death, the first distribution calendar year is the calendar year in which distributions are required to begin under Section 6.2.2. The required minimum distribution for the Participant's first distribution calendar year will be made on or before the Participant's required beginning date. The required minimum distribution for other distribution calendar years, including the required minimum distribution for the distribution calendar year in which the Participant's required beginning date occurs, will be made on or before December 31 of that distribution calendar year.

6.5.3 Life expectancy. Life expectancy as computed by use of the Single Life Table in Section 1.401(a)(9)-9 of the Treasury regulations.

DC Prototype - Sponsor

- 6.5.4 Participant's account balance. The account balance as of the last valuation date in the calendar year immediately preceding the distribution calendar year (valuation calendar year) increased by the amount of any contributions made and allocated or forfeitures allocated to the account balance as of dates in the valuation calendar year after the valuation date and decreased by distributions made in the valuation calendar year after the valuation date. The account balance for the valuation calendar year includes any amounts rolled over or transferred to the Plan either in the valuation calendar year or in the distribution calendar year if distributed or transferred in the valuation calendar year.
- 6.5.5 Required beginning date. The date specified in the Plan when distributions under Section 401(a)(9) of the Internal Revenue Code are required to begin.

**ARTICLE VII
DEEMED 125 COMPENSATION**

If elected, this Article shall apply as of the effective date specified in Section 2.4 of this amendment. For purposes of any definition of compensation under this Plan that includes a reference to amounts under Section 125 of the Code, amounts under Section 125 of the Code include any amounts not available to a Participant in cash in lieu of group health coverage because the Participant is unable to certify that he or she has other health coverage. An amount will be treated as an amount under Section 125 of the Code only if the Employer does not request or collect information regarding the Participant's other health coverage as part of the enrollment process for the health plan.

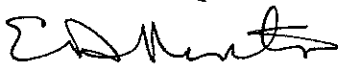
Except with respect to any election made by the employer in Article II, this amendment is hereby adopted by the prototype sponsor on behalf of all adopting employers on:

[Sponsor's signature and Adoption Date are on file with Sponsor.]

This amendment has been executed this 24th day of September, 2003

Name of Plan: Money Purchase Pension Plan

Name of Employer: Placentia Library District of Orange County

By: 
EMPLOYER

Elizabeth D. Minter, Library Director

Name of Participating Employer: _____

By: _____
PARTICIPATING EMPLOYER



PLACENTIA LIBRARY FOUNDATION

411 East Chapman Avenue, Placentia, CA 92870-6198

714-528-1925 ext. 201

foundation@placentialibrary.org

Board of Directors

Gaeten Wood
President

M. A. McHenry, CPA
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Jim Fenstermaker

Jean Lasley, CLU

Kathy Paddock

Eleanor Rankin

Elizabeth D. Minter, MLS
Ex Officio

September 24, 2003

Wells Fargo Bank

The Placentia Library Foundation is requesting a grant for \$1,000.00 to fund the Placentia Rotary Reading Enrichment Program (PRREP), a community program that supports the Placentia/Yorba Linda Unified School District (PYLUSD) and the Placentia Library Literacy Services.

PRREP began last school year, and it is a partnership with the Placentia Rotary Club, the Library and PYLUSD. PRREP recruits high school students from El Dorado and Valencia High Schools to tutor at-risk grade school students at the Placentia Library District. During FY 2002-03, more than 80 PRREP tutors helped over 100 students accounting for more than 1,200 hours of individualized tutoring.

Placentia Rotary and the Placentia Library bore the operational costs of PRREP last year. This school year, we plan to expand the number of PRREP participants, and procure books to give away to needy and under-served students. A grant of \$1,000 from Wells Fargo Bank would go a long way in ensuring PRREP achieves these goals.

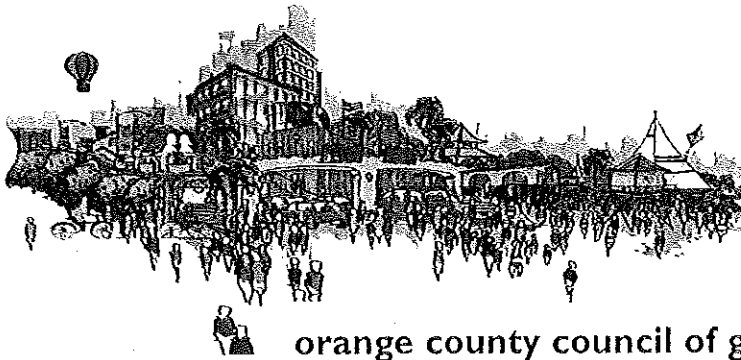
The Placentia Library District and the Placentia Library Foundation are grateful for Wells Fargo Bank being a partner with us in the past, and we are hopeful that you will support us again this year.

A copy of the Placentia Library Foundation 501 (c) (3) Determination Letter is enclosed. The Library's point of contact is Public Services Manager, Jim Roberts, (714) 524-8408, Ext 213. Please contact him if you have any questions.

Respectfully,

Elizabeth D. Minter
Library Director

Encl: 501 (c) (3)



orange county council of governments
**Regular Meeting of the
BOARD OF DIRECTORS**

Meeting Date / Location

Thursday, September 25, 2003
9:00 a.m.
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, California

AGENDA ITEM

STAFF

PAGE

Agenda descriptions are intended to give notice to members of the public by providing a general summary of items of business to be transacted or discussed. The listed Recommended Action represents staff's recommendation. The Board of Directors may take any action which it deems appropriate on the agenda item and is not limited in any way by the recommended action.

- cities
- Aliso Viejo
- Anaheim
- Brea
- Buena Park
- Costa Mesa
- Cypress
- Dana Point
- Fountain Valley
- Fullerton
- Garden Grove
- Huntington Beach
- Irvine
- La Habra
- La Palma
- Laguna Beach
- Laguna Hills
- Laguna Niguel
- Laguna Woods
- Lake Forest
- Los Alamitos
- Mission Viejo
- Newport Beach
- Orange
- Placentia
- Rancho Santa Margarita
- San Clemente
- San Juan Capistrano
- Santa Ana
- Seal Beach
- Stanton
- Tustin
- Villa Park
- Westminster
- Yorba Linda

PLEDGE OF ALLEGIANCE

I. CALL TO ORDER / ROLL CALL

(Chair Phil Anthony)

- Phil Anthony, Chair, ISDOC
- Lou Bone, Vice-Chair, District 17
- Cathryn DeYoung, District 12
- Richard Dixon, District 13
- Tod Ridgeway, District 14
- Libby Cowan, District 15
- Vacant, District 16
- Alta Duke, District 18
- Richard Chavez, District 19
- Ron Bates, District 20
- Art Brown, District 21
- Bev Perry, District 22

- Debbie Cook, District 64
- Tim Keenan, Cities At-Large
- Bill Campbell, County At-Large
- Peter Herzog, OCD, LOCC
- Norman Eckenrode, OCSD
- Greg Winterbottom, OCTA
- Chris Norby, SCAG-County Rep. *(not activated)*
- Bill Craycraft, SCAQMD – Cities Representative
- Jim Silva, SCAQMD–County Representative
- Dave Swerdlin, TCAs
- Owen Holmes, Cal State Fullerton *(not activated)*
- Al Hollinden, Private Sector

County of Orange

- agencies
- Costa Mesa Sanitary District
- East Orange Water District
- El Toro Water District
- Irvine Ranch Water District
- OC Sanitation District
- OC Transportation Authority
- OC Water District
- Transportation Corridor Agencies

II. OATH OF OFFICE

(Clerk of the Board)

An oath of office will be administered to members and alternates present who are joining the OCCOG Board of Directors.

III. PUBLIC COMMENTS

At this time members of the public may address the Board of Directors regarding any items within the subject matter jurisdiction of the Board of Directors which are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person and an overall time limit of twenty minutes for the Public Comments portion of the agenda.

Any person wishing to address the Board on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the Clerk of the Board prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the Board of Directors in writing and only pertinent points presented orally.

IV. CONSENT CALENDAR

All matters listed under the Consent Calendar are routine and will be enacted by one vote without separate discussion unless Members of the Board, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

- A. **Minutes from June 26, 2003 Board Meeting** (Clerk of the Board) 5
Recommended Action: Approve minutes.
- B. **Report on the OCCOG TAC** (Tracy Sato, OCCOG TAC Vice Chair) 13
Recommended Action: Receive report.
- C. **Air Quality Report** (Annabel Cook) 17
Recommended Action: Receive report.

V. ACTION ITEMS

- A. **Consideration of OCCOG Membership for the Municipal Water District of Orange County** (Annabel Cook) 21
Recommended Action: Adopt OCCOG staff's recommendation to approve OCCOG membership for the Municipal Water District of Orange County.
- B. **Approve ROCC Group Structure** (Annabel Cook/MatthewHenkes) 27
Recommended Action: Approve OCCOG staff's recommendation regarding ROCC Group structure.
- C. **Approve Agreement with the San Gabriel And Lower Los Angeles Rivers and Mountains Conservancy** (Michael Gold) 29
Recommended Action: Authorize the Acting Executive Director to execute an agreement with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.

VI. PRESENTATION

- A. **Draft 2004 Regional Transportation Plan** (Rich Macias, SCAG 33
Manager of Transportation
Planning and Programs)
Recommended Action: Receive and file.

VII. REPORTS

- A. **OCCOG Partnership Opportunities** (Annabel Cook) 37
o Energy Efficiency Program
Recommended Action: Receive and file.
- B. **Update Regarding Growth Projections** (Dr. Bill Gayk) 39
Recommended Action: Receive and file.
- C. **Growth Visioning Program** (Annabel Cook) 41
Recommended Action: Receive and file.
- D. **Inter-Regional Partnership** (Heather Dion) 45
Recommended Action: Receive and file.
- E. **League of California Cities Ballot & CITIPAC** (Michael Gold) 47
Recommended Action: Receive and file.
- F. **Report from OCCOG Chair** (Chair Anthony) 51
o 2003 General Assembly Update and Survey
o SCAG Policy Committees
Recommended Action: Receive and file.

VIII. MATTERS FROM BOARD MEMBERS (Chair Anthony)

IX. MATTERS FROM MEMBER AGENCIES (Chair Anthony)

X. MATTERS FROM STAFF (Chair Anthony)

XI. CLOSED SESSION

Conference with legal counsel-Existing litigation

Pursuant to Government Code Section 54956.9 (a)
SCAG et.al. v. HCD et.al

XII. ADJOURNMENT

Next Meeting: Thursday, October 23, 2003, 9:00 a.m.



ORANGE COUNTY
COUNCIL OF GOVERNMENTS

ITEM IV. A.

STAFF REPORT

Subject: Minutes from June 26, 2003 OCCOG Board of Directors Meeting

Summary: Attached are the minutes from the June 26, 2003 OCCOG Board of Directors meetings.

Recommendation: Approve minutes.

Attachment: Minutes from June 26, 2003, OCCOG Board of Directors Meeting

Staff Contact: Jill Ingram-Guertin, Clerk of the Board – (714) 229-6700
Heather Dion, Regional Issues Analyst – (714) 571-5840
Annabel Cook, Regional Issues Consultant - (714) 571-5844

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ORANGE COUNTY
COUNCIL OF GOVERNMENTS

MINUTES OF A REGULAR MEETING OF THE
ORANGE COUNTY
COUNCIL OF GOVERNMENTS

BOARD OF DIRECTORS

HELD

June 26, 2003

A regular meeting of the Orange County Council of Governments was called to order at 9:20 a.m. by Past Chair Cathryn DeYoung at the Orange County Sanitation District, 10844 Ellis Avenue, Fountain Valley, California.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Board Member Bill Craycraft.

I. CALL TO ORDER / ROLL CALL

Roll was taken by the Clerk of the Board.

PRESENT:

Doug Davert, 2nd Alternate, District 17
Cathryn DeYoung, District 12
Tod Ridgeway, District 14
Marilynn Poe, Alternate, District 20
Art Brown, District 21
Debbie Cook, District 64
Tim Keenan, Cities At-Large
Bill Campbell, County At-Large
(arrived at 9:25 a.m.)
Peter Herzog, OCD, LOCC
Greg Winterbottom, OCTA
Bill Craycraft, SCAQMD – Cities
Representative
Dave Swerdlin – TCAs
Al Hollinden, Private Sector

ABSENT:

Phil Anthony, Chair, ISDOC
Lou Bone, Vice-Chair, District 17
Richard Dixon, District 13
Libby Cowan, District 15
Alta Duke, District 18
Richard Chavez, District 19
Bev Perry, District 22
Norman Eckenrode, OCSD
Chuck Smith, SCAG-County Representative
Jim Silva, SCAQMD – County Representative
Karon Cornell, Cal State Fullerton

VACANT:

District 16

II. OATH OF OFFICE

The Clerk of the Board administered the Oath of Office to Doug Davert, 2nd Alternate, District 17, and Bill Campbell, County At-Large.

III. PUBLIC COMMENTS

There were no public comments.

IV. CONSENT CALENDAR

It was moved by Board Member Brown and seconded by Board Member Craycraft, to approve Consent Calendar Items A-C. The motion carried unanimously, with Board Members Anthony, Bone, Dixon, Cowan, Duke, Chavez, Perry, Eckenrode, Smith, Silva, and Cornell absent from the meeting.

A. Minutes from the May 22, 2003, OCCOG Board Meeting

Action: Approved as submitted, with Board Members Ridgeway and Campbell abstaining, due to their absence from the meeting.

B. Report on OCCOG TAC

Action: Received Report.

C. Report on Air Quality

Action: Received Report.

V. ACTION ITEMS

A. Consideration of OCCOG Membership for the Silverado Modjeska Recreation and Parks District.

Annabel Cook provided background information on this item.

Action: Board Member Davert moved, Board Member Keenan seconded, and the motion carried unanimously, that the Board adopt OCCOG staff's recommendation to approve OCCOG membership for the Silverado Modjeska Recreation and Parks District.

B. Approve Growth Projections Strategy.

Tracy Sato provided background information on this item.

Action: Board Member Herzog moved, Board Member Ridgeway seconded, and the motion carried unanimously, that the Board approve OCCOG TAC's recommendation as amended, as follows:

1. Re-affirm its support of the TBGP Modified projection, unadjusted by SCAG, that was developed as a cooperative effort among the councils of government and transportation agencies of the counties of Orange, San Bernardino and Western Riverside counties;
2. Advocate at SCAG for the use of the unadjusted TBGP Modified projection as the projection to be used in the Phase 2 RTP Evaluation process selected as the preferred alternative by the Regional Council, in lieu of the revised Trend/TBGP Modified projection that was adjusted upwards by SCAG staff to equal the original Trend Projection totals for population, households and employment;
3. Convene the Growth Projection Sub-Committee established at the April, 2003 Board meeting to review the CEHD actions and status of the projections and that the Sub-Committee draft a letter from the Board, *signed by the Chair*, to City Managers and Planning Directors apprising them of the situation and Board actions, *and directly notify City Council members*.
4. Advocate that any projection adopted at SCAG be at the sub-regional level and not at the city, census tract, or TAZ level to retain local government control over land use decision making; and,
5. Direct Staff and the OCCOG Working Group to present the status of the projections and the direction of the Board to City Managers

Amended motion to add Issue 6: *Impact of other federal and state agencies on the use of the available unproportioned land.*

C. Approve Annual Work Program Agreement with SCAG.

Annabel Cook provided background information on this item.

Action: Board Member Swerdlin moved, Board Member Keenan seconded, and the motion carried unanimously, that the Board authorize the Deputy Executive Director to execute an agreement with SCAG for funding from the SCAG 2003-2004 OWP.

VI. PRESENTATION

A. Operation Jumpstart.

The Board heard a presentation by Hasan Ikhata, SCAG Director of Policy and Planning, regarding Operation Jump-Start, a public-private partnership plan introduced at the SCAG annual retreat.

Operation Jump-Start is a \$26.1 billion regional economic revitalization plan that proposes to accelerate a series of road and rail improvements to create thousands of high-paying jobs in the short-term and build the infrastructure

necessary for Southern California to ultimately become the world's leading international trade center.

The core strategy of this economic stimulus package is to allow the private sector to establish property rights in transportation infrastructure projects, to invest in those projects and, eventually, to earn decent returns from the investments through user benefits creation and toll collection. Implementing this package will require enabling legislation at both the Federal and State levels to allow and encourage private sector investments in transportation infrastructure.

The time frame of this SCAG proposal to stimulate the regional economy through investment in transportation infrastructure is from 2005 to 2010, with an estimated construction completion date by 2010.

VII. REPORTS

- A. **Report on OCCOG Funding.**
- **Federal Funding**
 - SCAG OWP Funding
 - \$1 million ROCC Program
 - \$30 million TEA-3 Request

Action: Discussion.

Annabel Cook provided an update regarding funding efforts on the \$190,339 SCAG Overall Work Program funding; \$1 million ROCC Program funding, and the \$30 million TEA-3 Request.

- B. **Inter-Regional Partnership.**

Action: Receive and file.

- C. **Report from OCCOG Chair.**
- Status of Board Member Polling

Action: This item was continued to the August 28, 2003, General Assembly for discussion.

VIII. MATTERS FROM BOARD MEMBERS

No matters were discussed.

IX. MATTERS FROM MEMBER AGENCIES

No matters were discussed.

X. MATTERS FROM STAFF

No matters were discussed.

XI. CLOSED SESSION

Conference with Legal Counsel – Existing Litigation, pursuant to Government Code Section 54956.9(a), SCAG et al. v. HCD et al., was not held.

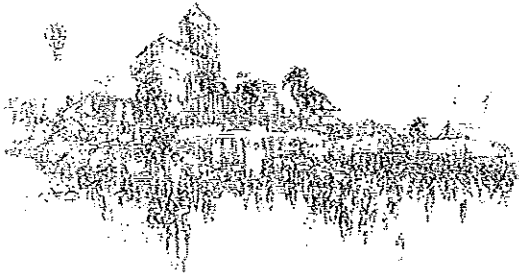
XII. ADJOURNMENT

Past Chair DeYoung adjourned the meeting at 10:38 a.m. to the General Assembly, to be held on Thursday, August 28, 2003, beginning at 9:00 a.m., at the Orange County Water District, 10500 Ellis Avenue, Fountain Valley, California.

CHAIR OF THE ORANGE COUNTY COUNCIL OF
GOVERNMENTS BOARD OF DIRECTORS

ATTEST:

CLERK OF THE BOARD

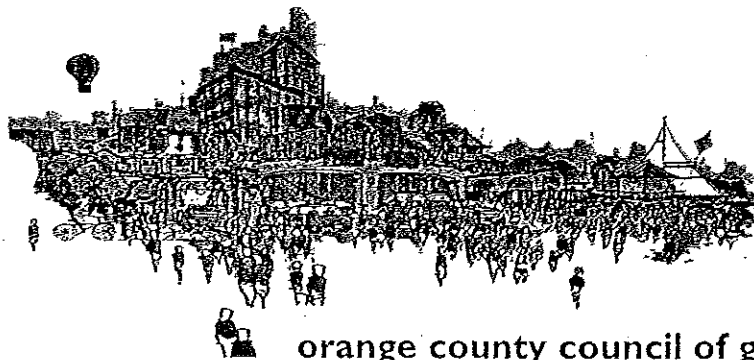


**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM IV. B.

STAFF REPORT

- Subject:** Report on September 2, 2003, OCCOG TAC Meeting
- Summary:** The OCCOG Technical Advisory Committee (TAC) Vice Chair Tracy Sato and OCCOG staff has provided the OCCOG Board with the most recent OCCOG TAC agenda for review.
- Recommendation:** Receive report.
- Attachment:** Agenda from the September 2, 2003, OCCOG TAC meeting
- Staff Contact:** Annabel Cook, Regional Issues Consultant – (714) 571-5844



orange county council of governments

TECHNICAL ADVISORY COMMITTEE

Please note that there will be a special Carl Moyer (alternative fuel vehicle and infrastructure) Funding Program Workshop from 8:30 a.m. to 10:00 a.m. for all interested parties.

Meeting Date / Location

www.occities.org/occog

Tuesday, September 2, 2003
10:00 a.m.
City of Orange - City Hall
300 East Chapman Avenue
Orange, California

- cities
- Alliso Viejo
- Anaheim
- Brea
- Buena Park
- Costa Mesa
- Cypress
- Dana Point
- Fountain Valley
- Fullerton
- Garden Grove
- Huntington Beach
- Irvine
- La Habra
- La Palma
- Laguna Beach
- Laguna Hills
- Laguna Niguel
- Laguna Woods
- Lake Forest
- Los Alamitos
- Mission Viejo
- Newport Beach
- Orange
- Placentia
- Rancho Santa Margarita
- San Clemente
- San Juan Capistrano
- Santa Ana
- Seal Beach
- Stanton
- Tustin
- Villa Park
- Westminster
- Yorba Linda

Agenda Item

Staff

Page

I. INTRODUCTIONS

(Chair Joel Rosen)

II. PUBLIC COMMENTS

(Chair)

At this time members of the public may address the TAC regarding any items within the subject matter jurisdiction, which are not separately listed on this agenda. Members of the public will have an opportunity to speak on agendized items at the time the item is called for discussion. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person and an overall time limit of twenty minutes for the Public Comments portion of the agenda.

Any person wishing to address the TAC on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the TAC Chair prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the TAC in writing and only pertinent points presented orally.

- County of Orange
- agencies
- Costa Mesa Sanitary District
- East Orange Water District
- El Toro Water District
- Irvine Ranch Water District
- Orange Sanitation District
- OC Transportation Authority
- OC Water District
- Transportation Corridor Agencies

III. REPORT ON THE 2003 GENERAL ASSEMBLY

(Heather Dion)

Recommended Action: Receive report.

IV. GROWTH PROJECTIONS UPDATE

(Bill Gayk)

Recommended Action: Receive report.

V. INTER-REGIONAL PARTNERSHIP REPORT

(Susan DeSantis)

Recommended Action: Receive report.

VI. AIR QUALITY UPDATE

(Annabel Cook)

- a. Air Quality Working Group Membership
- b. Mobile Source Air Pollution Reduction Review Committee TAC Seat Vacancy
- c. Discussion of Model Air Quality Element
- d. Amendments to Rule 2202
- e. Follow-up discussions regarding
 - i. Localized Significance Thresholds
 - ii. Cumulative Impacts

Recommended Action: Receive report.

VII. OCCOG GROWTH VISIONING PROGRAM

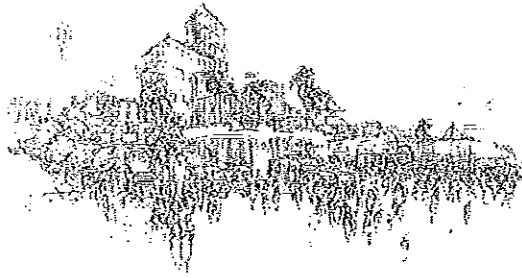
(Annabel Cook).

Recommended Action: Receive report.

VIII. OTHER BUSINESS / ITEMS FOR NEXT MEETING

IX. SET NEXT MEETING: Tuesday, October 7, 2003, at 10:00 a.m.

X. ADJOURNMENT



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM IV. C.

STAFF REPORT

Subject: Air Quality Report

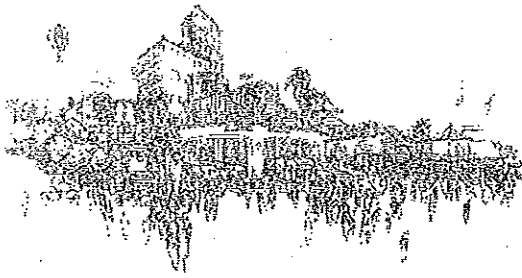
Summary: An update on air quality issues of importance to OCCOG and the region is provided.

Recommendation: Receive report.

Attachment: September 2003 Report

Staff Contact: Annabel Cook, Regional Issues Consultant - (714) 571-5844

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ORANGE COUNTY COUNCIL OF GOVERNMENTS

AIR QUALITY UPDATE September 2003

Carl Moyer Funding

The 2003-2004 Carl Moyer Program allows the South Coast Air Quality Management District (SCAQMD) to provide \$12.3 million to fund heavy-duty vehicles, engines and equipment that are alternatively fueled or cleaner than required under certain mandates. This is an excellent way to fund the SCAQMD's Clean Fleet Rules compliance. A series of Requests for Proposals, which can be downloaded at www.aqmd.gov/rfp, were released in August 2003 and proposals must be submitted by October 10, 2003. OCCOG hosted a special Orange County Moyer workshop on September 2, 2003, and additional assistance regarding Moyer applications can be obtained through OCCOG by contacting

2003 Air Quality Management Plan (AQMP)

The SCAQMD's Governing Board has unanimously adopted the 2003 AQMP, the region's blueprint for achieving air quality standards across southern California by the end of the decade. The 2003 AQMP outlines the air pollution control measures needed to meet federal health-based standards for ozone by 2010, and for fine particulates, known as PM10, by 2006. It also demonstrates how the federal standard for carbon monoxide, achieved for the first time at the end of last year, will be maintained. Lastly, the plan takes a preliminary look at what will be needed to achieve new and more stringent health standards for ozone and ultrafine particulates known as PM2.5.

SCAQMD's Clean Fleet Rules Challenged in Court

The SCAQMD's Clean Fleet Rules have been challenged by the Western States Petroleum Association (WESPA), a trade association of major oil companies, and the Engine Manufacturers Association (EMA), which includes several diesel engine manufacturers. The suit seeks to overturn the Clean Fleet Rules by alleging that the SCAQMD overstepped its authority when it adopted and implemented the Clean Fleet Rules because, under the federal Clean Air Act, states and local jurisdictions are prohibited from establishing their own emission standards for new motor vehicles. The SCAQMD has countered that the Clean Fleet Rules do not set emission standards, but

require fleet operators to choose from among the cleanest engines that are commercially available.

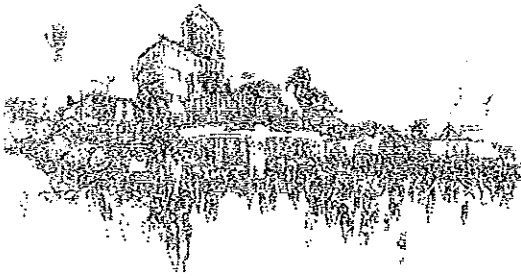
The case is currently pending in the U.S. Supreme Court and is expected to be heard in early December 2003. The SCAQMD has already prevailed in both the U.S. District Court and the 9th Circuit Court of Appeals. Recently, the federal government filed an amicus brief, expressing its support of WESPA and EMA and arguing that, under the Clean Air Act, the SCAQMD must petition the U.S. Environmental Protection Agency for permission to adopt its own emission standard to new vehicles. AQMD maintains that this is unnecessary since its fleet rules do not constitute an emissions standard.

OCCOG's Subregional Work Program Sponsored by the SCAQMD

OCCOG continues its work with the SCAQMD, a partnership started in 2002 that provides OCCOG with funding to develop a model air quality element and to provide outreach assistance to local governments in the subregion. Through this funding the following has occurred:

- A draft model air quality element (MAQE) has been developed by OCCOG and Western Riverside COG. The MAQE has been distributed to cities and other interested parties for review and comment, and a final MAQE will be distributed to local governments in early 2004. The MAQE can be considered by cities and counties as a tool to assist local communities address air quality issues. Adoption of MAQEs by local governments is **entirely voluntary**. OCCOG will host a workshop in the Spring of 2004 to present the MAQE.
- The OCCOG Alternative Fuel Vehicle and Infrastructure Program is continuing, with a recent workshop being provided on Moyer Funding. Any OCCOG member agency may request support and assistance under this program

For additional information on air quality issues, please contact Annabel Cook at (714) 571-5844.



ORANGE COUNTY COUNCIL OF GOVERNMENTS

ITEM V. A.

STAFF REPORT

Subject: Consideration of OCCOG Membership for the Municipal Water District of Orange County

Summary: In May 2003, the Board of the Municipal Water District of Orange County adopted a resolution requesting consideration by the OCCOG Board for membership in OCCOG. This resolution and action was adopted pursuant to the OCCOG Bylaws Article III.-Membership, which allows public agencies located in the geographical boundaries of Orange County to petition the OCCOG Board for membership in OCCOG. This Bylaws section also provides that the OCCOG Board shall review petitions for qualification as members and shall vote to approve or disapprove the petitions. Pursuant to Article III, petitioners become members when a majority of the voting membership of the Board approves the petition and the petitioners sign addenda to the Joint Powers Agreement.

Although Article III of the OCCOG Bylaws does not specify qualifications for membership, Article II-Purpose and Functions provides a listing of the purposes of OCCOG with which member agencies should be able to assist and support. Therefore, characteristics for member agencies can be implicitly understood to be those which assist OCCOG in meeting its purposes and functions. In the past, Article II, specifically Section 2.1, has been utilized to determine the appropriateness of OCCOG membership.

In considering the petition at hand, OCCOG staff makes the following findings:

- The petitioner is within the geographical boundaries of Orange County;
- The petitioner is a provider of essential services in Orange County that are of a regional nature or have a regional impact;
- The petitioner can assist in the facilitation of areawide planning and coordination with regards to services within Orange County;

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- The petitioner can support OCCOG and its goal of creating a unified subregional organization that can represent the variety and magnitude of Orange County issues and matters in the Southern California region, the state and the nation;
- The petitioner will be an asset in the preparation of regional and subregional plans, especially those related to essential public services;
- The petitioner can provide support for studies and projects that OCCOG may embark upon to coordinate services on a regional basis; and
- The petitioner can be an asset in providing solutions to problems of mutual interest and common general concern to Orange County communities.

Based on this analysis, OCCOG staff recommends that the OCCOG Board approve the petition for Municipal Water District of Orange County membership to the OCCOG. If membership is approved, the attached addendum to the OCCOG JPA must be executed by a representative of the agency.

Recommendation: Adopt OCCOG staff's recommendation to approve OCCOG membership for the Municipal Water District of Orange County

Attachment:

- 1.) Resolution from the Municipal Water District of Orange County
- 2.) The OCCOG Joint Powers Agreement addendum for execution by Municipal Water District of Orange County if membership is approved by the OCCOG Board.

Staff Contact: Annabel Cook, Regional Issues Consultant – (714) 571-5844

RESOLUTION NO. 1715
RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MUNICIPAL WATER DISTRICT OF ORANGE COUNTY
AUTHORIZING PETITION FOR MEMBERSHIP IN ORANGE COUNTY COUNCIL
OF GOVERNMENTS, AND AUTHORIZING EXECUTION OF JOINT POWERS
AGREEMENT

RESOLVED, that the District staff is hereby authorized to submit to the Orange County Council of Governments (OCCOG) a petition for MWD of OC's membership in the Council; and


RESOLVED FURTHER, that, upon approval of such petition, the President or Vice President and General Manager are authorized to execute the *Joint Powers Agreement Establishing the Orange County Council of Governments* on behalf of the District.

Said Resolution was adopted, on roll call, by the following vote:

AYES: Directors Bakall, Clark, Dick, Finnegan, Hinman & Royce
NOES: None
ABSENT: Director Barbre
ABSTAIN: None

I hereby certify the foregoing is a true and correct copy of Resolution No. 1715 adopted by the Board of Directors of Municipal Water District of Orange County at its meeting held on May 21, 2003.

ATTEST:



Maribeth Goldsby
District Secretary

**ADDENDUM TO JOINT POWERS AGREEMENT
ESTABLISHING THE
ORANGE COUNTY COUNCIL OF GOVERNMENTS**

This addendum to the Joint Powers Agreement establishing the Orange County Council of Governments ("Joint Powers Agreement") recognizes the assent and agreement of the public agency listed below to the terms and conditions of the original Joint Powers Agreement and any duly enacted amendment, supplement, or addenda thereto.

RECITALS

WHEREAS, the Founding Members of the Orange County Council of Governments ("OCCOG") duly executed and authorized the terms and conditions of the Joint Powers Agreement, attached hereto and incorporated as though fully set forth herein, on or prior to August 15, 1996; and,

WHEREAS, the governing body of the public agency listed below has formally requested that the public agency become a Member Agency of the OCCOG and a party to the Joint Powers Agreement; and,

WHEREAS, a majority of the total voting membership of the OCCOG has approved the request of said public agency as authorized in the Joint Powers Agreement and the Bylaws promulgated thereto.

NOW, THEREFORE, for good and valuable consideration of the agreements between the parties to the Joint Powers Agreement, the public agency listed below agrees as follows:

1. The public agency listed below assents and agrees to all the terms and conditions of the Joint Powers Agreement, and the Bylaws, Resolutions, and agreements promulgated thereto, as those documents may be duly amended, supplemented, or added to from time to time.
2. The public agency listed below hereby shall become a Member Agency of the OCCOG from this day forth until said membership is duly terminated, and shall become a full and equal party to the Joint Powers Agreement.

IN WITNESS WHEREOF, said public agency has duly executed this Addendum as evidenced by the signatures below.

Municipal Water District of Orange County

By: _____
Chair

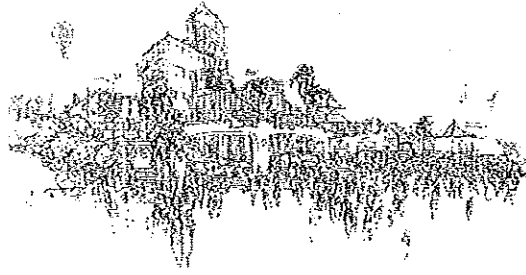
Date Approved: _____

Approved As To Form:

Attest:

Legal Counsel

Clerk of the Board



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM V. B.

STAFF REPORT

Subject: Approve ROCC Group Structure

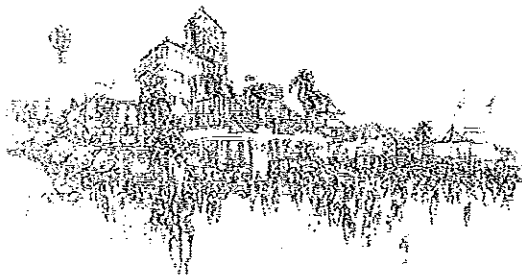
Summary: In preparation for the start of the Reduce Orange County Congestion (ROCC) program and the receipt of these federal funds, staff recommends the creation of a committee to be known as the ROCC Group. This committee would be delegated the following responsibilities: the development of criteria for judging project proposals submitted to the ROCC program, the solicitation of project proposals, and the evaluation and ranking of project proposals. The ROCC Group would submit recommendations in these three areas for final approval by the Board of Directors. Staff recommends the following ROCC Group structure:

- 3 OCCOG TAC members (of which at least 2 will be city staff);
- 1 Orange County Transit Authority staff person;
- 1 County staff person;
- 1 representative of Caltrans
- 1 representative of the Federal Highway Administration
- 1 Southern California Association of Governments staff person;
- and
- 1 City Manager.

Recommendation: Approve OCCOG staff's recommendation regarding ROCC Group's structure.

Attachment: None.

Staff Contact: Annabel Cook, Regional Issues Consultant - (714) 571-5844
Michael Gold, Acting Executive Director - (714) 972-0077
Matthew Henkes, Policy Analyst - (714) 972-0077



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM V. C.

STAFF REPORT

- Subject:** Approve Agreement with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC)
- Summary:** The RMC has been allocated monies from Proposition 40 to fund projects in the San Gabriel and Lower Los Angeles Watershed that will protect and improve the region's natural resources and environment. The RMC has approached OCCOG, requesting its assistance in identifying priority projects in Orange County. For this assistance and service, the RMC would allocate \$125,000 to the Orange County Division of the League of California Cities to support OCCOG's outreach and assessment efforts.
- Recommendation:** Authorize the Acting Executive Director to execute an agreement with the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.
- Attachment:** Letter Regarding RMC Opportunity
- Staff Contact:** Michael Gold, Acting Executive Director – (714) 972-0077
Annabel Cook, Regional Issues Consultant – (714) 571-5844



ORANGE COUNTY DIVISION

600 WEST SANTA ANA BOULEVARD, SUITE 214, SANTA ANA, CALIFORNIA 92701
TELEPHONE: (714) 972-0077 FAX: (714) 972-1816 email: occities@occities.org

Orange County Cities Working Together

Belinda V. Faustinos, Executive Officer
Rivers and Mountains Conservancy
Via Fax – 1 Page

September 9, 2003

Dear Belinda:

The Orange County Division of the League of Cities has been an active partner with the Rivers and Mountains Conservancy (RMC) since it was established by the legislature in 1999. We are pleased to see that the RMC is now in a position to move ahead with project funding to implement projects that benefit our region.

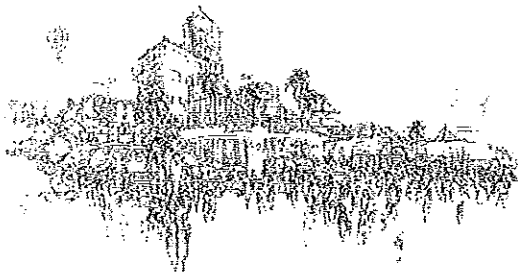
However, knowing that the capacity for the RMC to handle all the varied opportunities there are throughout the San Gabriel and Lower Los Angeles Rivers Watershed is challenging, we are requesting that the Board consider funding the Orange County Council of Governments (OCCOG) through the Orange County Division to assist with the identification of priority projects within our County. In discussions with your Executive Officer, Belinda Faustinos and our board representatives Bev Perry and Paul Yost, I believe it would be very beneficial to our success in bringing the best projects for consideration to the RMC by having the internal capacity to assess open space, habitat, low impact recreation, watershed improvements and educational uses in our region.

Therefore, we are requesting that the RMC Board consider the allocation of \$125,000 to the Orange County Division of the League of Cities for this purpose. It would be our intent to work closely with RMC staff, our cities and the County of Orange to best facilitate this endeavor. Thank you for your consideration of this request.

Regards,

Michael Gold
Acting Executive Director

ALISO VIEJO
BREA
BUENA PARK
COSTA MESA
CYPRESS
DANA POINT
FOUNTAIN VALLEY
FULLERTON
HUNTINGTON BEACH
LA HABRA
LA PALMA
LAGUNA BEACH
LAGUNA HILLS
LAGUNA NIGUEL
LAGUNA WOODS
LAKE FOREST
LOS ALAMITOS
MISSION VIEJO
NEWPORT BEACH
ORANGE
PLACENTIA
RANCHO SANTA MARGARITA
SAN CLEMENTE
SAN JUAN CAPISTRANO
SEAL BEACH
STANTON
TUSTIN
VILLA PARK
WESTMINSTER
YORBA LINDA



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM VI.A.

STAFF REPORT

- Subject:** Draft 2004 Regional Transportation Plan
- Summary:** The Southern California Association of Governments is currently in the process of developing for release and public comment the Draft 2004 Regional Transportation Plan (RTP) known as Destination 2030. SCAG will be discussing Destination 2030, which serves as the long-term blueprint for meeting Southern California's increasingly complex transportation needs and looks at all forms of transportation policies and investments.
- Recommendation:** Receive and file.
- Attachment:** 2004 Regional Transportation Plan Information Sheet
- Staff Contact:** Annabel Cook, Regional Issues Consultant – (714) 571-5844

Regional Transportation Plan

Fall 2003



Mapping Southern California's
Transportation Future

In April of 2004, the Regional Council of SCAG will adopt a multi-billion dollar plan outlining an integrated set of public policies, strategies, and investments to maintain, expand, manage and improve the region's transportation system. A draft of the plan will soon be released for public comment.

Southern California's Long-Range Transportation Plan

Destination 2030, the Southern California Association of Government's 2004 Regional Transportation Plan, presents an assessment of the overall growth and economic trends for the SCAG Region over the next two decades and provides strategic direction for transportation investments during that period. It is a catalyst for linking various transportation agency investments within the SCAG Region to provide a cohesive, balanced and multi-modal transportation system that meets mobility, air quality, and other regional goals within feasible financial constraints.

A Collaborative Effort

With a plan that impacts the efficient movement of people and goods across six counties and 185 cities, input and consensus are the operative words. Consistent with previous plans, the *Destination 2030* planning process calls on the knowledge, insights and opinions of a host of stakeholders. Guiding SCAG staff through development have been numerous task forces, local governments and subregions, county transportation commissions, Caltrans, state and federal agencies, tribal governments, environmental and business communities, non-profit groups and the general public.

It Must Measure Up

Destination 2030 is a critical document for the region to qualify for future federal, state and local funding of projects. To satisfy mandates and present the best possible recommendations for investments, numerous transportation alternatives are evaluated based on performance measures such as mobility, accessibility, reliability, safety, cost-effectiveness, and air quality impact. To assure that implementation does not result in disproportionate adverse impacts on low-income, minority, elderly or disabled populations, each new plan also undergoes a thorough environmental justice analysis.

Growth Visioning Support

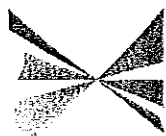
Southern California Compass, the major two-year growth visioning project that kicked off in January of this year, is providing preliminary direction in the drafting of *Destination 2030*. With so much on the line in a time of budget cutbacks, economic uncertainty, and controversial options, the thoughts and opinions of residents and stakeholders from across the region are invaluable in steering us toward our desired destination.

For more information, contact Naresh Amatya at 213.236.1885 or amatya@scag.ca.gov.

Or visit SCAG's Web site:

www.scag.ca.gov

SOUTHERN CALIFORNIA

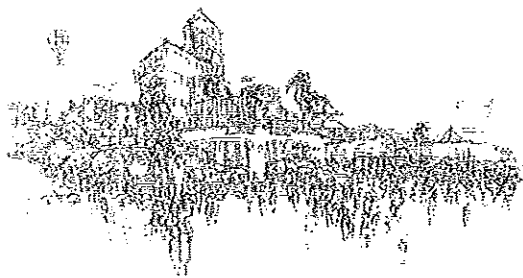


ASSOCIATION OF
GOVERNMENTS

Resolving Regional Challenges

818 West 7th St., 12th Floor, Los Angeles, CA 90017-3435 213-236-1800

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**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM VII.A.

STAFF REPORT

Subject: OCCOG Partnership Opportunities

Summary: OCCOG staff is constantly exploring partnership opportunities that will allow OCCOG to be engaged in projects that address OCCOG members' interests and further regional goals. Such partnerships allow OCCOG to be involved in a number of programs that would otherwise be prohibitive due to limited OCCOG resources. Most importantly, partnerships present OCCOG with a chance to learn from regional stakeholders and address issues collectively.

The Energy Efficiency Program

Recently, OCCOG was approached by Global Energy Partners (Global) to develop an application to the California Public Utilities Commission (CPUC) for a \$2.9 million Energy Efficiency Program for Orange County's "Hard to Reach" Agencies. The Program would provide information regarding energy efficiency and conservation incentives to "hard to reach" agencies, defined as small to medium size entities that often have trouble accessing information and, therefore, do not usually participate in energy efficiency program. These agencies may include OCCOG member agencies and other agencies in Orange County that can benefit from such a program.

If funded by the CPUC, the Program would begin in January 2004 and would include OCCOG and Global developing a plan to identify and recruit agencies to participate in the Program. These agencies would receive an energy audit, an action plan for implementing energy savings strategies, training regarding efficiency actions and potential rebates for installation and implementation of energy efficiency equipment.

Recommendation: Receive and file.

Attachment: None

Staff Contact: Annabel Cook, Regional Issues Consultant – (714) 571-5844



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM VII.B.

STAFF REPORT

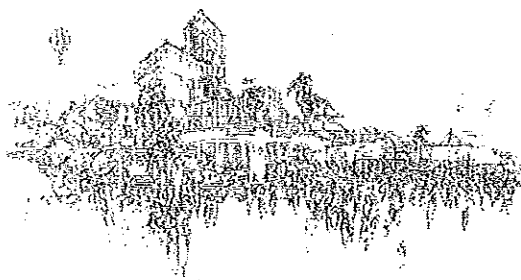
Subject: Update Regarding Growth Projections

Summary: Dr. Bill Gayk will give an update regarding the progress that the Southern California Association of Governments is making in determining a regional growth projection for the 2004 Regional Transportation Plan.

Recommendation: Receive and file.

Attachment: None

Staff Contact: Annabel Cook, Regional Issues Consultant – (714) 571-5844



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM VII.C.

STAFF REPORT

Subject: Growth Visioning Program

Summary: At the 2003 OCCOG General Assembly, OCCOG kicked-off its Growth Visioning Program, which will provide Orange County decision-makers and stakeholders with a tool box of smart growth strategies designed to accommodate Orange County's projected growth and resulting needs. OCCOG staff and consultants will develop this tool box in the next three months, with a goal of presenting the materials to Orange County policymakers in January 2004 at an interactive Growth Visioning workshop and to Orange County stakeholders at the 2004 OCCOG General Assembly.

Attached is a brochure regarding OCCOG's Growth Visioning Program, smart growth strategies and the schedule for workshops.

Recommendation: Receive and file.

Attachment: OCCOG Growth Visioning Brochure

Staff Contact: Annabel Cook, Regional Issues Consultant – (714) 571-5844

**GROWTH VISIONING
RESOURCES**

Further Information

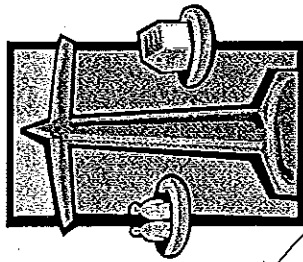
- *Interregional Partnership Existing Conditions Report, OCCOG and Western Riverside COG*
- *Smart Growth Strategies to Accommodate Orange County's Future, OCCOG*
- *Here Comes the Neighborhood, OCCOG*
- *Changing the Face of Orange County, OCCOG*
- *Smart Growth in the San Francisco Bay Area: Effective Local Approaches, San Francisco District Council of Urban Land Institute*
- <http://www.occities.org/occog>

Growth Visioning Program

- General Assembly 2003
- Program Initiation/Presentation
- January 2004 Workshop
- Policymakers
- General Assembly 2004
- Orange County Stakeholders

"Always design a thing by considering it in its next larger context -- a chair in a room, a room in a house, a house in an environment, an environment in a city plan."

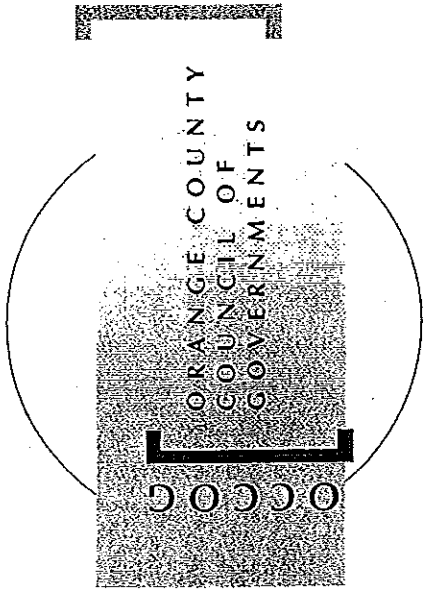
Eliel Saarinen



"Habit and routine have an unbelievable power to waste and destroy."

Henri de Lubac

**Growth
Visioning**



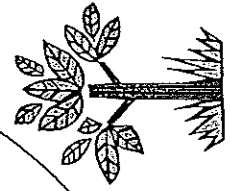
Orange County Council of Governments
600 W. Santa Ana Blvd.,
Santa Ana, CA 92801
(714) 972-0077
(714) 972-1816 Fax
occog@occog.org

GROWTH VISIONING WORKSHOP

What is Smart Growth?

The "Ahwahnee Principles" define a set of smart growth principles that provides a good example of the kind of growth that will be discussed at the Growth Visioning Workshop:

- locating housing, jobs, daily needs and activities within easy walking distance;
- containing a mix of facilities and combine commercial, civic, cultural and recreational uses;
- having a central focus;
- locating as many activities as possible to transit stops;
- accommodating different economic and age groups in the housing mix;
- linking job types to residents, the local work force and economy;
- enabling access to a larger transit network;
- allowing for "open space;"
- designing public spaces to encourage "around the clock" use;
- preserving natural terrain, drainage and vegetation;
- providing for efficient use of water, and
- allowing for street orientation, placement of buildings and shading that will contribute to energy efficiency of the community;



Help shape the future of Orange County

Less land does not mean *no growth*, but instead indicates the need for a *new or different* kind of growth. The OCCOG Growth Visioning Workshop is designed to provide Orange County's stakeholders with a tool box of smart growth choices designed specifically to meet Orange County's future growth needs.

Participants will engage in a discussion about growth issues in Orange County and will then be taken through an interactive exercise identifying and understanding the *infill* possibilities in various Orange County communities. Workshop participants will see how different choices affect a community's ability to accommodate growth and the impacts of growth on both local and regional transportation.

Come join your colleagues for an interactive and exciting look into the future of Orange County!

Need more information?

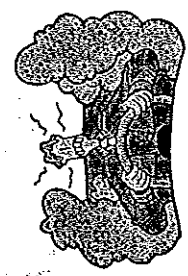
Please contact:
Annabel Cook: (714) 571-5844,
acook@occities.org
Heather Dion: (714) 972-0077,
hdion@occities.org

As Orange County grows, how will we house future residents?

With an ever-growing population and an ever-shrinking amount of land, Orange County's communities are facing air pollution, congestion and housing shortages. Increasingly, as problems such as these grow regional in scope, traditional practices that tend to be local in focus are less conducive to community and have been shown to be unsustainable. OCCOG is working to assist policymakers in tackling these challenges.

Issues Addressed through Growth Visioning Process

- Economic Development
- Urban Sprawl/Development
- Housing Needs/Density
- Traffic Congestion
- Pollution/Air Quality
- Energy Efficiency





ORANGE COUNTY
COUNCIL OF GOVERNMENTS

ITEM VII.D.

STAFF REPORT

Subject: Inter-Regional Partnership

Summary: The Inter-Regional Partnership's Policy Committee met on Friday, September 12, 2003 to select specific options for the following short term strategies: Infill Initiative, Mixed Use Development, What's In It for Us?, Business Site Selection Website, and Transportation Funds for Infill and Mixed Use Development.

The first short term strategy, Infill Initiative, involves the identification of potential sites for new housing production within existing urbanized areas in Orange and Western Riverside Counties. The Policy Committee's approved policy option consists of providing customized maps, a database, and a model "groundtruthing" approach that jurisdictions can undertake to review sites and provide feedback to the IRP. The effort will identify stakeholder organizations to support the process and provide resources to implement the process as needed.

The Mixed Use Development strategy is a public outreach program that outlines potential communication strategies and activities to educate elected officials, stakeholder organizations, and the community about the benefits of infill and mixed use development. The approved policy option includes combining resources among business owners, the Building Industry Association, the Urban Land Institute, public radio stations and other media to develop a feature presentation on Video/Compact Disk format to promote the benefit of infill and mixed use development. The effort will require the IRP to establish a steering committee that would develop plans for fund raising, distribution of the Video/CD, and presentation of the Video/CD to the stakeholder groups.

The What's In It for Us? strategy is a method to engage the public in the process of understanding the critical need for new housing projects and the benefits of providing housing in proximity to jobs. The IRP Policy Committee linked this strategy to the mixed use development strategy. The first step is the initiation of a survey to understand the issues that

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are of interest to focus groups. Taking the survey results, the IRP will conduct focus groups to allow interaction and generate ideas and insights about why people feel a certain way about housing issues. The IRP will then show examples about how infill/mixed use development will improve neighborhoods. Finally the strategy will examine if perceptions change to be more receptive to the process – before and after perception after the educational process – will be incorporated to the feature media presentation discussed in the previous mixed use development strategy. Funding of this strategy will be covered by the funding of the previous strategy as well.

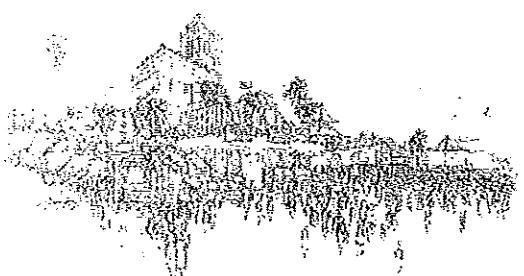
Business Site Selection Website is the forth short term strategy identified by the IRP Policy Committee. This is an economic development strategy that will involve the creation of an interactive internet database of industrial and commercial sites in the Inland Empire, targeting the WRCOG subregion, where jobs are needed to maximize the region's transportation infrastructure investment. The IRP will partner with the Inland Empire Economic Partnership, which represents cities in Riverside and San Bernardino Counties, to support the development of a website that provides an internet database of industrial and commercial sites.

The final short term strategy entailed the development of a reference documents to aid jurisdictions when seeking federal, state and local funding sources for infill and mixed use developments. The document will be incorporated into the IRP Short Term Strategies Implementation Handbook.

Recommendation: Receive and file.

Attachment: None.

Staff Contact: Heather Dion, Regional Issues Analyst – (714) 972-0077



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM VII.E.

STAFF REPORT

- Subject:** League of California Cities Ballot Initiative & CITIPAC
- Summary:** At the recent Annual Conference, cities overwhelmingly supported placing a measure on the November 2004 ballot to stop the state from taking local government dollars. The concept of the ballot measure is simple: prior approval of majority of the voters is required before the legislature may take any local government revenues in the future (sales, property or VLF).
- Getting a measure to the ballot and securing voter approval takes money – anywhere from \$7 to \$15 million, depending on the level of opposition. City officials, businesses, community groups and others concerned about protecting local services can also help by participating in CITIPAC, a political action committee designed to raise the money needed to fund the statewide campaign.
- The Orange County Division is gearing up for its CITIPAC campaign efforts. Individuals can get involved with CITIPAC by participating on the local CITIPAC Committee, identify potential donors, or sponsor or host a future CITIPAC event.
- Recommendation:** Receive and file.
- Attachment:** League of California Cities Brochure
CITIPAC Volunteer Card
- Staff Contact:** Jennifer Solomon, Communications Specialist, LOCC – (714) 072-0077
Michael Gold, Acting Executive Director - (714) 972-0077

A PLAN

TO SAVE LOCAL DEMOCRACY

California cities are today at a crossroads. Over many years cities have seen their resources drained by a state government that cannot manage its own budget.

First it was property taxes. Over the past 12 years the state has drained \$6.9 billion in local property taxes from California cities, robbing them of locally raised funds needed to pay for police, fire,

emergency services, road repairs, recreation and other vitally important local services.

Today that shift continues. In FY 2003-04 it will cost California cities more than \$800 million.

Then it was vehicle license fees (VLF). In 1998 the state gave consumers a tax "holiday" by lowering the VLF rate — even though the constitution dedicates these funds to city and county services.

VLF provides an average of 26% of cities' general revenues — and, on average, 60% of those revenues are dedicated to public safety.

¹ Known as ERAF (Estimating Revenue Augmentation Funds), the state uses these funds to meet its constitutional requirement to fund education. The shift of local funds did not increase state monies for schools; rather, it enabled the state to shift state general funds away from education to support other programs.

raiding local funds. Or they can try to change the rules, to uphold the principle of dedicating locally raised funds to support local police, fire, parks, libraries and other local services.

CONSTITUTIONAL PROTECTION OF LOCAL REVENUES: IMPERATIVE TO PROTECT LOCAL SERVICES

The League of California Cities is a 105-year old association that advocates on behalf of all 478 California cities. The League and its member cities will sponsor a statewide ballot measure in 2004 that will give voters a chance to stop the state raids on local funds. Planned for the November 2004 ballot, the League's measure will amend the constitution to make it harder for the state to take local resources. It will probably require a super-majority vote of the legislature before local funds can be taken, and allow the state's voters to decide if they want local funds taken for state purposes.

"The League and its member cities will sponsor a statewide ballot measure in 2004 that will give voters a chance to stop the state raids on local funds."

WHAT THE MEASURE WON'T DO:

- It won't raise taxes.
- It won't attempt to turn back the clock, or undo actions the state has already taken.
- It won't try to get ERAF property taxes back.
- It won't try to carve out for local government a bigger share of the state general fund pie.
- It won't try to take funds away from other stakeholder groups.

WHAT IT WILL DO:

- Help your city protect the revenues it has right now — the property tax, sales tax, vehicle license fees, and other local taxes such as business license taxes and utility user's taxes — so that your community will have the stable, predictable funds it needs to plan for current and future needs.
- Raise the bar on state take-aways of your local resources. Make it harder for the state to take local funds.
- Help reduce the pressure for increased local fees or taxes that could otherwise be needed to fund local services after state raids of local revenues.
- Keep the state from shifting state program costs to local agencies.

CITIPAC:

THE KEY TO PROTECTING LOCAL SERVICES

Letting a measure to the ballot and securing voter approval takes money — anywhere from \$7 to \$15 million, depending upon the levels of opposition.

The League and California cities will partner with other organizations concerned about protecting local services. These groups can contribute or help raise the funds needed for this measure.

Local city officials, businesses, community groups and others concerned about protecting local services can and must also help. They can contribute to CITIPAC, a political action committee designed to raise the money needed for California cities to win the constitutional protections needed to protect local services.

The League and California cities will partner with other organizations concerned about protecting local services."

"Make a contribution. Pledge to raise funds from others. Host a fundraiser."

WHAT YOU CAN DO

If you're a city official, a business person, part of a company that works with or for cities, or someone who understands the importance of safe streets and a quality community, you can get involved with CITIPAC.

- 1 Make a contribution.
- 2 Pledge to raise funds from others.
- 3 Host a fundraiser.

Find out more by calling the CITIPAC contact at the League of California Cities at 916.658.8273, sending an email to info@citipac.org, or visiting the CITIPAC Web site at www.citipac.org.

LEAGUE OF CALIFORNIA CITIES

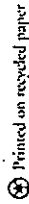
CITIPAC

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Sacramento, California 95814
Phone 916/658-8273 • Fax 916/658-8289

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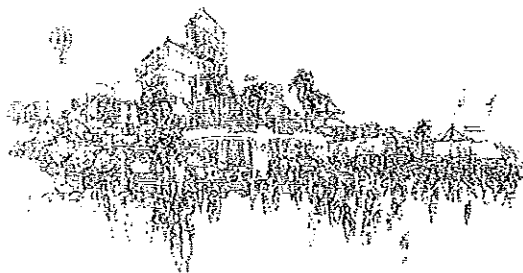
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**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**

ITEM VII.F.

STAFF REPORT

- Subject:** Report from OCCOG Chair
- Summary:** The OCCOG Chair will provide an update on and address the following issues:
- 2003 General Assembly and Survey
 - SCAG Policy Committees
- Recommendation:** Receive and file.
- Attachment:** None
- Staff Contact:** Annabel Cook, Regional Issues Consultant – (714) 541-5842

PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

TO: Library Board of Trustees

FROM: Elizabeth D. Minter, Library Director *EDM*

SUBJECT: Legislative Issues and a Review of the Status of the State Budget and State Library Budget

DATE: October 20, 2003

BACKGROUND

No information has been received since the September 22, 2003 Library Board Meeting.

The District is waiting to receive notification from the State Library regarding the amount of the Fiscal Year 2003-2004 Literacy allocation.

RECOMMENDATION

Action to be determined by the Library Board of Trustees.

PLACENTIA LIBRARY DISTRICT BOARD OF TRUSTEES

TO: Library Board of Trustees

FROM: Elizabeth D. Minter, Library Director *EDM*

SUBJECT: Review items from Placentia Library District Policy Manual Sections 2000 (Personnel).

DATE: October 20, 2003

BACKGROUND:

At its meeting on August 25, 2003 the Library Board selected Section 2000 (Personnel) for review at the September 22 Board Meeting. At the September 22 Board Meeting the Board deferred this item to the October 20, 2003 Board Meeting.

Attachment A is a copy of the current Employee Handbook as updated in 1992.

Attachment B is a series of draft personnel policies and job descriptions based on the sample policy book published by California Special Districts Association (CSDA). In all but the following cases the current District policy or practice was inserted in the CSDA document:

- ☐ 2040 Sick Leave – 2040.11 establishes an incentive program for the accumulation of sick leave hours based on four hours of vacation for each calendar quarter with zero use of sick leave. This program was developed by the staff as a whole and is presented for Board approval.
- ☐ 2110 Health and Welfare Benefits – 2110.5 establishes a new employee benefit based upon matching employee voluntary contributions to the deferred compensation plan to a maximum of \$2,600 per calendar year per employee, or \$100 per pay period. The estimated annual cost would be \$26,000. This program has been reviewed by Library managers but not discussed with the staff as a whole.
- ☐ Several new policies were recommended by CSDA that were not included in either the current Employee Handbook or the old MOU. These include advancement of wages (2140), Drug and Alcohol Abuse (2190), Use of Tobacco (2195), Smoke-free Workplace (2197), Harassment (2215), Equal Opportunity (2225), Letters of Recommendation (2255), and Internet, E-mail & Electronic Communications (2270).

The Board designated section 2000 for review at the April 21, 2003 Board Meeting.

RECOMMENDATIONS:

1. Review and adopt as first reading the policies in Section 2000 (Personnel).

2. Refer Section 2000 (Personnel) to staff for review and comments to be presented at the October 20, 2003 Library Board Meeting.
3. Select sections for review at the October 20, 2003 Library Board Meeting.

PLACENTIA LIBRARY DISTRICT
MISSION STATEMENT
Adopted by the Library Board of Trustees
June 15, 1992

To provide library services and materials that are responsive to the informational, recreational, educational, and cultural needs of all member of the community.

THE PURPOSE OF THE PLACENTIA LIBRARY
DISTRICT IS TO:

- Acquire, organize and maintain a collection of print and non print materials to meet the informational, recreational, educational, and cultural reading, listening and viewing needs of the residents of the District and other eligible users.
- Provide qualified staff to assist the public with the use of the collection and the information contained therein.
- Provide and operate a library facility, that is free of physical barriers, to house the collection and services, to provide reading and study space for users, and to provide space for library and community programs.
- Collect, preserve and maintain a collection of published and unpublished material about the City of Placentia and contiguous communities, about current and prior residents of Placentia, and published materials by authors who reside or have resided in Placentia.

SECTION I

GENERAL RULES

Introduction

The Placentia Library District Employee's Manual is designed to assist employees of the Placentia Library District in understanding the functions, rules and policies that promote satisfactory public library service to the community and the individual patron.

The Manual is part of the MOU and is subject to update by future negotiations that may change the MOU.

The Placentia Library District maintains a reputation for courtesy and assistance to all that seek its services. We hope you will enjoy working for the District and that you will cooperate in contributing to a harmonious atmosphere and a high quality of community service.

Responsibility

Each employee is responsible to her/his supervisor and the Library Director. Instructions are to be followed and no rule that conflicts with Library policy will be established.

It is the function of the Library Director to carry out policies established by the Library Board of Trustees. Employees are informed of policy changes by memo in order to implement them.

Library Hours

The Placentia Library District is open to patrons from 10:00 A.M. to 8:45 P.M. Monday through Thursday, and from 10:00 A.M. to 5:45 P.M. on Fridays and Saturdays. The Library is open on Sundays from 1:00 P.M. to 4:45 P.M.

While the Library begins its shutdown procedures at 45 minutes past the hour each employee is expected to remain busy at her/his workstation until the end of the scheduled workday at 9:00 P.M., 6:00 P.M. or 5:00 P.M. respectively.

Work Schedules

The Library workweek starts on Friday morning and ends on the following Thursday evening.

A full-time employee works 40 hours. A regular part-time employee works 20 to 39 hours, and is offered a pro-rata percentage of the benefits of a full-time employee.

An extra help part-time employee works less than 20 hours, and is not eligible for paid benefits.

Work schedules are prepared to provide proper coverage of services for Library patrons. Every effort will be made to adjust for individual employee needs but not at the sacrifice of public service schedules.

Tardiness

Promptness is essential to adequate Library operation. When an emergency arises that will cause any employee to be tardy, the Library Director, Assistant Library Director, Administrative Assistant or, in the absence of all of the above the Librarian-in-charge, must be notified.

Keys

Keys are controlled by the Library Director. They are distributed and maintained by the Administrative Assistant who records and issues keys for any equipment or lock within the building.

Keys issued by the Administrative Assistant will be signed for. Keys will be issued on an as needed basis.

Keys are available at the check out desk for normal Library operation.

A key is issued to users of the Meeting Room when their meeting schedule is outside the Library's schedule. It is to be returned to the book drop beside the main entrance after the Meeting Room is properly secured.

Staff Meetings

Staff meetings are held on the Tuesday following a Regular Meeting of the Library Board of Trustees and other times as required.

Telephone Calls and Conversations

The Library telephone is used for library business. Personal use must be brief and infrequent. All employees are to be aware of the telephone zones and charges. Staff will be asked to identify their calls on the telephone logs and to reimburse the District for actual costs and taxes.

Avoid lengthy conversation at the public desks or while working in any public area of the Library.

Incoming calls should be answered promptly with a smile in your voice, giving the name of the Library and our own name. Always offer to take a message if the person being called is not available.

Employee Parking

All Library and City employees are to park in the eastern parking rows of the northern row closest to the strawberry field. The other three rows of the parking lot are for visitors and reserved parking.

Insert parking lot diagram here

You and the Patron

Patrons form opinions of Library service from the attitudes, appearances, and actions of the employees who assist them. Each employee influences the patron's judgement of the value of the Library.

Assist the patron immediately and courteously. Be helpful and try to not keep them waiting. SMILE.

Dress Code

Report for work neatly dressed and groomed. Blue jeans, shorts, open midriffs, thongs, bare feet in sandals, and tee shirts and slogans are inappropriate attire for any staff member working in a public area. Political or public policy issue buttons may not be worn while working in a public area unless they are approved by the Library Director.

Patron Complaints

When any patron brings a complaint against materials or policies of the Placentia Library District, this patron must be given special attention and courteous treatment by the desk attendant. Offer the patron a complaint/suggestion form to register the concern.

If possible, the patron should be taken to the office of the Library Director or Assistant Library Director to discuss her/his complaint.

Dissatisfied patrons should never be allowed to stand in the public areas disrupting service and disturbing other patrons.

Desk attendants are not expected to listen to unreasonable arguments or to provide interpretation of Library rules and policies.

Professional Reading

Employees are encouraged to borrow books, audiovisual materials, and professional journals from the Placentia Library District.

These materials must be charged out and returned within a reasonable time.

Employees are not charged for overdue material. All material needs to be returned before the final paycheck is issued.

SECTION II

HIRING PRACTICES

Appointment and Examination

Appointment to vacant positions shall be made in accordance with the personnel rules and policies as adopted by the Library Board of Trustees. The Library Director is responsible for the interpretation and implementation of the Board's rules and policies.

Appointments and promotions shall be based on merit and fitness to be ascertained so far as practicable by competitive examination.

Examinations shall be used and conducted to aid in the selection of qualified employees and shall consist of selection techniques which, in the opinion of the Library Director, will test fairly the qualifications of candidates. Physical and medical tests may be given as a part of the examination.

Appointments shall be made by the Library Director, pending ratification by the Library Board of Trustees.

Provisional Appointments

A provisional appointment may be made, not to exceed six months, by the Library Director, of a person meeting the minimum training and experience qualifications for the position. A provisional employee may be removed at any time without the right of appeal or hearing. During the period of suspension of an employee, or pending final action on proceedings to review suspension, demotion or discharge of an employee, such vacancy may be filled by the Library Director subject to the personnel rules.

Probationary Period

All regular appointments, including promotional appointments, shall be for a probationary period of six months. During the probationary period, the employee may be rejected at any time without the right of appeal or hearing.

An employee rejected during the probationary period from a position to which she/he has been promoted shall be reinstated to a position discharged from the Library service as provided in the rules and policies.

Seniority

Seniority shall be observed in effecting such reduction in personnel, and the order of layoff shall be in the reverse order of total cumulative time served in permanent and probationary status upon the effective date of the layoff. Layoff shall be made within classes of positions, and all provisional employees in the affected class or classes shall be laid off prior to the layoff of any probationary or permanent employee.

For the purpose of determining order of layoff total cumulative time includes time served on military leave of absence. Any layoffs shall be made in accordance with the personnel rules and policies adopted.

Discrimination

No person shall be employed, promoted, demoted or discharged, or in any way favored or discriminated against because of political opinions or affiliations or because of race, color, ancestry, national origin, religious belief, or disability as stipulated by the Americans with Disabilities Act (ADA).

Employment applications from qualified individuals with a disability or disabilities are welcome.

Fair Employment

No question in any test, or in any application form or by any participant in the selection process, shall be so framed as to attempt to elicit information concerning race, color, ancestry, national origin political or religious opinion or affiliation, except where sex or age is a bona fide occupational qualification.

Medical Exam

All new employees will be required to take and satisfactorily pass a medical exam at District expense. Some classifications may require the employee to have a valid California Driver's License and adequate automobile coverage.

Bilingual Pay

Certain employees who have the ability to write and speak a language in addition to English, and who occupy positions in which said ability is regularly used, may be designated by the Library Director to receive Bilingual Pay differential of five (5%) percent above their regular rate. Bilingual Pay may be offered to employees communicating in languages spoken by more than 5% of the service area's population as identified by either U.S. or California Census Statistics or Placentia School District's data.

The designation of employees to receive Bilingual Pay shall be at the sole discretion of the Library Director. Prior to receiving Bilingual pay, designated employees must pass an objective testing process for oral and written skills as selected by the Library Director.

Certain positions may be advertised as "Bilingual Preferred" or "Bilingual Strongly Preferred". In such cases after the regular examination process is completed, and the relative scores are available, those candidates passing the language exam will be eligible for bonus points, not to exceed 5 points, on an exam with a total possible score of 100 points.

SECTION III

COMPENSATION

Timecards

Timecards must be completed and signed by both the employee and the immediate supervisor. The employee is responsible for keeping accurate records of her/his time worked on a daily basis.

No extra hours or overtime may be worked without prior consent of the Library Director or Assistant Library Director. Failure to submit accurate time cards at the proper time may result in disciplinary action.

Paychecks

Paychecks are issued biweekly on Wednesdays in the Administrative Office. The employee must sign the check register when the check is picked up and no one other than the employee may pick up a check unless a written authorization has been received by the Administrative Assistant prior to the pay date.

Checks not picked up by Friday following a pay date will be mailed to the address of record.

Any employee may make arrangements with the Administrative Assistant for direct deposit of paychecks with participating banks and credit unions. These arrangements take several weeks to process.

Requests for Early Vacation Payroll Checks

Staff members eligible for paid vacation days may receive a paycheck for pay periods ending during a vacation period on the last weekday worked before the beginning of the vacation.

To receive an early vacation payroll check a written request must be submitted to the Library Director no less than two (2) weeks prior to the first day of the vacation period. The minimum absence eligible for an early vacation payroll check is two (2) weeks.

Merit Increases

A merit pay increase program provides a schedule of nine steps. Each step is by two and one-half percent for the classifications represented by the Orange County Employees Association. A meritorious tenth step of 5% is possible for employees who have been at the top of their classification for four years and have demonstrated their ability and proficiency in their assignments.

Part-Time Employees

The District guarantees that all part-time employees in the bargaining unit may work twenty (20) hours per week, if the employee so chooses. An employee who works twenty (20) hours per week will receive a pro rata share of all appropriate fringe benefits, including vacation, holidays, retirement, sick leave, bereavement leave, and jury duty leave.

Overtime/Compensatory Time

Non-exempt employees are to be compensated for extra time worked at the request of the Library Director or Assistant Library Director. Non-exempt employees may not work extra hours without the prior written approval of the Library Director or Assistant Library Director. The standard work week at Placentia Library District is 40 hours starting on Friday morning. All requested and approved work in excess of 40 hours shall be paid at time and one-half the employee's regular hourly rate or with compensatory time equal to time and one-half of the time worked. Compensatory time off need not be taken within the same pay period but should be taken as close to the overtime occurrence as possible.

All work performed in excess of 40 hours by non-exempt employees that has been approved by management but is not at the request of the Library will be compensated with compensatory time equal to time and one-half or that time worked and need not be taken within the same pay period. Exempt employees are Management, Supervisory and Professional employees. This is in compliance with the Fair Labor Standards Act as revised in 1986.

Resignations

When employees terminate their employment with the Library, a letter of resignation should be submitted to the Library Director at least two weeks in advance of the date of termination. This letter should state the effective date and reasons for termination.

Professional employees are urged to give at least one month notice in advance to termination.

Payout of Accumulated Vacation Time

If an incumbent's position is reduced in hours of service per week on a regular basis, he or she will keep the equivalent of one year's vacation at the new rate of accumulation, and be paid for all remaining hours of accrued vacation.

SECTION V

DISCIPLINARY ACTION

Purpose

Discipline is the enforcement of conformity to policies, rules, regulations and other administrative or legal requirements or practices designed to maintain a standard of cooperation and conduct necessary to carry out the duties and responsibilities of the District in a successful manner. Self-discipline or self-conformity is the goal. Where self-discipline fails, disciplinary action by the appointing authority is authorized and shall be accomplished in such a manner as to be just, equitable, consistent and suited to the situation; and shall be taken in such a manner as to obtain conformity.

Disciplinary Action

The Library Director, subject to ratification by the Library Board of Trustees, shall have the right for due cause, to demote, dismiss, reduce in pay, or suspend any permanent employee.

Right to Grieve

Any employee with the exception of those job classes comprising the management staff, as designated by the Library Board, shall have the right to grieve any disciplinary action, interpretation or alleged violation of the personnel rules and policies, except in those instances where the right to grieve is specifically prohibited by the rules or policies.

Abolition of Position

Whenever in the judgement of the Library Board it becomes necessary, the Library Board may abolish any position or employment. Employees transferred, demoted or laid off because of the abolishment of positions shall not be subject to written charges, nor shall they have the right of appeal in such cases.

Types of Disciplinary Action

The disciplinary actions which may be taken, in order of severity, are: dismissal, demotion without consent, reduction in pay (e.g., by a step within a range), suspension, written reprimand, oral reprimand, or any appropriate combination of these.

Grounds for Disciplinary Action

Any employee may be disciplined for due cause. The following is a list of some, but not all, grounds for a disciplinary action:

- A. One or more days of unexcused absence

- B. Repeated tardiness
- C. Violations of rules and regulations, Policy Manual, and departmental procedures established by the employee's department head and approved by the Library Director. Rules and regulations, Policy Manual, and departmental procedures established by prior department heads and/or Library Directors will remain in effect until revised or amended
- D. Consumption of intoxicating liquor, dangerous drugs or narcotics
- E. Gambling for money or articles of value during the workday
- F. Use of District tools or equipment for private or personal purposes without written permission
- G. Abuse of gross negligence in the care or operation of District tools or equipment
- H. Obtaining sick leave falsely
- I. Conduct unbecoming a District officer or employee
- J. Immoral conduct while on duty
- K. Receiving bribes in money or other valuable articles, or receiving personal favors for the performance of a District service
- L. Violation of state laws regulating political activities of District officers and employees
- M. Discussion of confidential business or information with unauthorized persons
- N. Refusal to report to an official call in an emergency
- O. Continued and persistent refusal to pay just debts
- P. Excessive absence
- Q. Making false written or oral statements relating to his employment
- R. Performance unacceptable to the appointing authority

Disciplinary Procedures

Prior to the administration of any non-emergency disciplinary action, other than oral and written reprimands, the following procedures shall be followed:

- A. The authority proposing the disciplinary action shall notify the affected employee in writing of the proposed action. The written notification shall include a statement of the reasons that the disciplinary action is being proposed and a statement of the changes being considered.
- B. The authority proposing the disciplinary action shall, upon request, show the affected employee documents or materials upon which the proposed disciplinary action is based; and shall, upon request, supply to the affected employee copies of these documents, if practicable.
- C. When in the opinion of the authority proposing disciplinary action, emergency conditions exist such that immediate removal from duty of the affected employee is required, the

affected employee may be suspended with pay pending completion of the procedures set forth above, and subject to a final disciplinary decision.

The provisions of Section 4 do not apply to probationary, provisional, or temporary employees.

SECTION VI

FRINGE BENEFITS

Rest Periods

A lounge is provided for employee rest periods. A fifteen (15) minute rest period is given during each four hours on duty. The two periods are not to be combined or used to shorten work schedules. The break is to be limited to fifteen minutes from the work assignment.

Vacations

Vacations with pay are granted to all full-time and regular part-time employees at the convenience of the Library.

While vacation is accrued from the date of employment an employee may not take vacation until the end of her/his probationary period. An employee leaving before the end of her/his probationary period is not eligible to be paid for accrued vacation.

Vacation accrues on the last pay period of each month at a rate of ten (10 working days per year for the first through fourth years of continuous employment, fifteen (15) working days for the fifth through the ninth year of continuous employment, and 20 working days after completion of the tenth year of continuous employment.

Vacation time for employees is cumulative, not to exceed thirty (30) days (240 hours.) The Library Director is authorized to schedule vacation time for employees with more than thirty (30) working days of accrued vacation balance are under 240 hours.

Accrued vacation will be calculated and paid at termination of employment.

Holidays

All full-time and regular part-time employees receive twelve (12) holidays with pay. These holidays are:

Christmas Eve Day	Independence Day
Christmas Day	Labor Day
New Year's Eve Day	Veteran's Day
New Year's Day	Thanksgiving Day
Washington's Birthday	Day after Thanksgiving
Memorial Day	1 Floating Holiday (Birthday)

Regular part-time employees will receive holiday pay at a rate of one-fifth their weekly pay. Extra help will receive no holiday pay.

When a holiday falls on a full-time or regular part-time employee's day off, the employee may select any date during the workweek of the holiday, approved by the scheduling supervisor(s), to compensate for this holiday.

The Library will be closed on Sunday proceeding any Monday holiday. Staff may not be scheduled to work or to take vacation or sick leave on a holiday or a day that the Library is closed.

Full-time and regular part-time employees will have their birthday holiday added to their vacation record on the pay period before their birthday each year.

Sick Leave

- A. Sick leave is granted to employees in case of illness or disability. A written statement from her/his doctor authorizing an employee to return to work after a three-consecutive-day sick leave absence may be required by the Library Director
- B. Sick leave for full-time employees is given and computed at the rate of one 8-hour day per month from date of employment, or twelve days per year, and is cumulated to an unlimited maximum. Regular part-time employees receive hours at a rate of one fifth their weekly schedule. Sick leave is accrued at the last pay period of each month.
- C. Absence due to exposure to a contagious disease when quarantine is imposed by health authorities or when it is determined by a physician that the presence of the employee on duty would endanger the health of others, is considered sick leave.
- D. Absence from duty because the employee's presence is needed to attend to the critical illness of a member of his immediate family where death appears imminent will be paid provided that such absence shall be limited to a maximum of 24 working hours for each occurrence and is considered sick leave. For purposes of this section, immediate family shall mean Father, Father-in-law, mother, mother-in-law, brother, sister, wife, husband, child, grandparents, legal guardian, or stepparents.
- E. Illness while on paid vacation will be charged to sick leave rather than vacation only under the following conditions:
 1. The illness or injury of the employee was of a nature that would preclude the effective use of vacation and would keep the employee from performing his normal work duties as indicated by a doctor's report.
 2. The employee must notify her/his supervisor within four (4) calendar days of the beginning of the illness or prior to the end of his vacation leave whichever is sooner to request that her/his illness on vacation be charged to sick leave.
 3. The Library will be under no obligation to extend the vacation beyond the originally scheduled vacation ending date. Unusual cases can be brought to the Library Board of Trustees by the Library Director for review.

Sick Leave Payoff

The District provides a sick leave payoff plan upon either termination, resignation, or retirement as follows: After 10 years of employment, 25 percent of accumulated sick leave will be paid at current salary; after 15 years employment 37.5 percent; and after 20 years employment, 50 percent. Maximum accumulated sick leave for this purpose is 800 hours before calculations. Calculations of years in retirement, unused sick leave payoff and vacation will be as time within salaried classifications. Service pin years of service will include time as page and salaried employment.

Bereavement Leave

Upon request, employees shall receive necessary time off with pay, not to exceed five (5) days in any one instance, to arrange for or attend a funeral of a member of her/his immediate family. For purposes of this section, immediate family shall mean father, mother, father-in-law, mother-in-law, brother, sister, wife, husband, child, grandparents, legal guardian, or stepparents.

Leave of Absence Without Pay

A. Informal Leave

An employee may request informal leave of absence without pay not to exceed fifteen calendar days. The granting of an informal leave shall be at the discretion of the Library Director.

An employee shall be authorized an informal leave only after all accumulated compensatory time has been applied toward payment of the absence. The use of earned vacation prior to the obtaining of informal leave shall be at the option of the employee.

B. Pregnancy Leave

A pregnant employee will be permitted to work as long as, and return to work when, she is able to safely perform the duties of her position as recommended by her attending physician.

A pregnant employee shall be allowed to be absent for the period during which, in the opinion of her attending physician, she is temporarily disabled because of pregnancy, miscarriage, abortion, childbirth and recovery therefrom. The cumulative total is not to exceed four months.

The employee may use sick leave and vacation for such absence and shall be granted leave of absence without pay to the extent required to reach the four-month maximum.

C. Leaves of Absences for Part-Time Employees

Part time employees may take up to four (4) weeks leave without pay in any given employment year with the exception of maternity leave which allows up to four months of leave with or without pay. Part time employees needing longer periods of leave will need to resign their positions.

A part time employee who resigns in good standing will be eligible for reappointment without participation in a competitive exam, to the same classification, whenever such position is open.

Jury Duty/Witness Leave

A regular employee who is called for jury duty or for examination for jury duty shall be compensated at her/his regular rate of pay for those hours of absence due to the jury duty, provided he deposits with the library her/his fees for such hours of jury duty, exclusive of mileage. Those persons assigned jury duty shall have their schedule adjusted to fall between 9:00 A.M. and 9:00 P.M., Monday through Friday.

Travel Reimbursement

Employees will be reimbursed for travel in their own vehicles when performing District-required and approved activities at the rate established by the Board of Trustees. Transportation forms must be filled out monthly and submitted by the Administrative Office by the Friday before the first Monday of each month.

Unemployment Insurance

The Placentia Library District pays the premium for unemployment insurance for all employees.

Worker's Compensation

The Placentia Library District extends Worker's Compensation to all Employees and Volunteers,

Any injury occurring on duty, however minor, must be reported to the Library Director's Office or the Librarian-in-Charge at once.

It is to the benefit of all to observe good safety practices:

Medical Insurance

After one month's continuous employment, insurance premiums are paid for the full-time employee by the Library.

Employees of 20 to 39 hours will have a pro-rata share of their premiums paid by the library if they activate their share of the policy.

Dependent medical coverage is not paid by the library for those classifications represented by OCEA but may be purchased by the employee.

Dental Insurance

A dental program is available for the employee. Dependent coverage is at the employee's expense.

Optical Insurance

An optical program is available for the employee. Dependent coverage is at the employee's expense.

Employee Assistance Program

An Employee Assistance Program is available for the employee and her/his family. It is an information counseling and referral center; a source of confidential aid for finding solutions to personal problems the employee or her/his family might experience that affect her/his ability to work.

Whatever an employee discusses with the Employee Assistance Center Staff remains confidential. Information will be discussed with others only when the employee gives written permission. Supervisors can require employees to use the service.

Social Security/Retirement

All employees contribute to Social Security coverage and are eligible to collect Social Security at statutory age if remuneration for employment does not exceed the limit.

Long Term Disability

After one month of continuous employment, long term disability premiums are paid for full-time employees to provide after 90 days of disability, payment at the rate of two-thirds of their gross salary up to \$1,500 per month maximum to age 70.

Educational Benefits

It is a policy of the Placentia Library District to encourage its personnel to take advantage of educational opportunities.

Employees may apply for work schedules that facilitate enrollment in classes at a college or university. While the Library will attempt to meet these requests it reserves the right to reduce hours of employment or place other limits if public desk schedules cannot be met.

Full-time employees may apply for advance approval of reimbursement for one-half cost of tuition and books for classes in a college or university, which strengthen professional library abilities and afford professional library advancement. Reimbursement is contingent on both the advance approval and successful completion of the classes.

Upon receiving their advanced professional degree, the employee is to remain in the employment of the Placentia Library District for a period of one year. If said employee leaves prior to the above conditions, all monies advanced for education shall be deducted from the final pay. If payment exceeds the final pay, then a reimbursement is due the library.

A Professional degree does not automatically become a promotion to a professional classification if the classification opening does not exist or is not recommended by the director.

Full-time professional employees may apply for time off with pay to attend professional library conventions and meetings at Library expense.

Orange County Employees Association OCEA

Employees of the Placentia Library District are eligible to join the OCEA. There is a monthly membership fee.

The members are entitled to special discounts and a monthly magazine, which describes special events, and discounts.

Other member benefits include (a) a dental insurance program, (b) insurance: auto, life, home, etc., (c) legal consultation on any matter, (d) travel service, and (e) representation on all matters of employer/employee relations for classifications represented by OCEA.

Credit Union

Orange County Federal Credit Union membership is available to our employees and their families. Payroll deductions can be made to add to savings, checking, or to make payments for loans. It is located at 402 Civic Center Drive West, Santa Ana, California 92702.

Retirement Benefit Plan

The Placentia Library District Board of Trustees provides a retirement program that is financed by a contribution equal to 7 per cent of the eligible employee's previous year's salary. Eligible employees are those who at the anniversary date of July 1 have been compensated for at least 1,000 hours and are at least 21 years of age. Full details of the plan are on file in the Administrative Office.

Deferred Compensation

Eligible employees may contribute up to \$7,500 per year into a variety of deferred compensation plans. These amounts are processed through payroll deductions. Since the deductions are taken before Federal and State Taxes the employees taxable income is lowered. Information about the plans is available from the Administrative Assistant.

SECTION VII

HISTORY & GOVERNANCE

Administration

The Placentia Library District is governed by a five-member elected Board of Trustees. The governing Board promulgates policies and regulations for the district, as well as establishes the budget.

History

The Placentia Library District was formed in September, 1919 pursuant to the Library District Act of 1909 (California State Education Code, Chapter Four (4), Sections 19600 through 19734).

In 1926, the Board started construction on their first non-storefront library located on the northwest corner of Bradford and Center. In 1927, they moved into the new 4500 square foot library. At that time, the population of the district was approximately 800 people.

September of 1974 saw the doors open to the present Library at 411 East Chapman in the Civic Center. The District joined the City in a Joint-Powers Authority to construct the 28,800 square foot structure to serve a growing population of 31,000 people.

In 1966, the Placentia Library District worked in conjunction with the Yorba Linda Library District and the Orange County Public Library to form the Santiago Library System. Membership in the System provides an expanded source of books, reference services, audiovisual and technical processing for all patrons. Autonomy is still maintained by each member library of the System.

In 1979 the Placentia Library District worked in conjunction with Anaheim to develop and install an automated circulation system. Today the Yorba Linda Public Library is also a part of the Anaheim Consortium.

Our total integrated on-line catalog and circulation system started in November, 1987.

Declaration of Policy

The proper operation of the Library District requires that public officials and employees be independent, impartial and responsible to the people, that governmental decisions and policy be made in the proper channels of the governmental structure, and that public office not be used for personal gain.

Responsibilities of Public Office

Public officials are all elective officials of the District and the members of all official boards, commissions, and committees of the District.

Public officials and employees are bound to uphold the Constitution of the United States and the Constitution of the State of California, and to carry out the laws of the nation, state, municipality, and district. Public officials and employees are bound to observe in their official acts the highest standards of morality and to discharge faithfully the duties of their offices regardless of personal consideration, recognizing that the public interest must be their primary concern, that conduct in both their official and private affairs should be reproach.

Dedicated Service

Public Officials and employees should not exceed their authority or breach the law or ask others to do so and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or officially recognized confidentiality of their work.

Fair and Equal Treatment

Preferential consideration of the request or petition of any individual citizen or group of citizens shall not be given. No person shall receive special advantages beyond that which are available to any other citizen.

- A. **Use of Public Property**
No official or employee shall request or permit the use of District-owned equipment, material, or property for personal convenience or profit, except when such services are available to the public generally or are provided as district policy for the use of such official or employee in the conduct of official business. No public official or employee shall use the time of any District employee during working hours for personal convenience or profit.
- B. **Obligations to Citizens**
No public official or employee in the course of her/his official duties shall grant any citizen special advantages beyond that which are available to every other citizen in the same circumstances.

Conflict with Proper Discharge of Duties

No public official or employee, while serving as such, shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, or incur any obligation of any nature which is substantial conflict with proper discharge of her/his duties in the public interest and of her/his responsibilities as prescribed by policy and existing under Pt. 4, Division 20, Ch.5 of the Education Code of the State of California.

Incompatible Employment

No public official or employee shall accept other employment which he has reason to believe will either impair her/his independence of judgement as to her/his official duties or require him or induce him to disclose confidential information acquired by him in the course of and by reason of her/his official duties.

Disclosure of Confidential Information

No public official or employee shall willfully or knowingly disclose for pecuniary gain to any other person confidential information acquired by him in the course of and by reason of her/his official duties nor shall any public official or employee use any such information for the purpose of pecuniary gain.

Gifts

No public official or employee shall receive, directly or indirectly, any compensation, reward or gift from any source except the Placentia Library District of Orange County for any service, advice, assistance or other matters related to the legislative process, except fees for speeches or published works on library or legislative subjects and except in connection there-with reimbursement for expenses for actual expenditures for travel, and reasonable subsistence for which no payment or reimbursement is made by the Placentia Library District of Orange County.

Conflict of Interest

A conflict of interest exists in a matter before an official for consideration or determination if:

- A. The public official or employee has a substantial personal interest in the outcome as owner, member, partner, officer, employee, stockholder or other professional enterprise that will be affected by the outcome, and such interest is or may be adverse to the public interest in the proper performance of governmental duties by the official or employee.
- B. He/she has reason to believe or expect that he/she will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of her/his official activity.

- C. The Public official or employee, because of her/his bias or prejudice or because she/he has prejudged a matter set for public hearing is incapable because of such bias, prejudice or prejudgment of granting to the matter before him a fair and impartial hearing.

Personal interest as distinguished from financial interest is defined as including, among other matters, an interest arising from blood or marriage relationship or close business association.

Disclosure of Interest and Disqualification

Any trustee or employee who has a conflict of interest, as defined herein, in any matter before the Board of Trustees, shall disclose such fact in the records of the Library Board of Trustees and refrain from participating in any discussion or voting thereon, as the case may be, provided that such exceptions shall be observed as are permitted by law. This provision shall not apply if a Trustee has disqualified herself/himself from voting.

Any member of any official board, commission, or committee who has conflict of interest as defined herein, in any matter before the board, commission, or committee, of which he/she is a member, shall disclose such fact in the records of such board, commission, or committee and refrain from participating in any discussion or voting thereon, provided that such exceptions shall be observed as are permitted by law.

Any employee, who has a financial or other special interest in a matter before the Board of Trustees, commission, or committee who participates in discussion with, or gives an official opinion to the Board of Trustees, or to such other board, commission, or committee relating to such matter, shall disclose in the records of the Board of Trustees or such other board, commission or committee, as the case may be, the nature and extent of such interest.

Compliance With State Law

Public officials and employees of the Board of Trustees of the Placentia Library District of Orange County shall comply with applicable provisions of state law relative to conflict of interest and generally regulating the conduct of public officials and employees.

Placentia Library District

POLICY HANDBOOK

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Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Executive Officer
POLICY NUMBER: 2000

2000.1 The Library Director will be the Executive Officer of Placentia Library District and for the Board of Trustees.

2000.2 The terms and conditions of the Library Director's employment will be specified in the agreement of employment established between the Library Director and the Board of Trustees. The agreement of employment will be for the period of time as specified therein.

2000.3 Whenever the agreement of employment established between the Library Director and the Board of Trustees is in conflict with any District policy, said agreement of employment will prevail.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Employee Status
POLICY NUMBER: 2015

2015.1 A "Regular" employee is one who has been hired to fill a regular position in any job classification and has completed his/her probationary period. Regular employees may be full-time or part-time.

2015.2 A "Probationary" employee is one who has been hired to fill a regular position in any job classification and has less than six continuous months of service with the District. Upon completion of six months of continuous service with the District in said classification, and upon the Library Director's decision to retain said employee, said employee will be granted regular employee status.

2015.3 A "Temporary" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The duration of the work assignment of a temporary employee may range from one day to a maximum of two years of continuous service.

2015.4 A "Substitute" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The substitute employee works whenever the District's workload increases to a level that regular employees cannot accommodate it. He/she also works standby as discussed in Policy #2010, "Hours of Work and Overtime."

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Hours of Work and Overtime
POLICY NUMBER: 2010

2010.1 This policy will apply to all non-exempt employees.

2010.2 The regular hours of work each day will be consecutive except for interruptions for meal periods.

2010.3 The workweek will consist of seven consecutive days from 12:01 o'clock A.M. Friday, through midnight Thursday.

2010.4 Overtime is defined as:

2010.4.1 Time worked in excess of 80 hours in a pay period; or

2010.4.2 Time worked in excess of ten hours on a scheduled workday; or,

2010.4.3 Time worked on a designated holiday.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Vacations
POLICY NUMBER: 2020

2020.1 This policy will apply to regular and probationary full-time and part-time employees in all classifications.

2020.2 Paid vacations will be accrued according to the following schedule on an annual basis:

- (a) During the first four years of continuous work, eighty (80) hours.
- (b) Five through nine years of service, one hundred twenty (120) hours.
- (c) After ten years of service, one hundred sixty (160) hours.
- (d) Vacation accrual is based on a forty (40) hour work week. Employees working less than forty (40) hours per week will receive a pro-rata allocation of vacation hours.

2020.3 Employees who have completed six months in regular status may take their vacation time all at once, or gradually. No vacation may be taken until the employee has completed at least six months in regular employee status.

2020.4 Vacation time is accrued at the second pay period of each month.

2020.5 Vacation time may be accumulated or postponed. The total accumulated vacation time will not exceed thirty (30) days (for full time employees 240 hours). The Library Director will require staff members with excessive vacation balances to use them immediately.

2020.6 At termination of employment for any reason, the District will compensate the employee for his/her accumulated vacation time at his/her straight time rate of pay at the time of termination.

2020.7 The District will not require an employee to take vacation time in lieu of sick leave or leave of absence during periods of illness. However, the employee may elect to take vacation time in case of extended illness where sick leave has been fully used.

2020.8 If a holiday falls on a workday during an employee's vacation period, that day will be considered as a paid holiday and not vacation time.

2020.9 Vacations may be scheduled at any time during the year upon approval of the employee's immediate supervisor and the Library Director.

2020.10 Probationary employees will not accrue vacation time during the probationary period. Once regular status has been granted at the completion of the probationary period vacation time is calculated from the date of employment.

2020.11 Vacations are provided by the District to employees as a period of exemption from work with pay for the purpose of rest, relaxation and recreation. This respite is a benefit and is intended as an aid in maintaining the long-term and consistent productivity and contentment of the employee. As such, pay in lieu of vacation time away from work will not be permitted.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Employee Status
POLICY NUMBER: 2015

2015.1 A "Regular" employee is one who has been hired to fill a regular position in any job classification and has completed his/her probationary period. Regular employees may be full-time or part-time.

2015.2 A "Probationary" employee is one who has been hired to fill a regular position in any job classification and has less than six continuous months of service with the District. Upon completion of six months of continuous service with the District in said classification, and upon the Library Director's decision to retain said employee, said employee will be granted regular employee status.

2015.3 A "Temporary" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The duration of the work assignment of a temporary employee may range from one day to a maximum of two years of continuous service.

2015.4 A "Substitute" employee is one who is hired to work within any job classification, but whose position is not regular in nature. The substitute employee works whenever the District's workload increases to a level that regular employees cannot accommodate it. He/she also works standby as discussed in Policy #2010, "Hours of Work and Overtime."

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Holidays
POLICY NUMBER: 2030

2030.1 This policy will apply to all regular full-time and part-time employees who work twenty hours or more per week.

2030.2 The following days will be recognized and observed as paid holidays:

New Years Day

President's Day

Memorial Day

Independence Day

Labor Day

Veteran's Day

Thanksgiving Day

Christmas Eve Day

Christmas Day

New Year's Eve Day

2 Floating Holidays, one accrued on month preceding the employee's birthday and one accrued in November.

2030.3 All regular work will be suspended and employees will receive one-day's pay for each of the holidays listed above. An employee is eligible for any paid holiday if he/she works the day before and the day after said holiday. Eligibility is also granted if the employee is on vacation or has notified his/her supervisor and the Library Director and received permission to be absent from work on that specific day or days.

2030.4 Holiday hours are based on an eight hour day of a forty (40) hour work week. Employees working less than forty (40) hours per week will receive a pro-rata allocation of holiday hours.

2030.5 When a holiday falls on an employee's day off or when the Library is closed, the employee may select any date during the work week of the holiday, approved by this/her scheduling supervisor, to compensate for this holiday.

2030.6 Placentia Library is closed on the Sundays preceding Monday holidays. The Sunday closings are not paid leave. Staff may either take vacation time or schedule the hours on other days during that workweek.

2030.7 If any employee works on any of the holidays listed above, he/she will be paid for all hours worked at the rate of time and one-half (1½) his/her regular rate of pay, or as otherwise specified under Policy #2010, "Hours of Work and Overtime."

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Sick Leave
POLICY NUMBER: 2040

2040.1 This policy will apply to probationary and regular employees in all classifications.

2040.2 Sick leave is defined as absence from work due to illness, non-industrial injury, or quarantine due to exposure to a contagious disease. In addition, dentist and doctor appointments and prescribed sickness prevention measures will be subject to sick leave provided prior notice is provided to the employee's supervisor and the Library Director.

2040.3 Employees will earn sick leave at the rate of one working day per month.

2040.4 Sick leave is accrued at the second pay period of each month.

2040.5 Sick leave hours are based on an eight hour day of a forty (40) hour work week. Employees working less than forty (40) hours per week will receive a pro-rata allocation of sick leave.

2040.6 Sick leave is not a privilege that an employee may use at his/her discretion, but will be allowed only in case of necessity and actual sickness or disability of the employee, or because of illness in his/her immediate family.

2040.6.1 The definition of "immediate family" will be the same as specified in Section 2050.3 of the *Bereavement Leave* policy (#2050).

2040.7 In order to receive compensation while on sick leave, the employee will notify his/her supervisor prior to the time for beginning the regular work day, or as soon thereafter as practical.

2040.8 If absence from duty by reason of illness occurs, satisfactory evidence may be required by the Library Director regardless of the length of the absence. A medical release from the treating physician is required for all absences of three or more work days, regardless of the sick leave balance.

2040.9 Illness while on paid vacation will be charged to sick leave rather than vacation only under the following conditions:

2040.9.1 The illness or injury of the employee was of a nature that would preclude the effective use of vacation and would prevent the employee from performing his/her normal work duties. A physician's statement is required.

2040.9.2 The employee must notify the Library Administrative Office within four (4) calendar days of the beginning of the illness or prior to the end of his/her vacation leave, whichever is sooner, to request that his/her illness on vacation be charged to sick leave.

2040.9.3 The District will be under no obligation to extend the vacation beyond the originally scheduled vacation ending date. Unusual cases can be brought to the Library Board of Trustees by the Library Director for review.

2040.10 The District provides a sick leave payoff plan upon termination, resignation or retirement as follows:

2040.10.1 After ten (10) years of employment, twenty-five (25) percent of accumulated sick leave will be paid at the current salary.

2040.10.2 After fifteen (15) years of employment, thirty-seven and one half (37.5) percent of accumulated sick leave will be paid at the current salary.

2040.10.3 After twenty (20) years of employment, fifty (50) percent of accumulated sick leave will be paid at the current salary.

2040.10.4 The maximum accumulated sick leave for this purpose is eight hundred (800) hours before calculations.

2040.10.5 Calculations of years in retirement, unused sick leave payoff and vacation will be the amount of time employed with the District within salaried classifications.

2040.11 The District provides an incentive program for the accumulation of sick leave hours.

2040.11.1 For each calendar quarter that an employee has used no hours of sick leave he/she shall receive four hours of vacation.

2040.11.2 The sick leave incentive program based on an eight hour day of a forty (40) hour work week. Employees working less than forty (40) hours per week will receive a pro-rata allocation of the sick leave bonus.

2040.11.3 The sick leave bonus hours will be added to the vacation leave balance at the second pay period following the end of the calendar quarter.

2040.12 A pregnant employee will be permitted to work as long as she is able to safely perform the duties of her position as recommended by her attending physician.

2040.12.1 A pregnant employee will be allowed to be absent for the period during which, in the opinion of her attending physician, she is temporarily disabled because of pregnancy, miscarriage, abortion, childbirth and recovery. The cumulative total may not exceed four (4) months.

2040.12.2 The employee may use sick leave and vacation for such absence and shall be granted leave of absence without pay to the extent required to reach the four (4) month maximum.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Bereavement Leave
POLICY NUMBER: 2050

2050.1 This policy will apply to probationary and regular employees in all classifications.

2050.2 In the event of a death in the immediate family, an employee may be granted a paid leave of absence not to exceed five days. Bereavement leave is not charged against either sick leave or vacation time. Certification may be required by the Library Director.

2050.3 Bereavement leave is based on an eight hour day of a forty (40) hour work week. Employees working less than forty (40) hours per week will receive a pro-rata allocation of bereavementleave.

2050.4 "Immediate family" is defined as being spouse, parents, children, brother, sister, grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law or any other person who is a legal dependent of the employee.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Jury Duty
POLICY NUMBER: 2060

2060.1 This policy will apply to probationary and regular employees in all classifications.

2060.2 An employee summoned for jury duty will immediately notify his/her supervisor and the Library Director. While serving on a jury, he/she will be given a paid leave of absence for the duration of said jury duty. Said paid leave of absence is conditional upon the employee returning to work upon dismissal each day to complete his/her remaining normal workday. It is also conditional upon the employee's conveyance to the District of any compensation received as a juror, not including any travel allowance received.

2060.3 Jury duty hours are based on an eight hour day of a forty (40) hour work week. Employees working less than forty (40) hours per week will receive a pro-rata allocation of jury duty leave.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Continuity of Service
POLICY NUMBER: 2070

2070.1 For probationary and regular employees in all classifications, length of continuous service with the District will be used as the basis for determining benefits such as sick leave and vacation time. Length of continuous service will also be one of the considerations in promotions, demotions and layoffs.

2070.2 Continuous service with the District will start with the date of employment and continue until one of the follow occurs:

2070.2.1 An employee is discharged for cause;

2070.2.2 An employee voluntarily terminates his/her employment; or,

2070.2.3 An employee is laid off.

2070.3 Continuity of an employee's service will not be broken by absence for the following reasons, and his/her length of service will accrue for the period of such absence:

2070.3.1 Absence by reason of industrial disability;

2070.3.2 Authorized absence without pay for less than 30 days in a calendar year; or,

2070.3.3 Absences governed by applicable state and/or federal laws such as military or National Guard service.

2070.4 A re-employment list will be maintained by the District. The re-employment list will be used to determine the order in which part-time and temporary employees will be employed when other than regular work is available and additional employees are needed. The list will be arranged on the basis of seniority. An individual is considered to have seniority if his/her length-of-service, as defined above, is greater than that of another individual on the list. An individual on the re-employment list will be rehired to fill a vacant position within a specific job classification if:

2070.4.1 He/she was previously employed within said job classification or within a job classification requiring higher qualifications, and/or satisfies the qualifications as specified in the job description for said vacant position; and,

2070.4.2 He/she has seniority, as defined above.

2070.5 When an individual on the re-employment list is called to work and is unavailable to work, the next person on the list having seniority and satisfying the conditions listed in Section 2070.4, above, will be called. If an individual is called to work three times without being available to work, his/her name may be removed from the re-employment list. An individual will be removed from the re-employment list when he/she notifies the District that he/she has taken a regular position elsewhere and is unavailable to work for the District.

2070.6 Regular employees who are laid off will be placed on the re-employment list and will receive seniority based on previously earned length-of-service.

2070.7 Previous regular employees who were laid off and called back for work not being regular in nature will have their employment service records maintained so that they accumulate length-of-service as they work on an "hour-for-hour" basis.

2070.8 Part-time and temporary employees who are hired for a position having regular status will have previously earned length-of-service maintained in their employment service records.

2070.9 Previous temporary employees who are rehired within 18 months of their last date of employment will have their employment service records restored to include previously earned length-of-service.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Vehicle Costs
POLICY NUMBER: 2100

2100.1 When an employee is authorized to use his/her personal vehicle in the performance of District work, he/she will be reimbursed for the cost of said use on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of said usage.

2100.2 Proof of adequate insurance covering collision, personal injury, and property damage will be required by the District of any employee using a personal vehicle in the performance of District work.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Health and Welfare Benefits
POLICY NUMBER: 2110

2110.1 Medical Expense Insurance. Health, hospital, vision, dental and disability insurance to cover non-occupational injuries and sickness for probationary and regular employees in all job classifications will be provided by the District. The scope of coverage and the payment of premiums is subject to periodic review and revision by the Board of Directors. Full payment is made for full-time employees working forty (40) hours per week and pro-rated payment is made for regular part-time employees working twenty (20) hours per week or more. Family coverage is available for all policies except disability insurance if the additional cost is paid by the employee.

2110.2 Workers' Compensation Insurance. All District employees will be insured against injuries received while on the job as required by State law.

2110.3 Retirement Plan. Upon achieving regular employee status, employees will be enrolled in the District's employee retirement plan.

2110.3.1 The District contributes seven per cent of an employee's annual salary to the plan. There is no employee contribution to the retirement plan.

2110.3.2 Employees are vested in the retirement plan at a rate of twenty per cent per year for the first five full fiscal years of employment, and beginning in year six are fully vested.

2110.4 Life Insurance. Life Insurance in the amount of \$50,000 is provided for all full-time and regular part-time employees working twenty hours per week or more. \$15,000 of this coverage is provided only if the employee has elected to accept the medical insurance coverage. The amount of coverage is reduced by the carrier after age sixty-five.

2110.5 Deferred Compensation. Probationary and regular employees in all job classifications are eligible to participate in the United States Conference of Mayors Deferred Compensation Plan or any other deferred compensation adopted by the Library Board of Trustees. Participation is voluntary and the application must be processed by the employee.

2110.5.1 The District will match employee contributions to the deferred compensation plan to a maximum of \$2,600 per calendar year.

2110.5.2 The amount of the maximum deferred compensation match is based on a forty (40) hour work week. Employees working less than forty (40) hours per week will receive a pro-rata allocation of the maximum of the deferred compensation match.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Volunteer Personnel Workers' Compensation Insurance
POLICY NUMBER: 2115

2115.1 Literacy tutors, Friends of Placentia Library and Placentia Library Foundation Board of Directors members, or any unpaid person authorized to perform volunteer service for the District will be deemed to be an employee of the District for the purposes of Workers' Compensation Insurance benefits provided for by law for any injury or illness sustained by them while engaged in the performance of services for the District under its direction and control.

2115.1.1 The Legislature of the State of California has provided through legislation (Labor Code §3363.5) authorization for the inclusion of such coverage in the District's Workers' Compensation Insurance policy.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Educational Assistance
POLICY NUMBER: 2120

2120.1 Employees of the District are encouraged to pursue educational opportunities that are related to their present work, that will prepare them for foreseeable future opportunities within the District, or that will prepare them for future career advancement in librarianship.

2120.2 The District will reimburse regular employees for approved courses of study by the following criteria:

2120.2.1 The District will refund the entire cost of tuition and required class materials will be made if the employee received a grade of "B" for the class.

2120.2.2 The District will refund one-half ($\frac{1}{2}$) of the cost of tuition and required class materials will be made if the employee received a grade of "C" for the class.

2120.2.3 No refund will be made to employees who receive a grade below "C" for the class.

2120.3.4 The total amount that the District will reimburse an employee for educational assistance is limited to \$2,500 in any calendar year.

2120.3.5 Educational reimbursement is based on an eight hour day of a forty (40) hour work week. Employees working less than forty (40) hours per week will receive a pro-rata allocation of educational reimbursement.

2120.3 To be eligible for reimbursement of course costs, the employee must receive advance approval for the class(es) from the Library Director. Requests for reimbursement should be submitted in writing. The employee will be notified of final approval, or the reasons for disapproval. Those requests for reimbursement which are received after the class begins will be eligible for only one-half ($\frac{1}{2}$) of the usual reimbursement.

2120.4 Upon completion of the class(es) the employee is responsible for sending copies of the grade slip(s) and expense receipt(s) to the Library Director.

2120.5 Two types of classes are generally eligible for reimbursement per this policy:

2120.5.1 Classes which are related to the employee's present work assignment or which may prepare him or her for future foreseeable opportunities within the District. Such classes may be taken individually and need not be directed toward a degree or certificate.

2120.5.2 Classes that are taken as part of the requirement for a degree or certificate. In this case the employee must first have completed the equivalent of two (2) full years of college level study and have reached the equivalent of the "junior" year of a four-year degree program.

2120.6 Only campus-based or web-based courses are approved for reimbursement. Correspondence courses are not reimbursable under this policy.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Pay Periods
POLICY NUMBER: 2130

2130.1 The salaries and wages of all District employees will be paid bi-weekly.

2130.2 In the event a payday falls on one of the holidays listed in Policy #2030, "Holidays", the immediately previous working day will become the payday.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Distribution of Pay Checks
POLICY NUMBER: 2135

2135.1 Paychecks will be issued only to the employee.

2135.1.1 No one may remove a paycheck from the Administrative Office that doesn't belong to him/her.

2135.1.2 Paychecks may not be given to parents, spouses, siblings, other staff members or friends unless there is a written, dated and signed directive from the employee.

2135.2 Paychecks are available in the Administrative Assistant's Office from 9:00 A.M. until 4:30 P.M. each pay day.

2135.2.1 Paychecks not picked-up in the Administrative Assistant's Office by 4:30 P.M. will be placed in the mail.

2135.3 Staff members wishing to have someone else pick-up a paycheck or to have a paycheck held in the Administrative Assistant's Office must provide a written, dated and signed directive.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Advancement of Wages
POLICY NUMBER: 2140

2140.1 This policy will apply to all regular and probationary full-time and part-time District employees.

2140.2 Employees requesting payment of wages in advance of regular pay days as defined in Policy No. 2130, "Pay Periods", will submit said request in writing to the Library Director. The request must include a specific reason for the advance.

2140.3 The Library Director may authorize the requested advancement of wages if the amount requested does not exceed the wages accrued (excluding applicable deductions) by the employee to the date of said request.

2140.4 Advancement of wages prior to a regular payday is not a privilege that an employee may use at his/her discretion, but may be authorized by the Library Director, or the absence of the Library Director the Library Board President, at his/her discretion only in the case of proven employee necessity and/or personal financial emergency.

2140.5 Requests for advancement of wages may be submitted only once in any pay period, and frequent requests will be grounds for denial.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Compensation
POLICY NUMBER: 2150

2150.1 This policy will apply to all District employees.

2150.2 Compensation at Hiring.

2150.2.1 New Employees. All newly appointed employees will be paid at the first step of the salary range for the position to which the employee is appointed except as provided elsewhere herein.

2150.2.2 Advanced Step Hiring. If the Library Director finds that a qualified applicant cannot be successfully recruited at the first step of the salary range, he/she may authorize an appointment at an advanced step of the salary range.

2150.2.3 Former Employees. A person who previously held a full-time position from which the person was separated in good standing may, when re-employed in a position with the same or lower pay range than held at separation, be appointed at the same salary rate which was paid at the effective date of the person's termination, or the nearest lower applicable step for the range to which the person is appointed, provided such re-employment occurs within twelve (12) months from the date of said termination.

2150.3 Merit Advancement Within Range.

2150.3.1 Performance Evaluation Required. The Library Director will authorize a merit advancement within the salary range only after evaluating the employee's performance and determining that it is satisfactory. This determination will be noted on a performance evaluation form to be placed in the employee's file, with a copy given to the employee.

2150.3.2 Period of Employment Required for Merit Advancement. Unless otherwise specified herein, each employee will, in addition to receiving a satisfactory performance evaluation, complete the following required time of employment to be eligible to receive a merit increase:

2150.3.2.1 New Employees. A person hired as a new employee will have a merit advancement date which is six (6) months following the appointment date.

2150.3.2.2 Promotion or Demotion. An employee who is promoted or demoted will have a new merit advancement date which will be one year from the date of promotion or demotion.

2150.3.2.3 Voluntary Demotion. An employee who voluntarily demotes to a position at a lower salary range will have no change in merit advancement date.

2150.3.2.4 Change-in-Range Allocation. If the salary range for an employee's position is changed, the employee's merit advancement date will not change.

2150.3.2.5 Position Reclassification. An employee whose position is reclassified to a position having the same or lower salary range will have no change in merit advancement date. An employee whose position is reclassified to a position having a higher salary range will have a new merit advancement date which is one year following the effective date of the position reclassification.

2150.3.2.6 Non-Merit Step Adjustments. An employee whose salary step is adjusted to a higher step for reasons other than regular merit advancement will have a new merit advancement date effective one year from the date of said adjustment.

2150.3.3 Effective Date. An employee's merit increase will take place on the first day of the pay period in which his/her merit advancement date falls. The Library Director may delay authorizing the merit advancement up to 90 days beyond the employee's merit advancement date without affecting the normal merit advancement date. In case of such a delay, the employee's merit advancement will be effective the first day of the pay period following the General Manager's authorization. If authorization for a merit advancement is delayed beyond 90 days from the employee's merit advancement date, the employee will not be eligible for a merit increase until his/her next normal merit advancement date.

2150.4 Promotion. Employees promoted to a position with a higher salary range may be paid either at the minimum rate of the new range or at the nearest higher rate that the employee would otherwise be entitled to on the date the promotion is effective, whichever is greater, provided than an employee promoted to a salary range in excess of one range above his/her former range will receive no less than five per cent (5%), at the same step, in rate.

2150.5 Bi-Lingual Pay. Employees in all classifications are eligible to be tested for Spanish bi-lingual pay. The test includes both verbal and written Spanish and is administered by a consultant selected by the Library Director. Staff members who pass the test will receive a five per cent addition to their regular pay rate effective the date that he/she completes the test. Employees who accept bi-lingual pay will be required to provide translation services for clients and for other staff members.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Gifts
POLICY NUMBER: 2155

2155.1 An employee or his/her immediate family may not accept from, or provide to, individuals or companies doing or seeking to do business with the District, gifts, entertainment, and/or other services or benefits unless the transaction meets all of the following guidelines:

2155.1.1 Is customary and gives no appearance of impropriety and does not have more than a nominal value;

2155.1.2 Does not impose any sense of obligation on either the giver or the receiver;

2155.1.3 Does not result in any kind of special or favored treatment;

2155.1.4 Cannot be viewed as extravagant, excessive, or too frequent considering all the circumstances including the ability of the recipient to reciprocate at District expense.

2155.1.5 Is given and received with no effort to conceal the full facts by either the giver or receiver.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Authorized Leave
POLICY NUMBER: 2160

2160.1 With the approval of the Library Director, an employee may request a leave of absence without pay for a period of up to ninety (90) days.

2160.2 Such a leave of absence must be taken in conjunction with, and at the conclusion of, an authorized use of vacation.

2160.3 At the conclusion, once the employee who has been authorized leave of absence without pay has used all available vacation and any other accrued leave time, then the continuation of such leave will be without any accrual of pay and/or other benefits available to regular employees of the District.

2160.4 If the employee is disabled or otherwise injured or unable to work, such period of time when the employee is on disability and/or receiving benefits under the District's Workers' Compensation program, will be considered a period of authorized leave without pay and no other accrual of vacation, holiday, or sick leave will be allowed during such periods of time, excepting applicable provisions of Policy No.2070.

2160.5 Due to the District's limited work force, maintenance of job classifications for the term of an authorized leave of absence cannot be guaranteed beyond ninety (90) days. Employees returning from a leave of absence will be reinstated with the first available job classification for which they are qualified.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Unauthorized Voluntary Absence
POLICY NUMBER: 2165

2165.1 Voluntary absence from work without permission for five consecutive working days will be considered an automatic resignation.

2165.1.1 After two consecutive days of voluntary absence from work without permission, the employee will be notified in writing that the absence will be considered as resignation if it continues consecutively through the fifth working day. Said notice will provide factual evidence that the employee's absence is voluntary and unauthorized and an invitation to the employee to present his/her version of the "facts" at an informal hearing before the Library Director.

2165.1.1.1 Constructive resignation will not be determined to have occurred until after the employee has an opportunity to present his/her version of the "facts" at the informal fact-finding hearing.

2165.1.1.2 The fact-finding hearing will be held within ten days after the end of the five consecutive days of unauthorized voluntary absence.

2165.2 The Library Director may, prior to the informal fact-finding hearing, reinstate the employee who has been voluntarily absent without leave for five consecutive days if the employee provides a satisfactory explanation. If the employee is reinstated after providing a satisfactory explanation, back pay for the period of absence may be disallowed, including the employee's use of vacation or "comp" time to cover the period of absence.

2165.3 If the Library Director determines, as a result of the evidence presented at the fact-finding hearing, that the employee was voluntarily absent without leave and did not have a satisfactory explanation, the employee will not be entitled to a post-severance evidentiary hearing and the employee's resignation will be considered to be effective at the end of the fifth consecutive day of his/ her unauthorized voluntary absence.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Performance Evaluation
POLICY NUMBER: 2170

2170.1 This policy will apply to all employees.

2170.2 The Manager of Public Services or the Manager of Technical Services or his/her designated representative will conduct a scheduled performance review of each employee prior to the merit advancement date. If the employee's immediate supervisor is not the evaluator, he/she will be consulted during the preparation of the evaluation.

2170.3 Performance evaluations for employees not eligible for merit advancement will be conducted during the month of July.

2170.4 Performance evaluations will be in writing on forms prescribed by the Library Director. Said evaluation will provide recognition for effective performance and also identify areas that need improvement. In addition to providing scaled scores in each performance and characteristic category, the evaluator will also provide a narrative explanation of the reason for each score.

2170.5 Performance evaluations will be reviewed by the Library Director prior to being discussed with the employee.

2170.6 The performance evaluation will be signed by the evaluator and will be discussed with the employee. The employee will be provided an opportunity to prepare a written response to the evaluation that will be attached to the evaluation for inclusion in his/her personnel file.

2170.7 Unscheduled performance evaluations may be made at the discretion of the Library Director or his/her designated representative.

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Grievance
POLICY NUMBER: 2180

2180.1 This policy will apply to all regular full-time and part-time employees in all classifications.

2180.2 The purpose of this policy is to provide a procedure by which employees may formally claim that he/she has been affected by a violation, misapplication, or misinterpretation of a law, District policy, rule, regulation, or instruction.

2180.3 Specifically excluded from the grievance procedure are subjects involving the amendment of state or federal law; resolutions adopted by the District's Board of Trustees, ordinances or minute orders, including decisions regarding wages, hours, and terms and conditions of employment.

2180.4 Grievance Procedure Steps.

2180.4.1 Level I, Preliminary Informal Resolution. Any employee who believes he/she has a grievance will present the evidence thereof orally to his/her immediate supervisor within five working days after the employee knew, or reasonably should have known, of the circumstances which form the basis for the alleged grievance. The immediate supervisor will hold discussions and attempt to resolve the matter within three working days after the presentation of such evidence. It is the intent of this informal meeting that at least one personal conference be held between the employee and the immediate supervisor.

2180.4.2 Level II, Library Director. If the grievance has not been resolved at Level I, the grievant must present his/her grievance in writing on a form provided by the District (attached hereto as Appendix "A") to the Library Director within ten working days after the occurrence of the act or omission giving rise to the grievance.

2180.4.2.1 The statement will include the following:

- (a) A concise statement of the grievance including specific reference to any law, policy, rule, regulation, and/or instruction deemed to be violated, misapplied or misinterpreted;

- (b) The circumstances involved;
- (c) The decision rendered by the immediate supervisor at Level I;
- (d) The specific remedy sought.

2180.4.2.2 The Library Director will communicate his/her decision within ten days after receiving the grievance. Decisions will be in writing setting forth the decision and the reasons therefore and will be transmitted promptly to all parties in interest. If the Library Director does not respond within the time limits, the grievant may appeal to the next level. Time limits for appeal will begin the day following receipt of the Library Director's written decision. Within the above time limits, either party may request a personal conference with the other.

2180.4.3 Level III, Board of Trustees. In the event the grievant is not satisfied with the decision at Level II, the grievant may appeal the decision in writing on a form provided by the District (attached hereto as Appendix "A") to the District's Board of Trustees within five (5) days. The statement will include a copy of the original grievance; a copy of the written decision by the Library Director; and a clear, concise statement of the reasons for the appeal to Level III.

2180.4.3.1 The Board of Trustees, as soon as possible at a regular monthly meeting of the Board, will schedule a hearing in closed session to formally receive the written grievance and the answers thereto at each step and to hear evidence regarding the issue or issues. The Board's decision will be announced in open session immediately after the closed session in which it was made.

2180.5 Basic Rules.

2180.5.1 If an employee does not present the grievance, or does not appeal the decision rendered regarding the grievance within the time limits specified above, the grievance will be considered resolved.

2180.5.2 By agreement in writing, the parties may extend any and all time limitations specified above.

2180.5.3 The Library Director may temporarily suspend grievance processing on a District-wide basis in an emergency situation. Employees covered by this policy may appeal this decision to the Board of Trustees.

2180.5.4 A copy of all formal grievance decisions will be placed in the employee's permanent personnel file

Appendix "A"

EMPLOYEE GRIEVANCE FORM
Placentia Library District

Employee's Name: _____ Date: _____

Statement of grievance, including specific reference to any law, policy, rule, regulation and/or instruction deemed to be violated, misapplied or misinterpreted:

Circumstances involved:

Decision rendered by the informal conference:

Specific remedy sought:

Placentia Library District

POLICY HANDBOOK

POLICY TITLE: Drug & Alcohol Abuse
POLICY NUMBER: 2190

2190.1 It is the desire of the Board of Trustees that all work environments of District employees be safe and productive and free of the influence of drugs, alcohol and/or other controlled substances. The Board of Trustees is concerned with the physical safety of all employees, potential damage to property and equipment, mental and physical health of employees, productivity and work quality, medical insurance costs, and the harm done to employees and their families by the inappropriate use of controlled substances.

2190.2 The use (except as prescribed by a physician), sale, possession, purchase, or transfer of drugs, alcohol and/or other controlled substances by any District employee or officer on District property or work sites or while said employee or officer is on District business is prohibited.

2190.2.1 Employees are also prohibited from being under the influence of drugs, alcohol and/or other controlled substances during hours of work where such substances could impair the fitness of an employee to perform his/her work.

2190.2.2 Commission of any of the actions described above will subject the employee to disciplinary action up to and including termination.

2190.2.3 For the purpose of applying this policy, being under the influence of drugs, alcohol and/or other controlled substances means being impaired in any way from fully and proficiently performing job duties and/or having a detectable amount of said substances in one's body.

2190.3 The decision to discipline or terminate an employee found to have used and/or be under the influence of drugs, alcohol and/or other controlled substances during working hours may be waived or held in abeyance by the Library Director pending said employee's attempt at rehabilitation. The Library Director has discretion to handle each case individually with factors such as the employee's frequency of use, commitment to rehabilitation, and type of substance taken into consideration regarding the waiving of penalties.

2190.3.1 Discipline or termination that is waived or held in abeyance pending rehabilitation should be done on the condition, set forth in writing, that the employee:

2190.3.1.1 Successfully complete an approved rehabilitation program;

2190.3.1.2 Faithfully comply with maintenance and therapeutic measures (e.g., attendance at AA or NA meetings); and,

2190.3.1.3 Be subject to periodic testing without further reasonable cause.

2190.3.2 Employees who are found to have brought drugs, alcohol or other non-prescription controlled substances onto District property or work sites and to have provided them to other employees will be terminated without recourse to a rehabilitation program.

2190.3.3 Discipline or termination should not be taken until a thorough investigation has been completed.

2190.4 To assure that employees, property and equipment are not endangered by other employees who are involved with, or under the influence of drugs, alcohol and/or other controlled substances, any employee whose conduct, appearance speech or other characteristics create a reasonable suspicion of involvement with, or influence of said substances will be taken to a medical facility and be subject to an exam by a qualified physician at District expense. If said physician determines that a drug/alcohol test is warranted, said employee will be subject to testing for the presence of alcohol or drugs in their bodies.

2190.4.1 Presence of such substances will result in disciplinary action up to and including termination, as described above.

2190.4.2 An employee who is suspected of involvement as described above and refuses to cooperate in the physician's exam and/or drug/alcohol testing is subject to termination.

2190.5 If a qualified physician, as a part of the examination specified in Section 2190.4, above, determines that an employee is not capable of working safely, said employee will be transported to his/her home by a supervising employee and not allowed to drive himself/herself home.

2190.6 Immediately prior to reporting for drug/alcohol testing, all employees will complete a Consent and Release form to be kept on file in the District office which will conform to the general format, as shown on Appendix A.

2190.7 District employees are required to notify the Library Director in writing of any criminal drug statute of which they are convicted for a violation occurring in the workplace no later than five calendar days after such conviction.

Appendix "A"
CONSENT AND RELEASE FORM
DRUG/ALCOHOL TESTING

I hereby authorize Placentia Library District, and any laboratories or medical facilities designated by Placentia Library District, to perform a urinalysis and/or blood test to detect the presence of illicit drugs and/or alcohol in my body. I further authorize the reporting of the results of such test(s) to Placentia Library District and its authorized personnel. I recognize that the results of such test will be used to determine my suitability for employment or for continued employment with Placentia Library District.

Any attempt to switch a sample or adulterate a sample will be considered the same as a positive result. The laboratory may use one or more tests for adulteration.

The only drugs, medicine or mind-altering substances, including drugs prescribed by a physician and over-the-counter medications, by brand name if possible (e.g., Extra Strength Tylenol , Robitussin-DM , Allerest , Mediprin , etc.), that I have used in the last 45 days are as follows:

<u>DRUG/MEDICINE</u>	<u>WHEN USED</u>	<u>ISSUED BY:</u> <u>(IF PRESCRIPTION)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

NAME OF EMPLOYEE: _____

FACILITY PERFORMING TEST: _____

DATE OF TEST: _____

SIGNATURE OF APPLICANT/EMPLOYEE: _____
(Signature) (Date)

SUPERVISOR REQUESTING TEST: _____
(Signature) (Date)

