

# **Isla Vista Community Services District**

**Adopted 2017**

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# **Policy Manual**



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# 1. INTRODUCTION

## 1.1 Purpose of Board Policies

- A. It is the intent of the Board of Directors of the IVCSD to maintain a policy manual. Contained therein shall be a comprehensive listing of the board's current policies, which are the rules and regulations enacted by the Board. The Policy Manual will serve as a resource for Directors, staff, and members of the public in determining the manner in which matters of the District business are to be conducted.
- B. If any policy or portion of a policy contained within the Policy Manual is in conflict with rules, regulations, or legislation having authority over the Isla Vista Community Services District, said rules, regulations, or legislation shall prevail.

## 1.2 Adoption/Amendment of Policies

- A. Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director or the Policy Committee. The proposed adoption or amendment shall be initiated by a Director or the Policy Committee submitting a written draft of the proposed new or amended policy to be included, with all necessary attachments, as an agenda item of the next appropriate Meeting of the Board of Directors. At that time, the Board of Directors may take action on the proposed policy or amendment, or they may vote to refer the proposal to the Policy Committee for consideration and recommendation.
- B. Adoption of a new policy or amendment of an existing policy shall be accomplished at a meeting of the Board of Directors in accordance with the District's state statutes regarding the constitution of a majority vote. The Policy Committee shall submit recommendations to the Board of Directors in regard to the adoption of a new policy or amendment of an existing policy.
- C. Copies of the proposed new or amended policy shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration (listed on the agenda). A copy of the proposed new or amended policy(ies) shall be made available to each Director for review in a manner that complies with the Brown Act, prior to any meeting at which the policy(ies) are to be considered.

## **2. BOARD OF DIRECTORS AND OFFICERS**

### **2.1 Board President & Vice President**

- A. The President of the Board of Directors shall serve as the presiding officer at all Board meetings. They shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.
- B. In the absence of the President, the Vice President of the Board of Directors shall serve as the presiding officer over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as the presiding officer of the meeting.
- C. The President and Vice President shall be elected once each year at the first meeting in January.
- D. Should either the office of the President or Vice President become vacant, the Board shall elect a successor at the next regular meeting or at a special meeting called for that purpose and such election shall be for the unexpired term of that office.

## **3. BOARD BUSINESS**

### **3.1 Rules of Order for Board Meetings**

- A. General
  - a. In accordance with this policy, action items shall be brought before and considered by the Board by motion. These rules of order are intended to be followed to ensure the effective discussion, debate, and decision making of all items before the Board.
  - b. If a Director believes that the rules of order are not being maintained or procedures are not adequate, then the Director should raise a point of order - not requiring a second - to the President. If the ruling of the President is not satisfactory to the Director, then it may be appealed to the Board for consideration. A majority of the Board will govern and determine the point of order.
- B. Obtaining the Floor
  - a. Any Director desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.
- C. Motions
  - a. Any Director, including the President, may make or second a motion. A Director should not make a motion until the public in attendance has had an opportunity to comment on the agenda item being considered. A motion shall be introduced and considered as follows:
    - i. A Director makes a motion; another Director seconds the motion; and the President states the motion.

- ii. Once the motion has been stated by the President, it is open to discussion and debate. After the [motion] has been fully debated, and after the public in attendance has had an opportunity to comment [on the main motion], the President will call for the vote.
  - iii. Any Director may move to immediately bring the question being debated to a vote, suspending any further debate, as long as the public in attendance has had an opportunity to comment on the proposed action. The motion must be made, seconded, and approved by a majority vote of the Board.
- b. Secondary Motions. Generally, only one motion can be considered at a time and a motion must be disposed of before any other motions or business are considered. In a few exceptions, a secondary motion concerning the main motion may be made and considered before voting on the main motion.
- i. *Motion to Amend* – A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.
  - ii. *Motion to Table* – A main motion may be indefinitely tabled before it is voted on by a motion made to table, which is then seconded and approved by a majority vote of the Board.
  - iii. *Motion to Postpone* – A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.
  - iv. *Motion to Refer to Committee* – A main motion may be referred to a Board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.
  - v. *Motion to Close Debate and Vote Immediately* – As provided above, any Director may move to close debate and immediately vote on a main motion.
  - vi. *Motion to Adjourn* – A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

#### D. Decorum

- a. The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may eject any person or persons making statements that are not germane to items under the subject jurisdiction of the District, refusing to abide by a request from the President, or otherwise disrupting the meeting or hearing.
- b. The President may also declare a short recess during any meeting.

#### E. Amendment of Rules of Order

- a. By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting:
  - i. temporarily suspend these rules in whole or in part;
  - ii. amend these rules in whole or part; or
  - iii. both.

### **3.2 Minutes of District Proceedings**

- A. The General Manager of the Board shall keep minutes of all regular and special meetings of the Board of Directors.
- B. The minutes of the Board shall include:
  - a. Date, place, and type of each meeting
  - b. Directors present and absent by name
  - c. Call to order
  - d. Arrival of tardy Directors by name, or if absence takes place when any agenda items are acted upon
  - e. Adjournment of the meeting
  - f. Complete information as to each subject including the roll call record of the vote on a motion
  - g. A record of all contracts entered into
  - h. All employments and resignations of employment within the District
  - i. A record of all bid procedures, including calls for bids authorized, bids received, and other related actions
  - j. Adoption of the annual budget
  - k. Financial reports
  - l. Approval of all policies and Board-adopted regulations
- C. The Secretary shall distribute draft copies of the minutes to members of the board at the same time that they distribute the Agenda for the next Regular Meeting.
- D. All resolutions and ordinances adopted by the Board shall be numbered like so:
  - a. (Fiscal Year)(Meeting Month)(Meeting Date)-(Consecutive numbering, beginning with 01) – Eg: 20170307-01

### **3.3 Board of Directors Meeting Agenda**

- A. The General Manager, in collaboration with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may contact the General Manager and request that an item be placed on the agenda no later than 120 hours prior to the meeting time.
- B. Staff shall submit reports on discussion and action items, that include a brief statement of recommendations, summary, background, and attachments. Such reports should be written in professional language.
- C. Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:
  - a. The request must be in writing and be submitted to the General Manager together with supporting documents and information, if any, at least 120 hours prior to the date of the meeting.
  - b. The Board President shall be the sole judge of whether the public request is or is not a "matter directly related to District business." The public member requesting the agenda item may appeal the Board President's decision at the next regular



- meeting of the Board of Directors. Any Director may request that the item be placed on the agenda of the Board's next regular meeting.
- c. No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy.
  - d. The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.
  - e. This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.
- D. At least 72 hours prior to the time of all regular meetings, and 24 hours prior to the time of a special meeting, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review at the site of the meeting.

### **3.4 Special Meetings**

- A. The Presiding Officer or a majority of the Board may, when they deem it necessary, call a special meeting of the Legislative Body for the purpose of transacting the business designated in the call.

### **3.5 Board Actions and Decisions**

- A. The Board shall act only by ordinance, resolution, or motion.
- a. Action can only be taken by the vote of the majority of the board of directors. A majority of the current number of directors holding office constitutes a quorum for the conduct of business. For example, if there are four seats filled and three vacant, three votes are required to take action and three directors constitute a quorum.
    - i. Example. If four of seven Directors are present at a meeting, a quorum exists and business can be conducted. However, if one Director abstains on a particular action and the other three cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.
  - b. Some actions of the Board require a 2/3-majority vote of the Board and are specified by Code, Statute, and/or District Policy.

### **3.6 Enacting Clause of Ordinances and Resolutions**

- A. The form of an enacting clause of all ordinances and resolutions passed by the board shall be: "now, therefore, it is determined and enacted".

### 3.7 Tie Votes

- A. Tie Votes shall be lost motions unless an additional motion is made which obtains a majority vote to break the tie. When all Legislative Body members are present, a tie vote on whether to grant an appeal from official action shall be considered a denial of such appeal. In such case the findings in support of the decision shall be those of the lower body. If a tie vote results at a time when less than all members of the Legislative Body are present, the matter shall automatically be continued to the agenda of the next regular meeting of the Legislative Body, unless otherwise ordered by the Legislative Body.

### 3.8 Board Vacancy Policy

- A. Vacancies
- a. Vacancies shall be deemed to exist as provided in [Government Code § 1770](#).
  - b. Directors intending to vacate their seat should notify the General Manager with a formal written letter of resignation.
  - c. Once a vacancy exists, the remaining board members have a total of sixty (60) days in which to take action with an appointment. If the Board fails to take action within sixty (60) days or if there is a lack of a quorum to take action, Government Code §1780 provides that the Santa Barbara County Board of Supervisors may appoint a successor to fill the vacancy.
  - d. The General Manager shall publish the notice of vacancy within five (5) business days from the time they receive the written letter of resignation. The Board will then appoint a new director no sooner than fifteen (15) days after the vacancy has been published. The notice shall appear on District's website, social media, and a local newspaper of general circulation. It shall outline the appointment process, due date, and require a résumé detailing qualifications and experience from all candidates seeking appointment.
- B. Appointments
- a. All applications for the vacant Board position shall be included in the agenda packet for the regular meeting of the Board of Directors taking place at least fifteen (15) days after the posting, and all candidates shall be encouraged to attend. The Board may hear candidate statements and shall vote to select the new Director.
  - b. A Director appointed to fill a vacancy that occurs the first half of a term of office and at least 130 days prior to the next general district election shall serve until the next scheduled election that takes place. The winner of the election then serves the remainder of the term.
  - c. A Director appointed to fill a vacancy that occurs during the first half of a term of office but less than 130 days prior to the next general district election, or that occurs during the second half of a term of office, shall serve until the expiration of the vacated term of office.
  - d. The General Manager shall notify the Santa Barbara County Elections Official within fifteen (15) days of appointment.

### **3.9 Director Stipend Policy**

- A. Each member of the Board of Directors may receive compensation for each Board meeting attended, at an amount established by District resolution. A Director may elect to waive the compensation.
- B. The Board President, or in their absence the Vice President, or another Director as assigned, is authorized to receive compensation, at an amount established by District resolution, for each local, County, or State agency meeting attended by them, as necessary, to represent the interests of the District and its constituents, provided that:
  - a. The Board of Directors has previously approved the Director's participation;
  - b. The attending Director delivers a written report to the Board of Directors regarding the Director's participation at the following Board meeting.

### **3.10 Commendations Policy**

- A. The Isla Vista Community Services District has a limited ability to participate in ceremonial activities due to its limited resources. However, the organization is committed to acknowledging the unsung heroes that contribute to the vibrancy and character of the Isla Vista community.
- B. This effort will be spearheaded by the Vice President of the IVCSD Board of Directors, or their designee. Any staff time will be minimal. No more than two honorees will be recognized in any calendar month.
- C. Anyone can nominate an individual or organization to be recognized as an unsung hero whose actions benefit the Isla Vista community. A special focus will be placed on honorees who provide unusual, unexpected, creative, innovative efforts that might not otherwise be highlighted. IVCSD will strive to have this be a lighthearted, feel-good effort and will be careful to avoid the appearance of partisanship in any controversy through its choice of honorees.
- D. This program will be mentioned several times a year in IVCSD newsletters. Nominations will be made via a link on the IVCSD website and monitored by the IVCSD Vice President, who will perform due diligence on the claims being made in the nomination. If the VP believes that the nominated person or organization should be honored, they will confer with at least one other Board member (but no more than two) before finalizing their recommendation. If the VP doesn't believe it is appropriate to honor the nominee, they will contact the nominator and inform them.
- E. A resolution describing the honoree and reasons for the honor will be created by the Vice President, printed on special paper, signed by the Board members, framed and presented to the honoree at a IVCSD Board meeting. IVCSD will maintain a roster of honorees on its web site.

## 4. DISTRICT CONDUCT

### 4.1 Anti-Discrimination

- A. Directors and staff, in the performance of their official duties and responsibilities, will not harass any person or discriminate on the basis of race, religion, color, creed, age, marital status, national origin, immigration status, ancestry, sex, gender identity or expression, sexual orientation, medical condition, or disability.
- B. Directors and staff will not grant any special consideration, treatment, or advantage to any person or group beyond that which is available to every other person or group in similar circumstances.

### 4.2 Conflict of Interest

- A. **Purpose:** The Political Reform Act (California Government Code §81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission (FPPC) has adopted California Code of Regulations §18730, which contains the terms of a standard conflict of interest code. Section 18730, together with any amendments hereinafter adopted by the FPPC, is hereby incorporated by reference.
- B. **Statements Of Economic Interest:** District Directors and designated employees, contractors, and officers shall file statements of economic interest with the Isla Vista Community Services District using the forms provided by the FPPC in accordance with the regulations referred to herein. Designated employees, contractors, and officers are those who make or participate in the making of decisions which may foreseeably have a material effect on economic interests. Upon receipt of the statements filed by persons holding designated positions as defined hereinafter, the Secretary, acting as the Filing Official, shall forward a copy of each such statement to the Santa Barbara Clerk-Recorder, who shall be designated as the Filing Officer.
- C. **Designated Positions:** Persons occupying the following designated positions must file Statements of Economic Interests on forms provided by the FPPC for the specified disclosure categories listed after the position name, and make those disclosures consistent with California Code of Regulations §18730 et seq.:
  - a. Directors (Categories 1, 2, 3, 4, 5)
  - b. General Manager (Categories 1, 2, 3, 4, 5)
  - c. Each of the above positions must file a Statement of Economic Interests for each of the Categories of Disclosure set forth hereinafter. The Board may require different levels of disclosure for consultants and other persons employed by the District.
- D. **Categories Of Disclosure:** For listing the categories of disclosure, the following terms shall have the meanings set forth herein:
  - a. “Business entity” means a commercial, for-profit entity.

- b. “Business position” means a position with a business entity. The threshold for reporting is an interest with fair market value of \$2,000 or more or such different amount as the FPPC regulations shall specify.
  - c. “Business income” means income from a business entity in excess of \$500 annually other than income which is exempt from being reported pursuant to FPPC regulations.
  - d. Each of the above persons must file a Statement of Economic Interests for each of the categories of disclosure that the position has been designated to disclose. Categories of disclosure are listed hereinafter:
  - e. **Category 1:** Interests in real property that are located within the boundaries of the District including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.
  - f. **Category 2:** Business positions or investments in or income from persons or business entities engaged in appraisal, acquisition or disposal of real property within the boundaries of the District.
  - g. **Category 3:** Business positions or investments in business entities and income from any sources, if the business entities or sources of income provide services, supplies, materials, machinery or equipment to or for the use of the District.
  - h. **Category 4:** Business positions or investments in business entities and income from any sources, if the business entities or sources of income are subject to the regulation or supervision of the District, including but not limited to, the issuance or granting of franchises or permits or land use control or regulation.
  - i. **Category 5:** Business positions or investments in business entities and income from any sources, if:
    - i. The Business entities or sources of income have filed a claim or have a claim pending against the District.
    - ii. The designated employee’s duties involve the handling or processing of such a claim.
- E. **Additional Positions:** Additional positions may be designated by the Board of Directors by amending this policy when it has been determined that persons in these additional positions make or participate in the making of decisions which may foreseeably have a material effect on economic interests. The Board of Directors shall determine the required disclosure categories at the time of designation.
- F. **Conflicts Of Interest; Governmental Decisions:** No Director or person holding a designated position shall make, participate in making, or in any way use or attempt to use their official position to influence a governmental decision in which they know or have reason to know they have a disqualifying conflict of interest. A public official has a conflict of interest if the decision will have a reasonably foreseeable material financial effect on one or more of their economic interests unless the public official can establish either 1) that the effect is indistinguishable from the effect on the public generally, or 2) a public official’s participation is legally required.
- G. **Determination Of Conflict Of Interest; Governmental Decisions:** For this Policy, a determination of whether a conflict of interest exists shall be made through an analysis of the facts and circumstances in accordance with the provisions of California Code of Regulations §18700-18709, together with any amendments hereinafter adopted.

- H. **Conflicts Of Interest; Contracts:** District directors, officers, and employees shall comply with California Government Code §1090 et seq.
- I. **Employees And Consultants:** No employee or consultant of the District shall make, participate in making, or in any way use or attempt to use their official position to influence a governmental decision in which they know or have reason to know that they have a disqualifying conflict of interest.

#### **4.3 External Representation**

- A. Any member of the Board (or staff person) as designated by the Board of Directors, may represent the Board where it is appropriate or desirable for the District to appear, at meetings, events, or hearings of other public agencies, private entities, non-profit corporations, public groups, or private groups. Such representatives must report back to the Board of Directors at an appropriate Board meeting, following the meeting, event, or hearing.
- B. When external representation is so desired by the Board of Directors, for an incidental or regular meeting, event, or hearing, the General Manager shall be the de facto representative for matters pertaining to District Operations, and the Board President (or their designee) shall be the de facto representative related to governance and policy. The Board of Directors may take action to waive these responsibilities, and designate another Director (or staff person) to serve as the District's representative to a specific public or private entity, or non-profit corporation.
- C. When a Director (or staff member) attends a meeting, event, or hearing of another public agency, private entity, non-profit corporation, public or private group, or other public or private gathering on their own behalf, they should make a good faith effort to clarify so.

#### **4.4 Accepting Donations**

- A. Under Internal Revenue Service Code §170(c)(1), and California Government Code §61116 (a), the District may accept donations as charitable contributions. Individuals, companies, or organizations may wish to donate money, items, or services to the District as a public service. Donations include cash, or any item, physical or digital, such as equipment, books, digital photos, etc., or service, such as staff time, donated for utilization by the District. The District recognizes the value of donations from individuals and organizations, and affirms that they provide a unique opportunity for community involvement to enhance the District and the community. Acceptance of a donation requires that the accounting and Internal Revenue Service statutes and regulations as described in later sections be followed by the District. A donation of any amount may be presented to the Board of Directors for acceptance or rejection if the Board determines that doing so would serve the public interest.

## 4.5 Donations

- A. “Donation” is defined as a voluntary transfer of money or tangible item without compensation to a charity or public institution. A transfer that stipulates advertising, marketing, or other quid-pro-quo in return for the transfer is not a donation, and is beyond the scope of this policy.
- B. Donations are not to be accepted from individuals or agencies where acceptance would require the donor to receive a substantial benefit from the District or would allow the donor to determine policy or to exert influence on the District.
- C. Donations may be accepted directly from taxpayers, such as individuals, partnerships, and corporations, or from 501(c)(3) non-profit entities.
- D. The two categories of donations that the District may accept are cash and non-cash (in-kind) donations. Non-cash donations can include, but are not limited to, goods, supplies, equipment, vehicles, buildings, land, computer software, works of art, and historical treasures. Non-cash donations should have value to the District in its form for acceptance. Within each of these two categories exist different donation classifications.
- E. Multiple individual donations from the same donor, each with a value of less than \$10,000 and upon totaling \$10,000 or greater during a fiscal year, would meet the \$10,000 threshold requiring Board of Directors acceptance. A pledge of \$10,000 or greater, to be paid in installments, would also require Board of Directors approval prior to acceptance.
- F. Donations shall be officially accepted by the District's General Manager, or their designee. In the absence of a General Manager, the President of the Board may officially accept donations made to the District. The District may have physical possession of the donation prior to official acceptance, but must return the donation if it is not officially accepted.
- G. District Directors or staff must avoid any actual or perceived conflict of interest surrounding donations. All donations must be made, and any actions taken by District officials or employees, must be with complete impartiality and without favoritism. For example, the District must not solicit donations from organizations over which they may have regulatory or enforcement authority. The District is required to only pursue donations consistent with a public purpose that is within the scope of the District’s authority, responsibilities, strategic plans, and policies.
- H. If a donor estimates that a non-cash donation has a value of \$5,000 or more, an appraisal is necessary if the donation is other than supplies or materials. The appraisal cost cannot be added to the estimated value of the item. Additionally, the cost and the pursuit of the appraisal should be the responsibility of the donor. The reference to “qualified appraisals” in this document is in accordance with IRS Publication 561 available at [www.irs.gov](http://www.irs.gov). Supplies and materials that are new and have never been placed in service prior to the donation may be valued with purchase receipts provided by the donor as long as the elapsed time of transfer would not have affected the value.
- I. The following items are excluded from the acceptance or rejection requirements of this policy:
  - a. Volunteer service hours: these are not considered donations since these services are not allowable as IRS charitable deductions and their value is not reported on

District financial records. However, the District will periodically acknowledge volunteer service hours as a matter of public interest.

- b. Shared cost programs: programs that share the cost of a District project with individuals or agencies resulting in a benefit for both the District and the cost-sharer. These are not considered donations since the individual or other agency is receiving something from the District in return for their contribution.
  - c. Operating or capital grants.
- J. Procedures:
- a. All donations must be made in compliance with California Government Code §81000 et seq., Internal Revenue Service Code §170(c)(1), and California Government Code §61116 et seq.
  - b. If the donation is appropriate, a completed receipt must be given to the donor, indicating the estimated value of the donation, date, name of the donor, donor type, donor address, purpose of donation, donation classification as defined below, and type of donation.
  - c. If the donation is a cash donation of less than \$10,000 (Classification C-1), the District shall
    - i. Provide a receipt to the donor;
    - ii. Deposit the money into the District treasury in a timely manner; and
    - iii. Complete a budget revision, if necessary, to appropriate the donation revenue.
  - d. If the donation is a cash donation of \$10,000 or more (Classification C-2), the District shall
    - i. Provide a receipt to the donor;
    - ii. Deposit the money into the District treasury in a timely manner;
    - iii. Complete a budget revision, if necessary, to appropriate the donation revenue; and
    - iv. Require the District's General Manager, or their designee, or in the absence of a General Manager, the President of the Board, to submit a letter to the Board of Directors for acceptance or rejection of the donation, that includes:
      - 1. The amount of the donation
      - 2. The name of the Donor
      - 3. The circumstances of the donation
      - 4. Any and all caveats or obligations that acceptance may require
      - 5. A description of how the donation will be used by the District
      - 6. The budget revision, if necessary, to appropriate the donation revenue.
  - e. Action by the Board will result in the recording of acceptance or rejection in the official minutes. Rejection will result in return of the donation to the donating party.
  - f. If the donation is a non-cash donation of less than \$5,000 (Classification N-1), the District shall:
    - i. Provide a receipt to the donor, that includes the value of the donation, as agreed upon by the District and the donor to be less than \$5,000.



- g. If the donation is a non-cash donation of \$5,000 or greater and less than \$10,000, is received from a taxpayer, and the taxpayer intends to claim the donation as a charitable contribution deduction (Classification N-2), the District shall:
  - i. Require a qualified appraisal per IRS regulations;
  - ii. Require the donor complete IRS Form 8283;
  - iii. Sign off on the IRS Form 8283;
  - iv. Provide a receipt to the donor for the valued amount; and
  - v. Forward a copy of the appraisal and the completed Form 8283 to the District's General Manager, or their designee, or in the absence of a General Manager, the President of the Board, for proper classification in the District's financial statements.
- h. If the donor is not going to claim the donation as a charitable contribution deduction on their tax form (Classification N-3), then the District shall:
  - i. Require a qualified appraisal per IRS regulations for items other than materials and supplies; and
  - ii. Provide a receipt to the donor for the valued amount.
- i. If the donation is a non-cash donation of \$5,000 or greater and less than \$10,000, and is received from a 501(c)(3) (Classification N-4), the District shall:
  - i. Require a qualified appraisal per IRS regulations for items other than materials and supplies; and
  - ii. Provide a receipt to the donor for the valued amount.
- j. If the donation is a non-cash donation of \$10,000 or greater and is received from a taxpayer, the District shall:
  - i. Determine if the donor is going to claim the donation as a charitable contribution deduction on their tax form.
- k. If the donor is going to claim the donation as a charitable contribution deduction on their tax form (Classification N-5), then the District shall:
  - i. Require a qualified appraisal per IRS regulations,
  - ii. Require the donor complete IRS Form 8283,
  - iii. Sign off on the IRS Form 8283,
  - iv. Provide a receipt to the donor for the valued amount,
  - v. Forward a copy of the appraisal and the completed Form 8283 to the District's General Manager, or their designee, or in the absence of a General Manager, the President of the Board, for proper classification in the District's financial statements.
  - vi. Require that the District's General Manager, or their designee, or in the absence of a General Manager, the President of the Board, to submit a letter to the Board of Directors for approval or rejection of the donation, that includes:
    - 1. The amount of the donation
    - 2. The name of the Donor
    - 3. The circumstances of the donation
    - 4. Any and all caveats or obligations that acceptance may require
    - 5. A description of how the donation will be used by the District
    - 6. The budget revision, if necessary, to appropriate the donation revenue.

- l. If the donor is not going to claim the donation as a charitable contribution deduction on their tax form (Classification N-6), then the District shall:
  - i. Require a qualified appraisal per IRS regulations for items other than materials and supplies,
  - ii. Provide a receipt to the donor for the valued amount.
  - iii. Require that the District's General Manager (or President of the Board, in the absence of a General Manager) submit a letter to the Board of Directors for approval or rejection of the donation, that includes:
    1. The amount of the donation
    2. The name of the Donor
    3. The circumstances of the donation
    4. Any and all caveats or obligations that acceptance may require
    5. A description of how the donation will be used by the District
    6. The budget revision, if necessary, to appropriate the donation revenue.
- m. If the donation is a non-cash donation of \$10,000 or greater and is received from a 501(c)(3), the District shall:
  - i. Require a qualified appraisal per IRS regulations for items other than materials and supplies,
  - ii. Provide a receipt to the donor for the valued amount,
  - iii. Require that the District's General Manager, or their designee, or in the absence of a General Manager, the President of the Board, to submit a letter to the Board of Directors for approval or rejection of the donation, that includes:
    1. The amount of the donation
    2. The name of the Donor
    3. The circumstances of the donation
    4. Any and all caveats or obligations that acceptance may require
    5. A description of how the donation will be used by the District
    6. The budget revision, if necessary, to appropriate the donation revenue.

#### **4.6 District Advocacy**

- A. The Board of Directors may only take action to advocate for or against legislative, regulatory, or other government agency proposals if such proposals impact the lives of District constituents and directly relate to the authorized powers or services of the IVCSD. Members of the public may request that the Board of Directors take action to advocate for such proposals by requesting that an item be placed on the agenda of a Board of Directors meeting. Directors and District Staff may also request that items related to advocacy be placed on the agenda of a Board of Directors meeting.

## 5. COMMITTEES

### 5.1 Committees of the Board of Directors

- B. The Board shall appoint standing and ad hoc committees as may be deemed necessary or advisable by the Board. The duties and membership of each committee shall be determined at the time of formation, subject to change by a majority vote of the Board. A standing committee shall exist in perpetuity to carry out its function, unless otherwise directed by the Board of Directors. An ad hoc committee shall be considered dissolved when its final report has been made, or upon the date certain specified upon creation.
- C. The Board shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's first regular meeting in January.
- D. At the first meeting of the committee, the members of the committee shall elect a Committee Chairperson. The Committee Chairperson, may choose, in their own discretion, to conduct the meeting in accordance with the Rules of Order for Board Meetings (as specified in this manual) or in any other way that complies with all applicable public meeting laws.
- E. The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns. Said assignments may be made by the Committee Chairperson, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

### 5.2 Committee Selection

- A. Committees may, at their prerogative, declare an interest in having public membership on their committee. This can be recommended to the Board of Directors, which may choose to appoint members of the public to the committee for a term length chosen by the Board. Upon this decision, (a) committee position(s) will be declared "open".
- B. Upon the declaration of "openings", the Board shall solicit applications from the public and will determine a deadline for the receipt of these applications. Applications shall be received for at least three weeks.
- C. Openings for District committees shall be posted in the window of the Board meeting location for at least two weeks. At any Board meetings during this period, openings will be announced on the agenda. Openings will be advertised through an official press release. Openings will also be advertised through any other means as directed by the Board of Directors. The application deadline and the length of term shall be included in all advertising.
- D. Applications for District committees shall consist of a one page maximum letter from the applicant that details why they should be considered to be a member of the committee and, if directed by the Board of Directors, a completed FPPC Form 700 (financial conflict of interest statement). The application details shall be included in all advertising and posting.

- E. Within two weeks of the application deadline, the Board of Directors shall appoint an applicant to fill the opening unless a majority of the Board votes to restart the process with a new deadline to obtain more applications, consistent with the policy described herein. Existing applicants will be considered automatically as part of the new process.

## **6. CONTRACTS**

### **6.1 Contractor Selection and Review for Professional Services**

- A. Upon a decision of the Board of Directors to solicit qualifications and proposals from interested parties, the Board of Directors shall appoint an ad hoc committee to be responsible for reviewing and recommending proposers to the Board of Directors for selection. The committee shall be made up of no more than three members of the Board of Directors, but may also include a member of the public.
- B. Upon the close of the acceptance period of proposals, the committee will meet and review all proposals submitted. The committee will narrow down the proposals received, select finalists, conduct interviews with those finalists, and then refer the list of finalists along with its preferred choice to the Board of Directors.
- C. The committee shall be responsible for preparing a written report to the Board of Directors detailing the qualifications, merit, and proposal of the recommended proposer. The Board of Directors will then be responsible for taking action to execute an agreement.

## **7. PUBLIC COMMENT**

### **7.1 Public Comment**

- A. At the beginning of any Legislative Body meeting the public shall be afforded the right to comment on any and all issues not on the agenda within the subject matter jurisdiction of the Legislative Body. Such general public comment on non-agendized issues shall be taken at the beginning of the meeting under a "General Public Comment" heading. With regard to matters not on the agenda, the Legislative Body may ask questions of persons who raise new matters during the General Public Comment period or otherwise, and the Presiding Officer should handle such matters. However, all Legislative Body questions must be limited to facts-only informational inquiries, and the Legislative Body may not discuss the merits, express any opinions or ask questions that convey opinions or thought processes with respect to any non-agendized issue. The public shall also be afforded the right to comment on every item appearing on the agenda prior to the Legislative Body's consideration of that item.

## **7.2 Time Limitations**

- A. The Presiding Officer has the full prerogative to maintain meeting order and decorum, and so long as public speakers are provided reasonable and fair opportunities to speak, public speakers are to be given at least three (3) minutes for public comment, however, at the prerogative of the Presiding Officer, time limits may be shortened to accommodate a lengthy agenda or lengthened to allow additional time for discussion on a complicated matter.

## **7.3 Speaker Cards and Procedures**

- A. Any member of the public desiring to address the Legislative Body must wait to stand at the podium, if able, and wait to be recognized by the Presiding Officer. For the purpose of establishing a queue of speakers, the Presiding Officer may request that any member of the public desiring to address the Board of Directors fill out a Speaker Card. Upon being recognized, each speaker must identify the subject or subjects (whether agendized or not) upon which they intend to speak, and state their name unless the speaker desires comments to be anonymous. Speakers shall not be required to give any other information as a condition of speaking. All remarks and questions shall be addressed to the Board and not to any individual Director, the audience, staff member or other person.
- B. At the close of the speaker's comments, or the close of the period for public comment members of the Board may ask staff to respond to the speaker's comments. Thereafter, members of the Board may refer the matter to staff for investigation and/or response; or request that the matter be placed on an agenda for a subsequent meeting for action by the Legislative Body.

## **7.4 Additional Procedures for Public Comment on Agenda Items**

- A. Members of the public shall have the opportunity to address the Legislative Body on each and every item listed on the agenda. Public comments on an agenda item may be heard either in combination with the General Public Comment period at the start of the meeting, or at the time the Legislative Body opens the item, or both, as determined by the Legislative Body and set forth in the agenda.
- B. The purpose of the public comment period is to receive input from the public, not to create a debate between the members of the Board and the public. Members of the Board should generally refrain from debating members of the public during the period for public comment, but if members of the Board desire to clarify comments by members of the public, they may ask factual questions, and if necessary, should do so during the public comment period.
- C. The Presiding Officer should clearly open and close the public comment period.
- D. No signs of partiality, prejudice or disrespect should be evident on the part of individual Public Officials toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.
- E. The Presiding Officer shall be fair and equitable in allocating public hearing time to individual speakers. The Presiding Officer will determine and announce limits on speakers at the start of the public comment period. After the close of the public hearing,

no more public testimony will be accepted unless the Presiding Officer reopens the public hearing.

- F. The Presiding Officer/Legislative Body should engage in active listening. The members of the Board of Directors should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

## 8. FINANCIAL

### 8.1 District Purchases

- A. The General Manager will be in charge of purchases for the District. No employee shall purchase or contract for supplies or services for the District unless delegated authority from the General Manager. The General Manager may make purchases up to **\$5,000** at their discretion *to pay for expenses as consistent with the direction of the Board*; purchases for larger amounts must be approved by the Board of Directors.

### 8.2 Fund Balances/Fund Balance Policy

- A. The District requires that sufficient funds be available to provide a stable financial base throughout the District's fiscal and budget cycles. The goal of the policy is to maintain adequate levels of fund balance (reserves) to mitigate any current or future financial risks the District may encounter. To retain a stable financial base, the District needs to maintain unrestricted fund balance sufficient to fund cash flows of the District and to provide reserves for funding capital projects, unanticipated program expenditures, revenue shortfalls of an emergency nature or other unforeseen events.
- B. Establishment of Unrestricted General Fund Balance Reserves:
  - a. The District currently operates with a General Fund. The General Fund may have both Restricted and Unrestricted Fund Balance. Restricted fund balances are generally imposed by legal restrictions on the expenditure of the funds. Unrestricted Fund balance can include committed, assigned and unassigned fund balance. Committed and assigned fund balance indicate amounts set aside by the Board of Directors for a specific purpose. Committed and assigned fund balances shall be spent for the approved purpose but may be redirected by majority approval of the Board of Directors.
- C. The Board of Directors is establishing the following designated fund balance accounts (reserves) to assist in the five-year start-up phase for the District.
- D. Designation for Accumulative Capital Outlay:
  - a. This Account is established to accumulate funds for larger capital projects and may be used as project partner funding with other government agencies or for capital needs of the District requested by the community as part of a District funding plan. Examples include improvements to the Community Room, purchasing Community vehicles, and lighting, among many other Community needs. These funds should not supplant traditional funding sources.
  - b. *Reserve target 30% of annual operating revenues*
- E. Designation for Capital Maintenance of Structures and Equipment:

- a. This account is established to maintain District facilities and equipment (Examples include desks, computers, chairs, tables)
- b. *Reserve target 5% of annual operating expenditures*
- F. Designation for Self-Insurance Reserves:
  - a. An amount earmarked for unforeseen losses stemming from liability or litigation.
  - b. *Reserve target 10 % of annual operating expenditures*
- G. Designation for Strategic Operating Reserves:
  - a. Operating reserves are earmarked for cash flow requirements of District operations and/or emergency reserves earmarked for addressing unforeseen costs related to the District programs from weather events, natural disasters, infrastructure repairs or maintenance or other unforeseen events.
  - b. *Minimum reserve 60 days of operating revenues and a long-term reserve goal of 180 days of operating revenue.*
- H. Budgetary Funding:
  - a. Using a waterfall effect reserve funding at year end would first fund the minimum strategic reserve, second the Capital Maintenance Structures and Equipment account, third the Self Reserve Insurance Reserve Account, fourth the Capital outlay Reserve account and fifth the long-term strategic reserve account.
  - b. The Board may set up additional designated account balances with a majority vote of the Board. Examples might include designated program funds from UCSB, the County or other agencies.
- I. Spending Reserves:
  - a. The District can take action to spend down reserves at any time with a majority vote of the Board. Especially during the annual budget reserve building, reserve spending and reserve levels should be an integral part of the budgeting process. Likewise, at year-end the results of actual operations should be monitored against the fund balance policy goals.
- J. Monitoring Reserves:
  - a. The General Manager shall perform a reserve analysis to be submitted to the Board of Directors upon the occurrence of the following events:
    - i. Board of Directors' deliberation of the District budget
    - ii. Board of Directors review of the District Financial Statements
    - iii. When a major change in conditions threatens the reserve levels established by this policy.

### **8.3 Reimbursements Policy**

- A. Whenever District employees or Directors desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) purchased to carry out the official business of the District, or "Training Education and Conferences Policy" related expenses, a request for reimbursement may be submitted to the General Manager.
  - a. Cash advances or use of District credit cards for these purposes is not permitted.
- B. Those seeking reimbursement shall submit their requests on a reimbursement form approved by the General Manager. Stipulations of the reimbursement form will be:
  - a. Submission within thirty days of the expense.

- b. An explanation of the District-related purpose for the expenditure(s); and,
  - c. Receipts evidencing each expense shall be attached.
- C. The General Manager will review and approve reimbursement requests. Reimbursement requests by the General Manager will be reviewed and approved by a designee of the Board.

#### 8.4 Financial Reports and Auditing

- A. The General Manager shall have a recognized auditing firm audit the district's book annually at the end of each fiscal year.
- B. Annual audits shall be clearly posted on the IVCSD website within fourteen days of its completion and receipt by the General Manager.

#### 8.5 Year-End Policies and Procedures

- A. **Authority:** *State of California Accounting Standards and Procedures for Special Districts* applied to the Isla Vista Community Services District. Where this policy refers to financial statements it is being applied to the fund based and budgetary financial statements. GASB 34 financial statements using full accrual accounting and including the value of capital assets, pensions obligations and OBEP obligations are only prepared for the audited financial statements and are not addressed in this policy document.
- B. **Purpose:** Revenues and expenditures are accrued for the following reasons:
  - a. To comply with *Generally Accepted Accounting Principles (GAAP)*.
  - b. To more closely match revenues and expenditures in the same fiscal period.
  - c. To more accurately reflect the District's financial position on its Balance Sheet.
  - d. To more accurately reflect on the Operating Statement an accounting of the results of operations applicable to the fiscal year.
  - e. To more accurately compare the District Budgeted appropriations (prepared on a GAAP basis) to actual results of operations on a GAAP basis.
- C. **Definitions:**
  - a. **Accrual Basis** - Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and federal /state reimbursements are recognized as revenue as soon as all eligibility or claim requirements have been met.
  - b. **Modified Accrual Basis** - Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. The District in general considers revenues available if they are collected within 180 days after year-end, except for property taxes, which the District considers available if they are collected within 60 days after year-end. Grants and State/Federal government reimbursements are recognized as revenue as soon as all eligibility or claim requirements have been met. Expenditures are recorded when the related fund liability is incurred, except for unmatured interest



on general long-term debt which is recognized when due, and certain compensated absences and claims and judgments which are recognized when payment is due.

D. **Policy:** The District uses the modified accrual method for its budget basis for governmental fund types. Accruals in general will only be posted at year-end. Items may be accrued throughout the fiscal cycle in order to provide management with better budgetary financial reports (For instance major event reimbursements from federal and state sources may be accrued when a claim is completed).

- a. Judgment must be exercised in recording accruals. Revenues, which usually can and will be recorded, include property and other taxes, the District Utility User taxes, regularly billed charges, grants, and federal/state reimbursements. Minor miscellaneous type revenues like certain fees and donations revenue may be best recognized when cash is received.
- b. Expenditures that usually are recorded as accruals include the cost of goods and services received, but for which payment has not been made. These expenditures are charged to proper expenditure accounts and a liability recorded. The accrual of every obligation is unnecessary; minor regular monthly costs showing little variation in amount, need not be accrued such as utility bills. The County of Santa Barbara and Isla Vista Community Services District use an arbitrary dollar limit of \$5,000 below which revenues or expenditure obligations do not require an accrual.

#### E. Processing Deadlines

- a. **Claims (all types):** Invoices and claims for services rendered through June 30 of the closing fiscal year must be received by the Auditor-Controller by the announced deadline. Early submission of Claims is encouraged. Those not processed by June 30 and greater than \$5,000 should be accrued.
- b. **Journal Entries:** All Journal Entries must be received by the Auditor-Controller's Office by the applicable deadline (based on the JE type; cash, non-cash, fund balance related).
- c. **Replenishment of revolving and imprest (petty) cash funds:** Submit *Claims for Petty Cash* and *Revolving Fund Reimbursements* by the announced deadline. You are required to replenish all revolving and petty cash funds at year-end so that the expenditures incurred are charged against the correct fiscal year.
- d. **Deposits:** Deposits for June 30th cash receipts must be in the Treasurer's Office by the announced deadline (be sure to clear armored car deposits through June 30). Please contact the Treasurer's Office (extension 2495) if you have any questions about deposits at year-end.
- e. **Accruals (revenue and expenditure):** All Accruals with adequate backup documentation attached, must be submitted to the Auditor-Controller's Office by the announced deadline. Early submission of Accruals is encouraged.
- f. **Residual Fund Balance:** The District will follow its fund balance policy to set-up its reserves for restricted and committed fund balance. This policy provides the District general manager with the authority to set-up certain assigned fund balances in order to carryover and reserve funds for UCSB contributions not expended, unexpended grants or donations.

#### F. Revenue Accrual Guidelines

- a. **Revenue Accrual Criteria** - Typically, the revenues of the District are collected under the following legal authority:
  - i. *State of California Code*
  - ii. *District Code, District Law, District Ordinances and Resolutions*
  - iii. *Federal and State Regulations*
  - iv. Under the *State Controller's Accounting Standards*, revenues under the modified accrual basis of accounting may be recognized in the period that they are "measurable and available". "Measurable" means they can be reasonably estimated and "available" means collectible within a short time (60 to 180 days).
- b. **Categories** - The categories of collection fall into the following general categories (object levels):
  - i. Taxes (Includes Utility User Taxes)
  - ii. Licenses, Permits and Franchises
  - iii. Fines, Forfeitures and Penalties
  - iv. Revenue from Use of Money and Property (Property Rental Income and Interest Income)
  - v. Intergovernmental Revenues (State and Federal Grants and Reimbursements including UCSB)
  - vi. Charges for Services
  - vii. Miscellaneous Revenues
- c. **Revenue Reimbursement for Costs Incurred** - Generally, revenues for reimbursement of costs may be received or accrued in the month or quarter following the period when they were incurred. This allows for the actual computation of costs and timely submission of claims and tracking of reimbursements receivable on the general ledger. This also provides for a timely recording of revenue related to the time period for when the costs were incurred. Under *Generally Accepted Accounting Principles* and the *State Controller's Accounting Standards*, these revenues may be accrued if they can be reasonably estimated. This means they should be counted as revenue in the same year the costs were incurred.
- d. **Policy**
  - i. Revenues below \$5,000 do not require an accrual. Revenues must be accrued if, on June 30th, they are earned, measurable, and generally will be received by Dec 31 under the modified accrual basis of accounting. Revenue accruals under the modified basis will be posted in FIN. Revenues under the full accrual method (i.e. pension obligations or OPEB obligations) will be recognized in the District's financial statements, but not posted in FIN.
  - ii. The Auditor-Controller will prepare accrual estimates for all Property Taxes, revenue from interest earnings, changes in Investment Fair Market Values or changes in Property Tax Impound Accounts.
  - iii. All other District revenues will be accrued by the District by completing the *Revenue Accrual (RAC)* form in FIN Web with supporting documentation attached. Estimates may be used and judgment should be

exercised. The District is expected to have a significant accrual for its Utility User Tax do to the various methods of levy by the utility companies. The Auditor-Controller announces the accrual deadline; however, early submission is encouraged.

### **G. Expenditure Accrual Guidelines**

- a. **Expenditure Accrual Categories** - Typically, expenditures of the County/District are recorded under the following categories (object levels):
  - i. Salaries and Benefits
  - ii. Services and Supplies
  - iii. Capital Assets
  - iv. Other Financing Uses
  - v. Intrafund Transfers
  - vi. Under the *State Controller's Accounting Standards* expenditures are recorded as accruals when the cost of goods or services are received, but for which the payment has not been made.
- b. **Policy**
  - i. Expenditure obligations below \$5,000 are not required to be accrued; obligations of \$5,000 or greater must be accrued. Obligations under \$100 cannot be accrued and all amounts should be rounded to whole dollars.
  - ii. *Salary and Benefit* accruals for the District should be posted to FIN at year end. Salary and Benefit accruals for the Isla Vista Community Services District to be posted by the District typically represent June payroll paid after June 30.
  - iii. All supplies or services received through June 30 for which a payment document cannot be submitted to the Auditor-Controller must be accrued if \$5,000 or greater.
  - iv. All contractual services, professional services, and legal services incurred through June 30 where the cost of these services are not generally billed until the following period and are \$5,000 or greater must be accrued (good estimates are acceptable).
  - v. No accruals shall be made in intrafund or interfund transfer accounts. They must be reconciled and any cash transfers completed by July 1.
  - vi. All District expenditure accruals will generally be made by completing the *Expenditure Accrual (EAC)* eForm in FIN Web. The EAC can be either self-posted or forwarded to FACS for posting (FACS YE Expenditure Accruals inbox) with supporting documentation attached. The Auditor-Controller announces the accrual deadline; however, early submission is encouraged.
- H. Expenditure Accrual Guidelines Capital Asset** - Capital Assets which have been received, constructed or has construction in progress through June 30 for which no payment document has been submitted and which are \$5,000 or greater must be accrued.

## **8.6 Credit Card Policy**

**A. Overview**

- a. The Isla Vista Community Services District (IVCSD or District) has established a purchasing card program whereby authorized employees may use a district-issued credit card for small dollar purchases of certain goods or services. The procurement card is a flexible purchasing tool that offers an alternative method of paying for low-cost items. Procurement cards are issued with purchase category limitations (e.g., cannot purchase from a liquor store or obtain cash) as well as single and monthly dollar transaction limits.
- b. This user's guide is designed to provide you with instructions on the proper use of a district-issued credit card. In accepting a district-issued credit card, cardholders agree to abide by these guidelines and all applicable purchasing policies. Intentional and unintentional misuse of a city credit card can result in suspension or revocation of the credit card privilege and/or disciplinary action.

**B. Approval of Purchasing Cards**

- a. The issuance of a purchasing card is based on operational need as determined by the General Manager. District employees assigned a purchasing card by the General Manager must sign a cardholder agreement before the card can be activated. By signing the agreement, cardholders indicate their understanding of program requirements and agree to use the card in compliance with all requirements.

**C. Card Set-up, Issuance, and Activation**

- a. The program administrator (General Manager or designee) is responsible for submitting requests for purchasing cards and establishing card controls such as transaction/monthly dollar limits and blocking/allowing different merchant category codes to be used.
- b. Individual cardholders are responsible for activating the purchasing card by calling U.S. Bank Customer Service at 800-344-5696.

**D. Cardholder Responsibilities**

- a. The purchasing card can only be used for legitimate business purposes. Misuse of the card will subject the cardholder to disciplinary action in accordance with IVCSD's personnel policies and procedures. In using a procurement card, cardholders must:
  - i. Never use the card for personal purchases.
  - ii. Maintain the card in a secure location at all times.
  - iii. Not allow other individuals to use their card for any reason, unless pre-approval is provided by the General Manager in accordance with [Section 1.13, Pre-approval Form](#).
  - iv. Adhere to the transaction limits established for use.
  - v. Obtain and reconcile all sales slips and register receipts to the monthly statement and provide this documentation to the program administrator by the established due dates (see [Section 1.8, Monthly Statement Review and Approval](#)).
  - vi. Provide correct expense coding information so that charges are accurately categorized for tracking purposes.

- vii. Attempt to resolve billing errors directly with a vendor and notify the bank if such disputes are not satisfactorily resolved (see [Section 1.10, Disputed Purchases](#)).
- viii. Ensure that appropriate credit amounts appear on subsequent statements.
- ix. Never accept cash in lieu of a credit to the cardholder account for returned items.
- x. Immediately report lost or stolen cards to the bank and program administrator (see [Section 1.11, Lost or Stolen Cards](#)).
- xi. Inform the program administrator or designee when a card is no longer needed (see [Section 1.12, Purchasing Card Cancellation](#)).

#### **E. Authorized Uses of Purchasing Cards**

- a. The purchasing card may be used for the following legitimate business purposes, subject to all purchasing policy provisions, and requirements that may be specified by the General Manager or designee:
  - i. One-time payment for goods or off-site services within cardholder transaction limit
  - ii. Gift cards and prizes for members of the public in conjunction with District events
  - iii. Training, classes, seminars, and conventions
  - iv. Subscriptions, books, publications, and training videos
  - v. Professional memberships
  - vi. Authorized (pre-approved) travel arrangements for official District business including airfare, hotel, car rental and food
  - vii. Advertising costs
  - viii. Emergency/disaster-related purchases
  - ix. Food and/or non-alcoholic beverage purchases authorized by the General Manager
- b. A district-issued credit card must not be used to pay for operational services provided on IVCSD property, or professional consulting services or any other services where insurance coverage would otherwise be required. This requirement may be waived if it is determined by the General Manager that insurance coverage is unnecessary, in accordance with [Section 1.13, Pre-approval Form](#).

#### **F. Allowable Services**

- a. Purchasing cards may be used to pay for delivery services such as Federal Express or United Parcel Service where insurance coverage is not required. Purchasing cards may also be used for off-site equipment repair services where such repairs are performed at the service provider's place of business and do not otherwise require an onsite presence that could trigger insurance requirements.

#### **G. Prohibited Purchases**

- a. The following items cannot be purchased with district-issued purchasing cards:
  - i. Items for personal use
  - ii. On-site services where insurance coverage is required, unless such coverage requirements are waived by the General Manager in accordance with [Section 1.13, Pre-approval Form](#).
  - iii. Alcoholic beverages for any reason

- iv. Gifts for District employees other than those approved for special events such as retirements
  - v. Purchases from companies for which a District contract is already in place, unless use of a purchasing card is required for payment efficiency
  - vi. Cash advances
  - vii. Split purchases to avoid purchasing limits
- b. Cardholders who make unauthorized purchases will be subject to disciplinary actions in accordance with established personnel policies and procedures.

#### **H. Mistaken Personal Use**

- a. Every effort must be made to use the purchasing card for official District business. However, if a district-issued purchasing card is accidentally used for a personal purchase, the following steps must be followed:
- i. Immediately notify the program administrator and cardholder supervisor of the unauthorized purchase.
  - ii. Following the notifications in step 1, return the purchased item and obtain a credit for the full purchase amount. If the item cannot be returned for full refund, immediately reimburse IVCSD for the purchase.
  - iii. Notify the program administrator and cardholder supervisor of completion of step 2.
  - iv. Attach proof of refund or repayment to the monthly statement and provide an explanation of the unauthorized charge and how the District was reimbursed.
  - v. Submit the statement for approval in accordance with the instructions in Section 1.8 below.
- b. Note: Intentional misuse of the purchasing card for personal expenses is prohibited and is grounds for disciplinary action and/or civil/criminal penalties depending on the nature of the purchase.

#### **I. Monthly Statement Review and Approval**

- a. The program administrator or designee will provide cardholders with monthly statements. All charges must be verified, with a copy of each original, itemized receipt properly approved and coded. Transactions requiring prior approval must include an appropriate level of detail that demonstrates pre-approval was obtained (including documentation required by [Section 1.13, Pre-approval Form](#)); authorized food purchases shall identify the names of all persons involved.
- b. Monthly statements must be reviewed and approved by the General Manager.
- c. Transactions made by the General Manager shall be approved by the Board Chair.

#### **J. No Receipt Available**

- a. Every effort must be made to obtain an itemized receipt. On occasion, no receipt may be available. In these instances, a written explanation must be provided explaining the purchase and circumstances that must be approved by the General Manager or designee.

#### **K. Disputed Purchases**

- a. If a purchased item is found to be defective, or if a charge is in dispute, the cardholder is responsible for returning the item for full credit and/or resolving the disputed charge. If the vendor refuses to correct the defect or satisfactorily resolve the disputed charge, then the purchase of the item is in dispute.

- b. Disputed items must be reported to U.S. Bank Corporate Payment Systems within 60 days from the date of the first statement on which the item was billed. Notification can be done by calling the 24-hour customer service number at 800-344-5696.

#### **L. Lost or Stolen Cards**

- a. If the purchasing card is lost or stolen, immediately notify the program administrator, cardholder supervisor, and U.S. Bank at 800-344-5696. The following information will be needed when notifying the bank:
  - i. Complete name
  - ii. Credit card number
  - iii. Date reported to law enforcement, if stolen
  - iv. Any purchases made on the day and since the card was lost or stolen

#### **M. Purchasing Card Cancellation**

- a. The program administrator is responsible for setting up, maintaining, and closing cardholder accounts. However, cardholders are responsible for notifying the program administrator if:
  - i. Transferring to a different department,
  - ii. Moving to a different position within a department where a purchasing card is not required, or
  - iii. Terminating employment.

#### **N. Pre-approval Form**

- a. Where pre-approvals are required by this User's Guide, the Purchasing Card Pre-approval Form must be completed and approved by the General Manager or designee before a purchase can be made. Pre-approval is required for the following items:
  - i. Instances where a cardholder would like to allow another employer employee to use the cardholder's purchasing card to make an authorized District purchase, and
  - ii. Requests to use a purchasing card for onsite services or other services that would typically require a vendor or consultant to insure the District from liability.

## **9. DISTRICT OPERATIONS**

### **9.1 General Manager Responsibilities and Functions**

- A. The General Manager shall be responsible for all executive and administrative functions of the District as agreed to in the District's MOU with the General Manager and as consistent with the following provisions of Government Code 61051:
  - a. The implementation of the policies established by the board of directors for the operation of the district.
  - b. The appointment, supervision, discipline, and dismissal of the district's employees, consistent with the employee relations system established by the board of directors.
  - c. The supervision of the district's facilities and services.

- d. The supervision of the district's finances.

## **9.2 District Internship Programs**

- A. District internship programs shall be managed and operated by the General Manager. The General Manager shall be responsible for maintaining partnerships with other organizations offering internships with the Isla Vista Community Services District.

## **9.3 Constituent Response Policy**

- A. The Isla Vista Community Services District will make a reasonable effort to respond to inquiries from the public in a timely manner. Responses will be made by staff, under the direction of the General Manager. Unless there is a legitimate need for confidentiality, staff must identify themselves by their name and their department or division when answering inquiries. The District will be prepared to receive inquiries from the public by telephone, e-mail, written mail, or via social media channels.

## **9.4 Social Media Usage**

- A. As pursuant to the IVCSD's Public Information Dissemination policy, staff may use social media to engage with District constituents. The General Manager shall oversee the usage of the District's social media accounts, including approving all posts and comments by the District and maintaining all records as required by law.

## **9.5 Media Relations**

- A. The Board President, General Manager, or their designees, are the only persons authorized to provide comment to members of the media on behalf of the Isla Vista Community Services District.
- B. Board members may make their own personal position known about any matter, which is pertinent to the business of the District, including Board decisions, provided that they are not speaking on behalf of the District.
- C. Board members, the General Manager, and District employees will refrain from making personal statements to the media without clearly prefacing such remarks that they are their personal views and not those of the District.
- D. Official press statements of the District shall not include any adverse reflection on the Board of Directors, General Manager, Employees, or Board decisions.
- E. All Board members shall be able to inspect and/or obtain a copy of any press release so filed.
- F. Media statements and press releases must not include information for the purpose of personal promotion.
- G. Press releases will be made available to the general public by publishing on the District's website and social media accounts on the day of release.
- H. A media release should not quote Board members, the General Manager, or District employees without their prior knowledge.



## **9.6 Training, Education, and Conferences Policy**

- A. District staff and members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation.
  - a. Given Board approval, there is no limit as to the number of Directors attending a particular conference or seminar when it is determined that their attendance is beneficial to the District.
- B. Attendance at training, education, and conference events that has been pre-approved for reimbursement is eligible for receipt of reimbursement for travel, meals, lodging, and event fees, as detailed in the Reimbursement Policy. Pre-approval for Board Directors or the General Manager is performed by the Board of Directors. Pre-approval for District staff, other than the General Manager, is performed by the General Manager.
- C. Reimbursements for attendance for which pre-approval was not obtained can be approved only at the discretion of the Board of Directors and should only happen under extenuating circumstances.
- D. The Board of Directors will consider payment for the cost of certification renewal for the certifications deemed pertinent and beneficial to the activities of the board and/or its employees, less any late fees or penalties due to individual negligence.
- E. Education or training required by the District as a condition of continued employment in the employee's present position shall be reimbursable at one-hundred percent (100%) or paid directly by the District and shall take place on District time.

## **9.7 Record Retention**

- A. The purpose of this RECORD RETENTION POLICY ("Policy") is to provide guidelines to staff regarding the retention or destruction of Isla Vista Community Services District ("District") records; provide for the identification, maintenance, safeguarding and destruction of records in the normal course of business; ensure prompt and accurate retrieval of records; and, ensure compliance with legal and regulatory requirements.
  - a. The General Manager, or his or her designee, is authorized by the BOARD OF DIRECTORS ("Board") to interpret and implement this policy, and to cause to be destroyed any or all such records, papers, and documents that meet the qualifications listed in this policy.
  - b. Pursuant to Government Code Section 60200, et seq., the following qualifications will govern the retention and destruction of District records.
- B. The General Manager shall be the official custodian of all District records. No records shall be removed from the District, deleted, or destroyed without express authorization of the General Manager given in accordance with this policy, provided that the General Manager may delegate the authority under this Policy to another employee of the District.
- C. District records shall be retained for the period of time indicated on the Record Retention Schedule. In some instances, circumstances may exist which justify the retention of a particular record for a longer period of time.

- D. District records (whether originals or reproductions) may be destroyed at the end of their applicable retention period unless the General Manager, or his or her designee, determines there is a compelling reason to continue retention of the document.
- E. Any duplicate record may be destroyed at any time so long as the original or a permanent electronic or other permanent record of which is maintained in accordance with this policy.
- F. All original records to be destroyed must be listed. Requests for the destruction of original records must be approved by the General Manager, her designee, or the District Counsel prior to destruction. A Request for Records Destruction/Certificate of Destruction and listing of documents to be destroyed, and copy of the appropriate page(s) from the records retention schedule shall be filed in the District.
- G. The following records shall be retained permanently in their original form, unless the Record Retention Schedule expressly authorizes the records to be preserved in a permanent electronic format or other permanent method of preserving a copy:
  - a. Records that relate to the formation, change of organization, or reorganization of the District;
  - b. Ordinances and resolutions adopted by the Board;
  - c. Minutes of any meeting of the Board;
  - d. Records that relate to the title to real property in which the District has an interest;
  - e. Records determined by the Board or the General Manager to be of significant and lasting historical, administrative, engineering, legal, fiscal, or research value; and
  - f. Records required by law to be permanently retained.
- H. Regardless of the retention periods indicated on the Record Retention Schedule, the following records shall continue to be retained:
  - a. Records that are the subject of any pending request made pursuant to the California Public Records Act, whether or not the District maintains that the record is exempt from disclosure, until the request has been granted or two years have elapsed since the District provided written notice that the request has been denied;
  - b. Records that relate to any pending construction that the District has not accepted or to which a stop notice claim legally may be presented;
  - c. Records that relate to any non discharged debt of the District;
  - d. Records that relate to any pending claim or litigation or any settlement or other disposition of litigation within the past two years;
  - e. Records that relate to any non discharged contracts to which the District is a party; and
  - f. Records that have not fulfilled the administrative, fiscal, or legal purpose for which it was created or received.
- I. All records authorized for destruction shall be destroyed and disposed of in a commercially reasonable manner.
- J. The District may utilize alternative storage methods for those records which are not required to be maintained in their original form. Upon Board authorization, District records may be photographed, microphotographed, reproduced by electronic video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document. This

preservation must comply with minimum standards or guidelines recommended by the American Standards Institute or the Association for Information on Image Management for recording of permanent records or non-permanent records.

- a. The photographs, microphotographs, or other reproductions on film, optical disk, or any other medium shall be maintained in conveniently accessible files with provision being made by the District for preserving, examining, and using files.
- b. The reproductions can be certified, and such certified reproductions shall be deemed to be original public records for all purposes pursuant to Government Code §60203. Certification of the record must comply with standards approved by the California Attorney General, including a statement of identity, description and disposition or location of the records reproduced and the date, reason, and authorization for such reproduction.

#### LEGEND

C = Completion/Closed

S = Supersede

D = Disposal of underlying asset

T = Termination

P = Permanent

#### CITATIONS

CCP = Code of Civil Procedure

GC = Government Code

CCR = Code of California Regulations

LC = Labor Code

CFR = Code of Federal Regulations

USC = United States Code

### 9.8 Government Claims Policy

- A. The General Manager of the Isla Vista Community Services District, in consultation with the General Counsel's Office, is hereby authorized pursuant to Government Code section 935.4 to perform those functions of the Board of Directors provided for in the Government Claims Act (Government Code section 810 *et seq.*), to the fullest extent permitted by law, including but not limited to:
  - a. Provide claim forms, pursuant to Government Code section 910.4;
  - b. Give written notice of insufficiency of claims, pursuant to Government code section 910.8;
  - c. Rule on applications for leave to present late claims, pursuant to Government Code Sections 911.4 through 911.8;
  - d. Agree to extend the time for action on a pending claim, pursuant to Government Code section 912.4;
  - e. Act on claims, pursuant to Government Code sections 912.6 and 913;

- f. Re-examine previously rejected claims pursuant to Government Code section 913.2; and
  - g. Provide notice to claimants for actions taken on behalf of the District as required under the Government Claims Act.
- B. The General Manager of the Isla Vista Community Services District is hereby authorized to settle or compromise pending claims against the District, in consultation with the General Counsel's Office, in an amount not to exceed \$5,000. Upon the written order of the General Manager, a warrant shall be issued upon the treasury of the District in the amount for which the claim has been allowed, compromised, or settled.
- C. Nothing herein shall be construed as an abrogation of the Board's authority under the Government Claims Act, and nothing herein shall prevent the General Manager from presenting any claim submitted to the District for the Board's consideration and action, as the General Manager deems appropriate.

## **10. SERVICES**

### **10.1 Landlord and Tenant Mediation Service**

- A. The Landlord and Tenant Mediation Service is established so that residents and landlords can resolve housing issues fairly, safely, and economically. The Landlord and Tenant Program shall be constructed and operated in an impartial manner.

### **10.2 Community Room**

- A. In order that the residents of the Isla Vista Community Services District may receive maximum benefit and enjoyment from the Community Room and programs, the Board of Directors of the Isla Vista Community Services District hereby establishes the following conditions of use for the Community Room.
- B. The General Manager shall enforce or cause to have enforced the provisions herein and shall have the authority to eject or cause to be ejected from the Community Room any person acting in violation of these rules and regulations. Further, the General Manager shall have the authority to deny use of the Community Room to individuals or groups who fail to comply with these rules and regulations.
- C. Only the General Manager (or someone they designate), or any group as so empowered by the District Board of Directors, shall be able to make decisions regarding usage and scheduling/availability of the Community Room. Collectively, these entities are known as "Room Schedulers".
- D. The Board of Directors shall be allowed to put in place agreements and enact exceptions to the rules and regulations in order to allow for useful access to the Community Room at their discretion.
- E. Rules and Regulations:
  - a. There shall be no commercial programming or activity hosted in the Isla Vista Community Room. The room shall only be used by non-profit and governmental organizations (unless approved by the County of Santa Barbara).
  - b. Users of the Community Room shall not harass any person or discriminate on the basis of race, religion, color, creed, age, marital status, national origin,

immigration status, ancestry, sex, gender identity or expression, sexual orientation, medical condition, or disability.

- c. Permission to use the Community Room does not imply any form of sponsorship of said activities, and users may not use the District's name or logo to advertise their event unless this has been separately agreed to by the District.
- d. The District cannot be used as a contact for events using the Community Room. Event organizers may not list the District's phone number or the address of the District office as a way to reach the organizers of the event (unless this has been separately agreed to by the District).
- e. Smoking is forbidden on all District property and within all District buildings and rooms.
- f. Users of the Community Room must abide by the maximum occupancy determined by the Fire Department.
- g. Groups using the Community Room are responsible for their own setup and cleanup, as well as all operations for their event, including but not limited to the taking of attendance. No supplies may be stored on District property without prior permission.
- h. Users of the Community Room must not make any permanent physical changes to the room. With respect to movable furniture, the room should be left in an orderly state.
- i. Groups can speak with District management if they need special arrangements for technology or other equipment (such as a projector). The District has tables and chairs available for use, and the Community Room has a wireless Internet connection.
- j. The Community Room is to be kept clean and all waste must be put in the provided receptacles. Users should recycle as much of their waste as is possible.
- k. Users of the Community Room must vacate the room by their scheduled end time. The person who reserved the room should be present until everyone else has left.
- l. No animals are allowed inside of the Community Room, except for service animals.
- m. Users who have reserved the Community Room have access to the Community Room, the bathroom accessible from the inside of that room, and the bathroom in the hallway. Other rooms of the buildings are off-limits, as they are not District property.
- n. Costs of damage to the Community Room or District equipment must be reimbursed. If users do cause damage or a disturbance we might choose to limit their use in the future. The District is not responsible for loss to personal property or personal injury.
- o. The District does not provide for parking while using the Community Room. Users of the Community Room should use the copious street parking available in Isla Vista.
- p. Fastening decorations or other materials to walls, doors, or the ceiling using nails, tacks or anything else that may damage the surface or paint is prohibited.
- q. All rules for use of the Community Room are subject to change.

F. Food Policy:

- a. Food is allowed in the Community Room, however, the District does not provide any form of catering for events.
- b. If the user of the Community Room chooses to bring in a private caterer, it is the user's responsibility to make all arrangements with the caterer of their choice, and to see that the caterer follows the Community Room's regulations regarding clean up. Any relationship with a private caterer is directly between the user of the room and the food provider, not the District.
- c. If the Community Room is left in a manner requiring other than customary cleaning will be sufficient reason to bill the utilizing individual or group to cover these added costs. Failure to pay may result in loss of utilization privileges and could result in additional administrative action.
- d. The Community Room has a sink and a "mini" refrigerator. Users of the Community Room can use these during their events, but should keep them clean and not store anything without permission from District management.

G. Reservation Process:

- a. To use the Community Room, you need a reservation. Users must complete an application to obtain a reservation. All applications are to be sent to a Room Scheduler.
- b. Applications do not guarantee use of the Community Room. Applicants will be notified within three business days as to the status of their application.

**10.3 Community Center Matrix**

User Group	Public & Non-Profit Organizations			Private Organizations & Individuals		
	High	Medium	Low	High	Medium	Low
<b>Insurance</b>						
Indemnity & Liability Waiver	Yes	Yes	Yes	Yes	Yes	Yes
Insurance Required	Yes	No	No	Yes	No	No
Security Deposit	Yes	No	No	Yes	No	No
Provide Insurance Purchase Option	No	No	No	No	No	No
<b>Fees</b>						
No Fee / Fee Waiver	Yes	Yes	Yes	No	No	No
County of Santa Barbara Fee Schedule	No	No	No	Yes	Yes	Yes
Isla Vista Resident Fee Waiver*	No	No	No	Yes	Yes	Yes
<b>Reservations</b>						

Advanced Notice	1 Month	2 Weeks	1 Week	1 Month	1 Month	2 Weeks
Site Visit	Yes	Yes	No	Yes	Yes	Yes
User Cleaning	Yes	Yes	Yes	Yes	Yes	Yes

**10.4 Community Space Usage Fee Policy**

A. **Objective:** To establish a clear and equitable policy for community members regarding the usage fees for Isla Vista Community Spaces.

**B. General Pricing Guidelines:**

- a. Free or Low Payment Events:
  - i. Events should generally be free or low-cost if they:
    - 1. Provide high community benefit or
    - 2. Are open to the public or
    - 3. Occur during non-prime times
- b. Standard Paid Events:
  - i. Events that generate revenue, are closed to the public, or occur during prime times incur a higher fee.

**C. Prime Time Slots:**

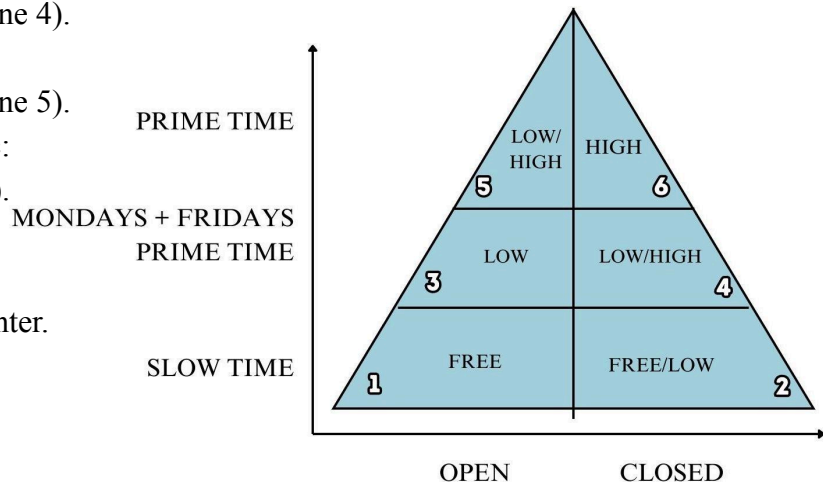
- a. Monday to Thursday: From 5 pm onwards.
- b. Friday to Sunday: From 12 pm onwards.
- c. Monday and Friday Discounts Apply:
  - i. Discounted rates for eligible groups and events.

**D. Event Classification Based on Time and Accessibility:**

- a. Refer to the policy matrix below to determine the fee category for specific event types. Slashes indicate sliding scale potential for qualified users.
- b. Slow Time + Open to Public:
  - i. Free (Zone 1).
- c. Slow Time + Closed to Public:
  - i. Free/low payment (Zone 2).
- d. Mondays & Fridays Prime Time + Open to Public:
  - i. Low payment (Zone 3).
- e. Mondays & Fridays Prime Time + Closed to Public:
  - i. Low/high payment (Zone 4).
- f. Prime Time + Open to Public:
  - i. Low/high payment (Zone 5).
- g. Prime Time + Closed to Public:
  - i. High payment (Zone 6).

**E. Pricing Structure:**

- a. High Pay:
  - i. \$25 per hour for the center.



- ii. \$20 per hour for a room.
- b. Low Pay:
  - i. \$10 per hour for the center.
  - ii. \$8 per hour for a room.
- c. Setup and Cleanup Time:
  - i. Include setup and cleanup times as part of the fees.

**F. Sliding Scale Payment Exceptions:**

- a. Local IV Residents:
  - i. Eligible residents (e.g., families, low-income households) can apply for sliding scale payments.
  - ii. Required Documentation:
    - 1. Proof of enrollment in a low-income program (e.g., medical, food stamps, electricity breaks) and
    - 2. Proof of residence and
    - 3. Overall event budget
- b. Nonprofits and Isla Vista Businesses:
  - i. Eligible groups can apply for sliding scale payments based on their operational budget AND type of event.
  - ii. Budget Categories:
    - 1. Operational budget of \$1 million or more: Higher rate.
    - 2. Operational budget of less than \$1 million: Lower rate.
  - iii. Event Types:
    - 1. Free if the event provides services and is open to the public.
    - 2. Low cost if the event is for internal planning and closed to the public.
    - 3. Higher cost if the event generates revenue or is closed to the public.
- c. Student Clubs:
  - i. Low cost if open to the public.
  - ii. Higher cost if closed to the public.

**G. General Guidelines:**

- a. Fair Access and Priority:
  - i. Reservations and fee assessments will be processed on a first-come, first-served basis.
  - ii. The fee categories specified above serve as the baseline for charging events; organizers are encouraged to plan and submit their requests promptly to secure their preferred dates and pricing categories.
- b. Provisional Reservations:
  - i. For eligible events (e.g., high-intensity non-recurring events and weddings), provisional reservations may be accepted pending approval.



- ii. This allows organizers to secure their date in advance while completing the necessary documentation and approvals.
- H. This policy aims to provide clarity, fairness, and flexibility for community members in planning and utilizing Isla Vista Community Spaces. All reservation and usage fee requests must adhere to the specific guidelines outlined above, and limited exceptions will be considered based on the nature and intensity of the event.
- I. Insurance Requirements: We are able to provide event insurance options. A manual is provided upon request.

### **10.5 Community Bulletin Board**

- A. The Isla Vista Community Services District (IVCSD) provides a limited public forum, consisting of a limited and temporary amount of Bulletin Board space for flyers, brochures, and other printed information to display informational materials about community-based events and services. The purpose of this policy is to set forth reasonable, viewpoint and content neutral standards for the posting of noncommercial community-based information on the Bulletin Board.
- B. Posting of notices does not indicate IVCSD endorsement of the ideas, issues, or events promoted by those notices.
- C. The IVCSD Bulletin Board may be used for posting the following types of information only:
  - a. Announcements of forthcoming or continuing educational, social, cultural, nonprofit, or entertainment activities and events
  - b. Flyers, brochures, announcements, ads, or schedules pertaining to public services provided.
  - c. Educational, social, or cultural services.
  - d. Dissemination of information by local not-for-profit corporations, local community based organizations, or similarly situated organizations related to the services or events provided by or for the organization.
  - e. To enhance access to as much community information as possible, materials are displayed for a limited time not exceeding one month before the event.
- D. The IVCSD's bulletin board will be maintained regularly to conserve space.
- E. The following are not permitted regardless of viewpoint:
  - a. Literature related to or promoting, or soliciting funding for, political campaigns for public office or political organizations
  - b. Content not related to the general purpose of the Bulletin Board
  - c. Sexual content, profanity, vulgarity, obscenity racism, hatred, slander, threats and/or violence
  - d. Content that promotes or fosters discrimination or personal attacks on the basis of race, creed, color, age, religion, gender, marital status, national origin, physical or mental disability or sexual orientation
  - e. Content of a political, religious, philosophic, or personally opinionated nature
  - f. Commercial advertisements of any kind, including promotion of products for sale.
  - g. Solicitations for fundraising

- h. Notices exceeding 8.5”x11”
- F. Process for Submitting Proposed Materials:
  - a. Members of the public may not post flyers to the bulletin without prior District Approval. All materials must be emailed to [communityengagement@islavistacsd.com](mailto:communityengagement@islavistacsd.com) for approval and will be posted by District Staff upon approval. Posts containing information not permitted by these guidelines or otherwise posted without prior District approval will be removed summarily, regardless of content or viewpoint.
  - b. The posting must be no bigger than 8.5”x11”
  - c. Materials must include event’s date, time, location, and contact information
  - d. No two posters for the same event/group will be posted at the same time.
  - e. Allow for a 48-hour review period
  - f. Items will be posted every Friday and removed 1 or 2 weeks later
  - g. If you are interested in having the material posted for longer than 2 weeks (not to exceed 1 month)
    - i. Submit a \$5 fee to IVCSD

### **10.6 Public Art**

- A. **Purpose and Intent:** In its mission to improve the health, safety, and welfare of the Isla Vista Community, and its residents, consistent with its power and authority as provided by law, the Isla Vista Community Services District (“District”) desires to enhance Isla Vista’s identity as an artistic community. The District intends, through its Public Art Policy, to celebrate Isla Vista’s artistic heritage, vital art community, and embrace cultural responsibilities that guarantee future generations a rich artistic legacy through the acquisition and exhibition of quality works of art for the benefit and enjoyment of the general public.

**B. Definitions**

- a. "Board" shall mean the Board of Directors of the District.
  - b. "Commercial Activity" shall mean a for-profit business activity, including, but not limited to, selling goods, services, food, or materials
  - c. "Deaccessioning" shall mean the removal of an artwork from the District's Public Art collection, whether by sale, removal, or otherwise. Such action shall be taken only on the express approval of the Board."
  - d. "General Manager" shall mean the General Manager of the District.
  - e. "Graffiti" shall mean unwanted marking of property, typically but not exclusively accomplished via use of paint, permanent marker, paint pen, and other instruments designed to leave a permanent or semi-permanent mark on a surface. Graffiti does not include Fine Art or Murals.
  - f. "Graffiti Abatement Policy" shall mean and refer to the District's Graffiti Abatement Policy.
  - g. "Private Property" shall mean all property within the boundaries of the District that is not part of the Public Right of Way.
  - h. "Property Manager" shall mean the person or corporate entity which, by contract or other agreement with the property owner(s), has been provided authority and control over maintaining the condition of Private Property.
  - i. "Public Art" shall mean artwork created by artists for spaces accessible to the public. It may include, but is not limited to, secular, contemporary or traditional works of sculpture, painting, art installations, sound, tile work, memorials, monuments, fountains or water features that contribute aesthetically to their surroundings, and murals that furthers the District's purpose of Graffiti abatement and Isla Vista Beautification. Public Art shall not mean an advertisement for a Commercial Activity or Sign.
  - j. "Public Art Fund" means a separate fund established to receive monies from any source by the Isla Vista Community Services District.
  - k. "Public Right of Way" means all public property within the boundaries of the District, excluding property owned, maintained, and/or controlled by the County of Santa Barbara, the Regents of the University of California, and any other public entity with which the District does not have a written agreement for graffiti abatement services.
  - l. "Sign" means any graphic announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interest of any person, business, group or enterprise, relating to goods, services, products, political ideology, or religion, when the same is placed out-of-doors in view of the general public.
  - m. "Staff" means employees, contractors, agents, volunteers, and/or interns of the District.
- C. **Policy:** The Public Art Program is hereby established and intended to serve as a community beautification and Graffiti Abatement tool, as well as supplement the District's Isla Vista Beautiful program. The District understands and appreciates the extensive tradition of murals and public artwork on buildings in the community, and wishes to continue to respect this tradition while simultaneously addressing unwanted graffiti. To that end, the District in its sole discretion, shall utilize the Public Art Fund to

fund the creation, acquisition, ownership and maintenance of Public Art for the benefit and enjoyment of the general public. In no event shall the Public Art Fund or the Public Art Program be utilized to fund any building facade improvements, Commercial Activity or Sign. Nor shall the District accept ownership or maintenance responsibility

**D. Application Process For Transfer of Ownership or Maintenance of Existing Public Art**

- a. **Applications:** Applications may be submitted to the District for purposes of transferring ownership and/or maintenance responsibility of Public Art to the District.
- b. **Preparation of Application:** An applicant must prepare and submit the following information to District Staff, or submit a valid authorization to Staff for completion of the Application on the applicant's behalf, provided that the Applicant shall be solely responsible for payment of the Application fee. All applications shall be submitted to the Isla Vista Beautiful and/or Community Engagement departments. All of the following items must be submitted for the application to be deemed "complete" by Staff:
  - i. Completed "IVCSD Public Art Policy Application";
  - ii. Address and description of the existing location of the Public Art;
  - iii. Photographs of the Public Art and location, including evidence of Graffiti, if any;
  - iv. Proof of, or estimated, budget amount for maintenance of the Public Art; and
  - v. Payment of the application processing fee in the amount of \$0.
- c. **Review Process:** When the application is deemed complete by Staff, the application will be reviewed as follows:
  - i. Staff Review. First, the initial review shall be conducted by the District's Isla Vista Beautiful Program Manager in consultation with the Community Engagement Director, who shall in turn provide a recommendation to the District's General Manager.
  - ii. General Manager Review. The General Manager shall review the application and recommendation by Staff, and present the application with a final recommendation to the Board at a meeting open to the public in accordance with the Ralph M. Brown Act.
  - iii. Board Review. The Board shall review the application and Staff recommendations and allow for public input on the proposed Public Art. Based on the Board's review, the Board may make a determination in its sole discretion to either approve or deny the application.
  - iv. Approval and Findings. The Board shall determine in its sole discretion whether acceptance of maintenance and/or ownership of the Public Art furthers the intent of this Policy, and advances the broad objectives and goals of the District Board, the Isla Vista Graffiti Abatement Policy, and/or the Isla Vista Beautiful Program.

**E. Application Process For Public Art Funding or Commissioning**

- a. **Applications:** Applications may be submitted to the District for purposes of applying for Public Art Funds or District commissioning of a Public Art Project.

- b. **Preparation of Application:** An applicant must prepare and submit the following information to District Staff, or submit a valid authorization to Staff for completion of the Application on the applicant's behalf, provided that the Applicant shall be solely responsible for payment of the Application fee. All applications shall be submitted to the Isla Vista Beautiful and/or Community Engagement departments. All of the following items must be submitted for the application to be deemed "complete" by Staff:
- i. Completed "IVCSD Public Art Policy Application";
  - ii. Address and description of the proposed location of the Public Art;
  - iii. Photographs of the location, including evidence of Graffiti, if any;
  - iv. Photographs, sketches, drawings, models, or videos of the proposed Public Art;
  - v. A proposed budget to complete the Public Art, including how much of Public Art Funds the Applicant is asking for from the District;
  - vi. Resume of the artist and examples of the artist's previous work including sample Public Art projects if available. The Public Art program encourages artists involvement with the community and other design professionals. In general, artists who have experience working successfully on design teams and working with the public are preferred; and
  - vii. Payment of the application processing fee in the amount of \$0.
- c. **Review Process:** When the application is deemed complete by Staff, the application will be reviewed as follows:
- i. Staff Review. First, the initial review shall be conducted by the District's Isla Vista Beautiful Program Manager in consultation with the Community Engagement Director, who shall in turn provide a recommendation to the District's General Manager.
  - ii. General Manager Review. The General Manager shall review the application and recommendation by Staff, and present the application with a final recommendation to the Board at a meeting open to the public in accordance with the Ralph M. Brown Act.
  - iii. Board Review. The Board shall review the application and Staff recommendations and allow for public input on the proposed Public Art. Based on the Board's review, the Board may make a determination in its sole discretion to either approve or deny the application.
  - iv. Approval and Findings. Approval of an application for Public Art Funds or commissioning shall require the Board to make the following findings, provided that, the Board shall in its sole discretion, determine the amount of funds that will be allocated for the Public Art:
    1. The proposed Public Art is specifically designed for its site and is commensurate in scale with its surroundings;
    2. The proposed Public Art is durable (where applicable) and reasonable to maintain in terms of time, expense, and material. Consideration should be given to structural and surface integrity, and protection against theft, vandalism, weathering, excessive maintenance, and repair costs;

3. The proposed Public Art would be a permanent or fixed asset to the property;
  4. The proposed Public Art is designed or constructed by persons experienced in the production of such artwork and recognized by critics and by their peers as one who produces works of art;
  5. The proposed Public Art aesthetically enhances the space or environment to which it relates or otherwise interacts with its surrounding environment;
  6. The proposed Public Art is suitable for public viewing, and should be appropriate in scale, material, form, and content for the immediate, general, social and physical environments with which they are to relate, however in no event shall approval be conditioned upon a specific content, viewpoint or message;
  7. The proposed Public Art is free of characteristics that would pose a threat to the health, safety and welfare of the public;
  8. The proposed Public Art contributes to a sense of civic pride and involves the local community. Consideration should take into account that Public Art, in addition to its aesthetic value, may also serve to establish focal points, modify, enhance or define certain spaces, or establish identity;
  9. The proposed Public Art addresses aspects of Isla Vista's history and/or culture. Public Art should strive for diversity of style, scale, media, and artists - including ethnicity and gender – and equitable distribution of artworks throughout Isla Vista; and
  10. The proposed Public Art advances the broad objectives and goals of the District Board, the Isla Vista Graffiti Abatement Policy, and/or the Isla Vista Beautiful Program.
- d. **Inventory of Public Art:** Consistent with the District's Graffiti Abatement Policy, District Staff will develop and maintain an inventory of Public Art in sufficient detail to allow for easy identification and maintenance (as applicable), and in order to avoid unintentional abatement. All new Public Art created as part of the District's Public Art Policy shall be included in the inventory.
- e. **Maintenance of Public Art:** Public Art that is approved for funding under this policy, and for display in the Public Right of Way or on District Property shall be maintained by the District. This does not include art in Public Right of Way that has been rehabilitated, but is not funded or maintained by the District. Public Art that is approved for funding, maintenance, or ownership under this Policy, and for display on Private Property, shall require the Private Property Owner/Property Manager to enter into a maintenance agreement with the District, and shall also require the Private Property Owner/Property Manager to comply with the District's Graffiti Abatement Policy. The Maintenance Agreement shall specify that Public Art for display on Private Property shall be maintained by the Property Owner/Property Manager in a manner acceptable to the District, and will be subject to the District's Notice of Violation procedures in the District's Graffiti Abatement Policy.

- f. **Ownership of Public Art:** Public Art displayed on land owned or leased by the District shall be vested in the District. The maintenance or ownership of artwork on Private Property may be transferred to the District. If the District accepts ownership it may be responsible for maintenance, insurance and any contractual agreement related to the art as outlined by this Policy or District Board may, by written agreement, require the site owner to be responsible for those items.
- g. **Review Process:** Public Art approved for funding or commission in accordance with section this Policy may be deaccessioned for one or more of the following reasons, based upon the following express findings of the Board:
  - i. The condition or security of the Public Art cannot be reasonably guaranteed in its present location, or a suitable place for display no longer exists;
  - ii. The Public Art presents a risk to the health, safety, and welfare of the public;
  - iii. The Public Art is damaged and repair is not feasible;
  - iv. Significant changes in the use, character or actual design of the site render the site inappropriate because the site is no longer accessible to the public or the physical setting is to be altered or destroyed;
  - v. The Public Art requires excessive maintenance or has failures of design or workmanship that cannot be reasonably maintained;
  - vi. The Public Art is found to be fraudulent or not authentic;
  - vii. The Public Art has received consistent and/or adverse public reaction from a measurable number of individuals and/or organizations within the community; or
  - viii. The Public Art no longer meets the purpose and intent of the Public Art Policy as determined by the District Board.