



SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

799 G Street, 4th Floor, Sacramento, CA 95814 • (916) 874-6661 • Fax: (916) 854-9666 • www.sacmetroable.tv

A Joint Powers Agency Representing Sacramento County and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova and Sacramento

AGENDA

SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION REGULAR BOARD MEETING

(Board Members may participate via teleconference.)

Sacramento County Administration Center
700 H Street, S. 1450
Sacramento, California 95814

THURSDAY, MARCH 3, 2022 - 2:30 p.m.

Board Members: Phil Serna, Patrick Kennedy, Rich Desmond, Sue Frost, Don Nottoli, Katie Valenzuela, Eric Guerra, Mai Vang, Bret Daniels, Kevin Spease, YK Chalamcherla, Vice Chair Garrett Gatewood
Elected Alternates: Steve Miller, Stephanie Nguyen, Siri Pulipati
Appointed Alternates: Lisa Nava (Serna), Keaton Riley (Kennedy), Vanessa McCarthy-Olmstead (Desmond), Chair Matt Hedges (Frost), Michelle Pariset (Valenzuela), Sarah Pollo Moo (Guerra), Ryan Brown (Vang)

PUBLIC COMMENT PROCEDURES

Members of the public are encouraged to participate in the Board meeting. In compliance with directives of the County, State, and Centers for Disease Control and Prevention (CDC), the meeting will be livestreamed and closed to in-person public attendance pursuant to guidelines related to social distancing and minimizing person-to-person contact.

Members of the public may address the Board regarding matters not on the posted agenda following the completion of regular business.

Speaker Time Limits

In the interest of facilitating the conduct of the Commission's business, members of the public (speakers) who wish to address the legislative body during the meeting will have specific time limits as enumerated below.

Each speaker shall limit his/her remarks to the specified time allotment, as follows:

- Speakers will have 3-minutes total for a single and/or multiple consent item(s);
- Speakers will have 3-minutes total for each hearing item;
- Speakers will have 3-minutes total for each separate item;
- Speakers will have 3-minutes total for any matter not on the posted agenda.

Telephonic Public Comment

On the day of the meeting, dial (916) 875-2500 to make a verbal public comment (follow the prompts for instructions). Refer to the agenda and listen to the live meeting to determine when is the best time to call to be placed in queue for a specific agenda item. Callers may be on hold for an extended period of time and should plan accordingly. When the Chairperson opens public comment for a specific agenda item or off-agenda matter, callers will be transferred from the queue into the meeting to make a verbal comment. Each agenda item queue will remain open until the public comment period is closed for that specific item.

Written Comment

Send an email comment to sacmetro@saccounty.net 24 hours before the meeting. Include meeting date and agenda item number or off-agenda item. Contact information is optional.

Mail a comment to 799 G Street, 4th Floor, Sacramento, CA. 95814 no later than 24 hours before the meeting. Include meeting date and agenda item number or off-agenda item. Contact information is optional. Written comments are distributed to members and filed in the record.

View Meeting

The meeting is recorded and cablecast live on Metro Cable 14 on the Comcast, Consolidated Communications, and AT&T U-Verse Cable Systems. It is closed captioned for hearing impaired viewers and webcast live at metro14live.saccounty.net. There will be a rebroadcast of this meeting on Saturday, March 5, 2022 at 3:00 p.m.

Meeting Material

The online version of the agenda and associated material is available at sacmetro.cable.tv. Some documents may not be posted online because of size or format (maps, site plans, and renderings). Contact the Administration Office at (916) 874-6661 to obtain a copy of the documents.

ACCOMMODATIONS

If there is a need for an accommodation pursuant to Americans with Disabilities Act (ADA), medical reasons or for other needs, please contact the Clerk of the Board by telephone at (916) 874-5411 (voice) and CA. Relay Services 711 (for the hearing impaired) or sacmetro@saccounty.net 24 hours prior to the meeting.

CALL TO ORDER

Roll Call

ITEM NO. 1) CONFERENCE WITH LEGAL COUNSEL

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957
Title: Executive Director

Action:

Adjourn to a closed session to discuss the closed session item and report out, if necessary.

- ITEM NO. 2) **RESOLUTION NO. 2022-001, AUTHORIZING THE SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION BOARD TO REMOTE TELECONFERENCE MEETINGS FOR THE PERIOD OF MARCH 3, 2022 THROUGH APRIL 3, 2022 PURSUANT TO THE RALPH M. BROWN ACT**

Action:

Adopt Resolution No. 2022-001, Authorizing the Sacramento Metropolitan Cable Television Commission Board to Remote Teleconference Meetings for the Period of March 3, 2022 through April 3, 2022 Pursuant to the Ralph M. Brown Act.

- ITEM NO. 3) **RESOLUTION NO. 2022-002, HONORING HARRIET A. STEINER UPON THE OCCASION OF HER RETIREMENT**

Action:

Adopt Resolution No. 2022-002, Honoring Harriet A. Steiner Upon the Occasion of Her Retirement.

- ITEM NO. 4) **PROVIDE DIRECTION ON THE RECRUITMENT FOR A NEW EXECUTIVE DIRECTOR AND REVIEW AND APPROVE THE JOB DESCRIPTION FOR THE EXECUTIVE DIRECTOR**

Action:

Review and provide direction on the proposed recruitment for a new Executive Director; and review and approve the job description for the Executive Director.

- ITEM NO. 5) **RESOLUTION NO. 2022-003, RECLASSIFYING THE TECHNICAL ASSISTANT POSITION TO A MULTIMEDIA TECHNICIAN POSITION**

Action:

Approve Resolution No. 2022-003, Reclassifying the Technical Assistant Position to a Multimedia Technician position, along with the job description for the Multimedia Technician position and the recommended salary scale, effective the March 2022-Per 2 pay period.

- ITEM NO. 6) **RESOLUTION NO. 2022-004, APPROVING CHANGES TO THE SMCTC EMPLOYEE HANDBOOK FOR PART-TIME REGULAR AND TEMPORARY EMPLOYEES**

Action:

Adopt Resolution No. 2022-004, Approving Changes to the SMCTC Employee Handbook for Part-time Regular and Temporary Employees; and authorize the Executive Director or his/her designee, to make any further amendments that contain only non-substantive and/or administrative changes to the Employee Handbook, as well any changes which are required by law.

ITEM NO. 7) CALENDAR YEAR 2022 INVESTMENT POLICY FOR THE POOLED INVESTMENT FUND

Action:

Receive and file the County of Sacramento's Calendar Year 2022 Investment Policy for the Pooled Investment Fund.

ITEM NO. 8) GENERAL ADMINISTRATION REPORT

Action:

Receive a verbal report from staff on the following administrative matters:

- A. City of Eugene, Oregon vs. Federal Communications Commission
- B. BESTNet MOU (Approval of Extension Beyond December 2023)
- C. Cable Company Audits (Calendar Years 2020 & 2021)
- D. SMCTC Ordinance for Amended and Restated JPA
- E. Fiscal Year 2022-23 Call for PEG Fee Funding - Deferral
- F. Metro Cable YouTube Channel Update & Demonstration

ITEM NO. 9) CHANNEL LICENSEE REPORTS

Action:

Receive and file reports and comments, if any, from the representatives of the following Channel Licensees:

- A. Access Sacramento
- B. Capital Public Radio
- C. KVIE, Inc.
- D. SacFaith TV
- E. Sacramento Educational Cable Consortium

ITEM NO. 10) STATE FRANCHISEE REPORTS

Action:

Receive and file reports and comments, if any, from the representatives of the following State Franchisees:

- A) AT&T
- B) Comcast
- C) Consolidated Communications, Inc.

ITEM NO. 11) PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

ADJOURNMENT



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AGENDA ITEM NO. 1

DATE: March 3, 2022
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: CONFERENCE WITH LEGAL COUNSEL

RECOMMENDATION:

It is recommended the Board adjourn to a closed Executive Session to discuss the following items and report out, if necessary:

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957
Title: Executive Director

Respectfully submitted,

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission



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AGENDA ITEM NO. 2

DATE: March 3, 2022

TO: Chair and Board of Directors

FROM: Robert A. Davison, Executive Director

SUBJECT: **ADOPT RESOLUTION NO. 2022-001, AUTHORIZING THE SMCTC BOARD TO REMOTE TELECONFERENCE MEETINGS FOR THE PERIOD OF MARCH 3, 2022 THROUGH APRIL 3, 2022 PURSUANT TO THE RALPH M. BROWN ACT**

RECOMMENDATION:

Adopt Resolution No. 2022-001, Authorizing the Sacramento Metropolitan Cable Television Commission Board to Remote Teleconference Meetings Pursuant to the Ralph M. Brown Act for the Period of March 3, 2022 through April 3, 2022 Pursuant to the Ralph M. Brown Act.

BACKGROUND:

On March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625).

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the Brown Act, provided certain requirements are met and followed.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021.

On September 16, 2021, Governor Newsom signed AB 361 that allows a legislative body subject to the Brown Act to continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body make certain findings.

A required condition of the Government Code section 54953(e) is that a state of emergency is declared by the Governor pursuant to section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558(b).

A further required condition of the Government Code section 54953 (e) is that the state or local officials have imposed or recommended measures to promote social distancing, or the legislative body holds a meeting to determine or has determined by a majority vote that meeting in person would present imminent risks to the health and safety of attendees. These findings must be made at the initial remote meeting and at least every 30 days thereafter.

The following conditions currently still exist:

- There is currently a Proclamation of a State of Emergency that remains in effect.
- California Department of Industrial Relations has issued regulations related to COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section 3205(5)(d) specifically recommends physical (social) distancing as one of the measures to decrease the spread of COVID-19, based on the fact that particles containing the virus can travel more than six feet, especially indoors.
- On September 28, 2021, the Sacramento County Public Health Officer Dr. Olivia Kasirye issued a Teleconference Recommendation, which states that utilizing teleconference options for public meetings is an effective and recommended social distancing measure to facilitate the participation in public affairs and encourage participants to protect themselves and others from COVID-19.

Because the Cable Commission Board meets regularly on a quarterly basis, more than thirty days will elapse between consecutive meetings. AB 361 is silent as to whether special meetings are required on a more frequent basis to keep up with the thirty-day renewal of findings requirement, although scheduling such meetings would ensure strict compliance. Alternatively, if the Board does not meet within thirty days after its prior meeting, the Board should make its renewed findings at the beginning of its next meeting prior to any other action or discussion. If the Board wishes to continue meetings remotely, staff recommends this approach absent additional clarification.

The Commission Board adopted Resolution No. 2021-022, Authorizing Remote Meetings Effective December 2, 2021 through January 2, 2022 at their December 2, 2021 Quarterly Board meeting.

At this time, it is necessary for the Board to authorize the Commission Board to continue to remote teleconference meetings effective March 3, 2022 through April 3, 2022.

RECOMMENDATION:

Due to the continual conditions listed above, staff recommends the Board adopt Resolution No. 2022-001, Authorizing the SMCTC Board to Remote Teleconference Meetings for the period of March 3, 2022 through April 3, 2022, Pursuant to the Ralph M. Brown Act.

Respectfully submitted,



ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachment:
Resolution No. 2022-001

SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

RESOLUTION NO. 2022-001

**A RESOLUTION AUTHORIZING THE SMCTC BOARD TO REMOTE
TELECONFERENCE MEETINGS FOR THE PERIOD OF MARCH 3, 2022
THROUGH APRIL 3, 2022 PURSUANT TO THE RALPH M. BROWN ACT**

WHEREAS, all meetings of the SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION (“SMCTC”) and its legislative bodies are open and public, as required by the Ralph M. Brown Act (California Government Code § 54950 et seq); and

WHEREAS, starting in March 2020, in response to the spread of COVID-19 in the State of California, the Governor issued a number of executive orders aimed at containing the COVID-19 virus; and

WHEREAS, among other things, these orders waived certain requirements of the Brown Act to allow legislative bodies to meet virtually; and

WHEREAS, pursuant to the Governor’s executive orders, SMCTC has been holding virtual meetings during the pandemic in the interest of protecting the health and safety of the public, staff, and Commissioners; and

WHEREAS, the Governor’s executive order related to the suspension of certain provisions of the Brown Act expired on September 30, 2021; and

WHEREAS, on September 16, 2021 the Governor signed AB 361 (in effect as of October 1, 2021 - Government Code Section 54953(e)), which allows legislative bodies to meet virtually provided there is a state of emergency, and either (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the legislative body determines by majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in SMCTC, specifically, a state of emergency has been proclaimed related to COVID-19, Sacramento County officials are imposing and recommending measures to promote social distancing, and because of the ongoing threat of COVID-19, meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on September 28, 2021, the Sacramento County Public Health Officer Dr. Olivia Kasirye issued a Teleconference Recommendation which states that utilizing teleconference options

for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and other from COVID-19; and

WHEREAS, the SMCTC has an interest in encouraging public participation in open and public meetings while protecting the health, safety and welfare of those who participate; and

WHEREAS, the Cable Commission Board adopted a Resolution authorizing remote teleconference meetings pursuant to the Ralph M. Brown Act from December 2, 2021 through January 2, 2022; and

WHEREAS, it is necessary for the Cable Commission to adopt a Resolution authorizing remote teleconference meetings pursuant to the Ralph M. Brown Act from March 3, 2022 through April 3, 2022.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Sacramento Metropolitan Cable Television Commission as follows:

1. **State or Local Officials Have Imposed or Recommended Measures to Promote Social Distancing.** SMCTC hereby finds and proclaims that state and local officials have imposed or recommended measures to promote social (physical) distancing based on the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(c)(5)(D) and Sacramento County Public Health Officer Dr. Olivia Kasirye's Teleconference Recommendation issued September 28, 2021.

2. **Remote Teleconference Meetings.** SMCTC and any of its legislative bodies are hereby authorized to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act, and Staff are directed to take all actions necessary to carry out the intent and purpose of this Resolution.

3. **Effective Date.** This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) April 3, 2022 or (ii) such time the Authority adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which it and its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Governing Board of the Sacramento Metropolitan Cable Television Commission, State of California, this 3rd day of March 2022, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair of the Board

ATTEST:

Clerk of the Board



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AGENDA ITEM NO. 3

DATE: March 3, 2022
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: **RESOLUTION NO. 2022-002, HONORING HARRIET A. STEINER UPON THE OCCASION OF HER RETIREMENT**

RECOMMENDATION:

It is recommended the Board adopt Resolution No. 2022-002, Honoring Harriet A. Steiner Upon the Occasion of Her Retirement.

DISCUSSION:

After more than 38 years of service with McDonough Holland & Allen in Sacramento and Best Best & Krieger, LLP, Harriet A. Steiner has announced her retirement.

The Commission hereby recognizes and congratulates Harriet on her retirement and thank her for working diligently on behalf of the Cable Commission for over 30 years.

RECOMMENDATION:

Staff recommends the Board adopt Resolution No. 2022-002, Honoring Harriet A. Steiner upon the Occasion of Her Retirement.

Respectfully submitted,

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachment:

Resolution No. 2022-002, Honoring Harriet A. Steiner Upon the Occasion of Her Retirement

SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

RESOLUTION NO. 2022-002

A RESOLUTION HONORING HARRIET A. STEINER UPON THE OCCASION OF HER RETIREMENT

WHEREAS, Harriet A. Steiner is a partner in the Municipal Law practice group of Best Best & Krieger LLP.; and

WHEREAS, prior to joining the firm in 2010, Harriet A. Steiner was a shareholder with McDonough Holland & Allen in Sacramento; and

WHEREAS, Harriet A. Steiner has served as Legal Counsel for the Sacramento Metropolitan Cable Television Commission since March 3, 1992; and

WHEREAS, during her tenure, Harriet A. Steiner assisted the Commission in successfully navigating numerous cable related legal issues and concerns; and

WHEREAS, Harriet A. Steiner was instrumental in the development and implementation of the legal framework for the Sacramento Educational Cable Consortium's Broadband Education Services Technology Network (BESTNet), which provides a fiber data and video broadband network that serves as the educational technology gateway for students and faculty in Sacramento County's schools; and

WHEREAS, Harriet A. Steiner advised the Commission in the successful transition from local cable franchises to statewide franchises under the Digital Infrastructure and Video Competition Act (DIVCA) of 2006, protecting the Commission, its member agencies, and local channel licensees; and

WHEREAS, Harriet A. Steiner has overseen the Commission's franchisee auditing program, ensuring cable franchisees pay franchise and PEG fees owed to the Commission for the use of the Commission's seven member agencies' public rights-of-way;

WHEREAS, Harriet A. Steiner has provided sage counsel to numerous Boards of Directors, Executive Directors, and staff to help accomplish the Commission's goals in ways to better the local community; and

WHEREAS, Harriet A. Steiner recently announced retirement and will be truly missed.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Sacramento Metropolitan Cable Television Commission expresses its deep gratitude and appreciation to Harriet A. Steiner for her more than 30 years of sound counsel and advice to the Sacramento Metropolitan Cable Television Commission and wishes her only the best for her future endeavors.

On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Cable Television Commission this 3rd day of March 2022, by the following vote, to wit:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST:

Chair of the Board

Clerk of the Board



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AGENDA ITEM NO. 4

DATE: March 3, 2022

TO: Chair and Board of Directors

FROM: Robert A. Davison, Executive Director
Joshua Nelson, Legal Counsel

**SUBJECT: PROVIDE DIRECTION ON THE RECRUITMENT FOR A NEW EXECUTIVE DIRECTOR AND
REVIEW AND APPROVE THE JOB DESCRIPTION FOR THE EXECUTIVE DIRECTOR**

RECOMMENDATION:

It is recommended the Board review and provide direction on the proposed recruitment for a new Executive Director. If the Board is comfortable with the proposed approach, the Board should review and approve the job description for the Executive Director.

BACKGROUND:

Bob Davison has acted as the Executive Director of the Sacramento Metropolitan Cable Television Commission (Commission) since 2006. Mr. Davison recently announced that he will be retiring effective September 2022. In an effort to ensure a smooth transition and to permit some overlap between Mr. Davison and his successor, an ad hoc committee (Ad Hoc Committee) consisting of Commission Chair Matt Hedges, Director Ryan Brown, and Director YK Chalamcherla has met with staff on several occasions to discuss and outline the recruitment process.

DISCUSSION:

The Executive Director is currently a part-time position, averaging about 315 hours per year over the past five years. Bob Davison is a full-time employee of Sacramento County, and through the County provides Executive Director services to the Commission by contract. The Commission is billed annually for Mr. Davison's services based on an hourly rate determined by the County, plus benefits and overhead for each hour of service. Over the past five years, the annual cost for these services averaged about \$58,000 per year.

Before determining how best to recruit for the position, the Board should confirm the scope and expectations of the Executive Director. Based on meetings held, the Ad Hoc Committee and staff recommend that the Board continue with the current position without changes as the Executive Director's workload is not expected to increase, and there do not appear to be any potential benefits to reorganizing the position or making it full-time.

Agenda Item No. 4
Direction on Executive Director Recruitment
Page 2

If the Board is comfortable with this approach, staff requests that the Board approve the attached job description; which will be used when recruiting for the position.

The Board has two main options for filling the Executive Director position:

- **County.** Continue the current approach by contracting with the County for these services. This would require identifying an interested County employee and negotiating a contract with the County.
- **Direct Employee.** Hire an Executive Director that is a direct employee of the Commission. This could include a retired annuitant of a County or other non-CalPERS retirement system candidate.

The Committee and staff considered a number of other alternatives to the options, including:

- contracting with a different Commission member agency for Executive Director services;
- hiring a CalPERS retired annuitant; or
- hiring someone directly employed by a different CalPERS member agency.

Unfortunately, those 3 options were not possible or feasible based on CalPERS guidelines and existing employment rules.

The Committee and staff recommend that the Board not choose between the County or direct hire options at this time but to recruit under both options. This would provide the widest pool of potential applicants. Once the best candidate is identified, the Board could take the necessary actions to move forward with that option.

Staff does not recommend hiring an outside recruitment firm at this time as this can cost anywhere from \$10,000-\$35,000 and would take time to engage the recruitment firm, delaying the process. Instead, the recruitment can be handled by staff with the assistance of the Ad Hoc Committee. If the Board agrees, staff will begin recruiting for the position with the aim of presenting a proposed candidate to the Board at its June 2, 2022 Quarterly meeting.

Below is a summary of the options and areas requiring Board direction and feedback:

- **Scope of Position.** Should the Executive Director position be modified? The Ad Hoc Committee and staff recommend continuing under the current model with the Executive Director being a part-time position. If the Board agrees, it should review and approve the attached job description.
- **Options for Recruitment.** The Board can contract with the County or directly hire an Executive Director. To ensure the widest possible applicant pool, the Committee and staff recommend recruiting with both options and determine which to use in the future once a preferred candidate is identified.
- **How to Recruit?** The Board could move forward in-house or with a third party recruiter. The Committee and staff recommend conducting the recruitment internally with the assistance of the Committee first. A third party recruiter would only be used if needed.

RECOMMENDATION:

It is recommended the Board review and provide direction on the proposed recruitment for a new Executive Director. If the Board is comfortable with the proposed approach, the Board should review and approve the attached job description for the Executive Director.

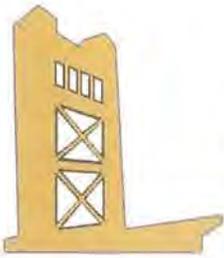
Respectfully submitted,

A handwritten signature in blue ink that reads "Robert A. Davison". The signature is written in a cursive style and is positioned above a horizontal line.

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachment:

Job Description for the Executive Director (Draft)



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EXECUTIVE DIRECTOR JOB DESCRIPTION

The Executive Director of the Sacramento Metropolitan Cable Television Commission (Commission) is the executive officer of the Commission and is responsible for the operations of the Commission. It is understood that the Executive Director's relationship to the Commission will be that of an "at will" employee.

The Executive Director works at the direction of the Board of Directors and shall have duties and responsibilities that include, but are not limited to the following:

- a. Oversees the daily operations of the Commission;
- b. Reviews the agenda and all agenda items, staff reports, and resolutions that are prepared for the Commission's Board;
- c. Attends and serves as the Executive Officer at the Cable Commission's Quarterly Board regular meetings and any special Commission meetings;
- d. Exercises oversight over the activities of the grantees to insure that the Commission's funds are being properly spent;
- e. Oversees the collection of franchise fees and Public, Educational, and Government (PEG) Channel Facilities fees from cable/video providers authorized to provide services within the Commission's jurisdiction pursuant to State franchises awarded by the California Public Utilities Commission (CPUC);
- f. Reviews and approves annual budgets and expenditures;
- g. Oversees the annual funding process that provides grants from the PEG fees collected by the Commission;
- h. Reviews and comments on state and federal legislation and rulemaking related to cable/video franchises and other issues;

- i. Oversees, appoints and removes all subordinate personnel of the Commission except Legal Counsel(s);
- j. Enforces regulations of the Commission, in accordance with policies and procedures formally adopted by the Board of Directors and state law; and
- k. Exercises such other powers as are delegated, and perform such other duties as assigned by the Board of Directors.

The Executive Director is retained by the Commission on a part- time basis, and the duties of the position may require an average of four to eight hours per week of service. However, it is understood that the Executive Director will expend the time necessary to accomplish the duties and responsibilities of the position as set forth by the Commission and in some weeks can be more or less than the average.



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AGENDA ITEM NO. 5

DATE: March 3, 2022

TO: Chair and Board of Directors

FROM: Robert A. Davison, Executive Director

SUBJECT: **RESOLUTION NO. 2022-003, RECLASSIFYING THE TECHNICAL ASSISTANT POSITION TO A MULTIMEDIA TECHNICIAN POSITION; AND APPROVE THE JOB DESCRIPTION AND THE RECOMMENDED SALARY SCALE**

RECOMMENDATION:

It is recommended the Board approve Resolution No. 2022-003, Reclassifying the Technical Assistant position to a Multimedia Technician position, along with the job description for the Multimedia Technician position and the recommended salary scale, effective the March 2022-Per 2 pay period.

BACKGROUND/DISCUSSION:

The Metro Cable Team currently consists of four full-time positions, which includes a Production Director, a Programming Coordinator, a Technical Coordinator, and a Technical Assistant.

In 2011, the Metro Cable part-time Production Assistant III (PA III) position was converted to a full-time position, to not only provide technical assistance to the Metro Cable Technical Coordinator (TC) but also to lend support for the other Metro Cable full-time positions. The PA III was also expected to serve as back up for part-time Production Assistants who cablecast local government meetings.

When a vacancy later occurred in the PA III position, Management evaluated the duties and responsibilities of that position and determined the level of complexity and degree of involvement and independence of action warranted a reclassification of the PA III position to a Technical Assistant (TA) position. The Board approved that reclassification at its March 3, 2016 meeting.

In anticipation of the upcoming vacancy with Metro Cable's Programming Coordinator (PC) position, Management has re-evaluated the duties of both the TA Position and the PC position, in an effort to identify whether any duties or responsibilities can be realigned to facilitate efficiency and workflow. Management has determined that some changes, in both duties and compensation, are warranted.

The attached **Multimedia Technician (MT)** job description reflects the increased responsibilities, skills, and knowledge which has been added to the Technical Assistant position. As a result, Management is recommending a higher salary scale for the reclassified TA position, as outlined on the following chart:

Metro Cable Full-time Positions Fiscal Year 2021-22 Salary Scales					
Job Title	Step 1	Step 2	Step 3	Step 4	Step 5
Technical Assistant (Current)	\$3,244.07	\$3,414.83	\$3,594.56	\$3,783.75	\$3,982.89
Multimedia Technician (Recommended)	\$3,717.43	\$3,903.30	\$4,098.47	\$4,303.39	\$4,518.55
Technical Coordinator (Current)	\$4,303.39	\$4,518.55	\$4,744.50	\$4,981.73	\$5,230.80

RECOMMENDATION:

Staff recommends the Board approve Resolution No. 2022-003, Reclassifying the Technical Assistant position to a Multimedia Technician position, along with the job description for the Multimedia Technician position and the recommended salary scale, effective the March 2022-Per 2 pay period.

Respectfully submitted,



ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachments:

Resolution No. 2022-003, Reclassifying the TA Position to a Multimedia Technician Position
Multimedia Technician Job Description

SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

RESOLUTION NO. 2022-003

**A RESOLUTION RECLASSIFYING THE TECHNICAL ASSISTANT
POSITION TO A MULTIMEDIA TECHNICIAN POSITON**

WHEREAS, the Sacramento Metropolitan Cable Commission currently employs a Technical Assistant; and

WHEREAS, the duties of the Technical Assistant have been evaluated to determine whether any prospective changes are appropriate; and

WHEREAS, the duties and responsibilities are increasing and will require more knowledge and skills for the position; and

WHEREAS, it has been determined that the Technical Assistant position should be reclassified to a Multimedia Technician position;

WHEREAS, the job description for the Multimedia Technician position (attached hereto) reflects the increased responsibilities; and

WHEREAS, Management recommends a salary scale for the Multimedia Technician position that is in line with the increased scope of responsibilities, skills, and knowledge.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Sacramento Metropolitan Cable Television Commission does hereby approve Resolution No. 2022-003, Reclassifying the Technical Assistant position to a Multimedia Technician position, along with job description and the recommended salary scale.

On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Board of Directors of the Sacramento Metropolitan Cable Television Commission this 3rd day of March 2022, by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Clerk of the Board

Chair of the Board



SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

799 G Street, 4th Floor, Sacramento, CA 95814 • (916) 874-6661 • Fax: (916) 854-9666 • www.sacmetro.cable.tv

A Joint Powers Agency Representing Sacramento County and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova and Sacramento

MULTIMEDIA TECHNICIAN

SALARY RANGE

\$3,717.43 - \$4,518.55 (Monthly)

\$44,609.00 – \$54,223.00 (Annually)

DEFINITION

To perform skilled technical work related to the video recording and broadcast of City Council, Board of Supervisors, and other governmental meetings and production of cable television programs; act as lead Production Assistant (PA); serve as assistant to the Technical Coordinator and Programming Coordinator.

DISTINGUISHING CHARACTERISTICS

The Multimedia Technician is distinguished from the other classes at Metro Cable by the variety and complexity of the work performed. The employee must possess technical, functional, and programming knowledge and will be assigned specialized duties, both administrative and video-related.

SUPERVISION RECEIVED AND EXERCISED

- General supervision is provided by the Production Director.
- Functional supervision provided by the Technical Coordinator and Programming Coordinator.
- Act in a lead capacity to Production Assistants.

EXAMPLE OF ESSENTIAL DUTIES

Duties may include but are not limited to the following:

- Assist in the setup, tear down, packing and storage during production activities; transport equipment, as necessary.
- General maintenance and repair of A/V equipment and computers – in control rooms; Perform firmware and operating system updates.
- Maintain inventory database of Metro Cable equipment. Assign & apply asset tags- as needed.
- Under general direction of the Production Director or other higher level Commission staff, organize, coordinate and direct video production activities.
- Type CG for weekly meetings.
- Download and highlight agendas each week.
- Upload documents to PA shared drive folders (i.e., check folders daily for documents needing updates, archive old production notes, agendas, and CG lists).

EXAMPLES OF ESSENTIAL DUTIES (continued)

- Coordinate with Technical Coordinator to ensure manuals in each folder are updated to the most current version.
- Broadcast server programming duties as needed: schedule video server programs (create shows, check daily schedule, program daily/weekend play).
- Video editing: Prepare and deliver programming.
- Post videos/ graphics online.
- Archive files (captioning, audio, format, CG, etc.).
- May assist County or city departments with video production or editing projects.
- Upload video files to YouTube and NAS archives - daily/weekly.
- Train new Production Assistants on the use of cameras, character generator, and other equipment.
- Update online broadcast calendars as needed.
- Create and post computer graphics as needed.
- Bulletin Board programming: Create bulletin board graphics (PSAs), search for download, process video and graphic PSAs and filler content from screen feed or other government sites.
- Coordinate YouTube and Facebook Live video events (i.e., quarterly SMCTC meetings and annual election forums).
- Troubleshoot video and audio issues throughout complex signal chains.
- Configure new equipment to properly run on a protected network.
- Configure Routers.
- Perform other duties as required.

MINIMUM QUALIFICATIONS

Knowledge of:

- Technology and practices of television/video production.
- Principles and techniques of camera operations, audio and video recording, lighting related to cable television production.
- Computer and electronic equipment and interest in learning maintenance and repair. Computer networking, database managing and A/V systems installation experience are desired.
- Video and graphics editing software, preferably Adobe Creative Cloud (Premiere/Photoshop).

Ability to:

- Set up and operate video cameras and related equipment for both studio and remote locations.
- Lift a minimum of 50 pounds.
- Use and care of video production equipment, and related tools.
- Understand and follow oral and written instructions and system diagrams.
- Communicate clearly and effectively with those contacted in course of duties: Metro Cable staff, Board of Directors, Council Members, and Clerks.
- Work in a fast-paced and team-oriented environment.
- Provide direction and functional supervision over other production assistants.
- Work flexible schedule with varying job hours including evening work.
- Maintain reliable and predictable attendance.

MINIMUM QUALIFICATIONS (continued)

- Must have ability to handle and abide by deadlines, and track long-term projects.
- Learn new software and online platforms (calendars, social media, streaming video).

EXPERIENCE AND EDUCATION

Any combination of experience and education or training that would provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

Experience

Two years of increasingly responsible video production experience.

IT networking and A/V system installation background helpful.

Video and graphics editing experience is necessary.

Video server and bulletin board programming experience is helpful.

Experience with closed captioning is helpful.

Education

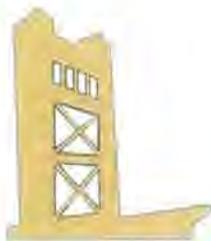
Equivalent to the completion of an AA degree in television production, technical electronics or related field.

License or Certificate

Possession of a valid CA driver's license and transportation.

SUPPLEMENTAL INFORMATION

The probationary period will be 12 months.



SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

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A Joint Powers Agency Representing Sacramento County and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova and Sacramento

AGENDA ITEM NO. 6

DATE: March 3, 2022

TO: Chair and Board of Directors

FROM: Robert A. Davison, Executive Director

SUBJECT: **RESOLUTION NO. 2022-004, APPROVING CHANGES TO THE SMCTC EMPLOYEE HANDBOOK FOR PART-TIME REGULAR AND TEMPORARY EMPLOYEES**

RECOMMENDATION:

It is recommended the Board adopt Resolution No. 2022-004, Approving Changes to the SMCTC Employee Handbook for Part-time Regular and Temporary Employees; and authorize the Executive Director or designee, to make any future amendments that contain only non-substantive and/or administrative changes to the Employee Handbook, as well any changes which are required by law.

BACKGROUND/DISCUSSION:

On September 2, 2021, the Sacramento Metropolitan Cable Television Commission Board adopted an Employee Handbook for Part-time Regular and Temporary Employees (“Employee Handbook”).

Commission staff has now determined that the following edits are needed in the Employee Handbook:

- SMCTC staff has revisited the overtime policy in the Employee Handbook. By way of background, SMCTC employees are governed by the wage and hour requirements set forth in the federal Fair Labor Standards Act (which requires overtime only for hours worked in excess of 40 each week). SMCTC employees are not governed by California’s wage and hour rules (which require, in addition to weekly overtime, daily overtime for hours in excess of eight in one day). While daily overtime requirements do not technically apply, SMCTC can decide, as a matter of policy, to pay employees daily overtime. Staff has determined that weekly overtime (i.e., payment of overtime for hours exceeding 40 in one week) is appropriate for full-time staff. Production Assistants, by contrast, do not work full-time schedules and are on occasion asked to work extended hours, such as when meetings go longer than anticipated. Given their unique working schedules and occasional extended hours, Management has determined that part-time Production Assistants should earn daily overtime. Language to effectuate this change has been incorporated into the Employee Handbook. With this change, part-time Production Assistants will earn overtime for any hours worked over eight (8) in one workday. Other employees covered by the Employee Handbook will continue to earn overtime only for hours exceeding forty (40) hours per week.
- Other minor clean-up edits to the sick leave and meal period/rest breaks policies are also included.

Agenda Item No. 6

Resolution No. 2022-004, Approving Changes to the SMCTC Employee Handbook for Part-time & Temporary Employees

Page 2

RECOMMENDATION:

It is recommended the Board adopt Resolution No. 2022-004, Approving Changes to the Sacramento Metropolitan Cable Television Commission Employee Handbook for Part-time and Temporary Employees. It is also recommended that the Board authorize the Executive Director, or designee, to make any future amendments that contain only non-substantive and/or administrative changes to the Employee Handbook, as well as any changes which are required by applicable law.

Respectfully submitted,



ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachments:

Resolution No. 2022-004

SMCTC Employee Handbook (Revised March 3, 2022)

SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

RESOLUTION NO. 2022-004

A RESOLUTION APPROVING CHANGES TO THE SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION EMPLOYEE HANDBOOK FOR PART-TIME REGULAR AND TEMPORARY EMPLOYEES

WHEREAS, on September 2, 2021, the Sacramento Metropolitan Cable Television Commission (“Commission”) adopted the Employee Handbook for Part-Time Regular and Temporary Employees (“Employee Handbook”);

WHEREAS, Commission staff has determined that some changes to the overtime provisions for part-time Production Assistants are desirable, entitling those employees to daily overtime for hours worked over eight (8) in one day;

WHEREAS, during a routine review of the Employee Handbook after its approval, some other necessary changes were discovered, including to the sick leave and the meal period/rest break policies;

WHEREAS, Commission staff along with Legal Counsel have updated the Employee Handbook to reflect these changes;

WHEREAS, the Board of Directors desires to ratify these changes and authorize the Executive Director, or designee, to make any future amendments that contain only non-substantive and/or administrative changes to the Employee Handbook, as well as any changes which are required by applicable law.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Sacramento Metropolitan Cable Television Commission as follows:

SECTION 1. The Commission hereby ratifies the changes to the Employee Handbook (including to the overtime policy), a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference, effective March 3, 2022.

SECTION 2. The Board hereby authorizes the Executive Director, or his or her designee, to make any amendments or additions to the Employee Handbook that are necessary in order to ensure timely compliance with legal obligations, subject to subsequent ratification by the Board.

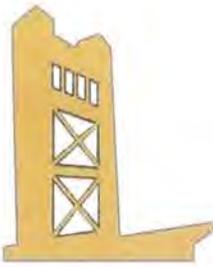
On a motion by Director _____, seconded by Director _____, the foregoing Resolution was passed and adopted by the Governing Board of the Sacramento Metropolitan Cable Television Commission, State of California, this 3rd day of March 2022, by the following vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Clerk of the Board

Chair of the Board



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EMPLOYEE HANDBOOK (PART-TIME REGULAR AND TEMPORARY EMPLOYEES)

**Adopted September 2, 2021
(Revised March 3, 2022)**

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**SECTION 1
GENERAL PROVISIONS**

1.1 INTRODUCTION AND PURPOSE

As an employee of the Sacramento Metropolitan Cable Television Commission (“SMCTC”), we hope you will find your employment to be both rewarding and challenging. Because the quality of our employees is the key to our success, we carefully select our new employees. In turn, we expect employees to contribute to the success of SMCTC. This Employee Handbook (for Part-time Regular and Temporary Employees) (“Handbook”) is intended to set forth the general practices and procedures that are to be followed by SMCTC in the administration of its personnel.

1.2 APPLICATION

The policies in this Handbook apply to part-time and temporary employees of SMCTC as well as to interns and, where indicated, to volunteers.

1.3 RIGHT TO MODIFY

SMCTC reserves the right to modify or delete any of these policies when, in the opinion of its management and/or the Board of Directors, it becomes advisable to do so. Announcement of changes will be made in writing to affected employees through standard communication channels (for example, during employee meetings, in inter-office memoranda, and/or via other Manager communications). No oral statements or representations can in any way change or alter the provisions of this Handbook.

1.4 PERSONNEL ACTIONS AND EXECUTIVE DIRECTOR AUTHORITY

This Handbook cannot address all issues that may arise in overseeing and providing direction to SMCTC personnel. The need may arise from time to time for additional clarification, interpretation, or extension of the policies in this Handbook to particular factual settings. The Executive Director (or his or her designee) has the authority to:

- oversee and direct SMCTC employees;
- make and implement employment decisions (including those related to recruitment and hiring, performance management, training, discipline, and termination);
- interpret, apply, and administer employment policies;
- review and respond to employee requests and inquiries; and
- prepare and recommend revisions to these policies.

The Board will consider and adopt (or ratify) any amendments or changes to this Handbook. Where necessary to ensure legal compliance and for operational guidance and business continuity, the Executive Director has the authority to adopt changes to this Handbook (including amending, deleting, and adding policies) subject to subsequent Board ratification.

SECTION 2 HIRING PROCESS

2.1 RECRUITMENT

When employment vacancies occur, SMCTC will conduct an appropriate recruitment process. The specific process(es) used will vary depending on the type of position and the needs of SMCTC. Recruitment efforts may include internet postings, usage of applicant search tools, and/or media advertisements. In appropriate instances, SMCTC may decide to conduct an internal recruitment before seeking outside applicants or may rely on a prior recruitment. In all cases, the exact methods used are subject to the Executive Director's and/or the HR Manager's discretion.

2.2 QUALIFICATIONS AND SCREENING OF APPLICANTS

SMCTC will make all hiring decisions based on merit. When evaluating candidates, SMCTC will consider all relevant factors, including the candidate's knowledge, skills, abilities, qualifications, education, and experience. The specific evaluation methods used will vary, depending on the position, but can include:

- A. Information the candidate supplies on an application form.
- B. Written, performance, or physical tests or examinations, or any combination of these.
- C. Individual and/or panel interviews.
- D. Information supplied by references and previous employers.
- E. Other job-related screening techniques as may be necessary.

If any candidate provides false information or otherwise exhibits any type of dishonesty in the hiring process, the candidate will not be further considered. In addition, if it is discovered that any employee falsified any information in connection with the hiring process, that employee will be subject to disciplinary action, up to and including termination of employment regardless of when that information is discovered.

SECTION 3
CONDITIONS OF EMPLOYMENT

3.1 EQUAL EMPLOYMENT OPPORTUNITY

SMCTC has a commitment to provide equal employment opportunity to all personnel in matters affecting employment, including, but not limited to, recruitment, compensation, benefits, promotions, training, discipline, transfer, and layoff. It is the policy of SMCTC that there shall be no discrimination based upon race (including traits historically associated with race, such as hair texture and hairstyles like braids, locks, and twists), color, religion, national origin, ancestry, mental or physical disability, medical condition, sexual orientation, genetic characteristics, gender, gender identity, gender expression, age, military or veteran status, marital status, or any other characteristic protected by applicable law.

If you have any questions regarding this policy or if you have any concerns about workplace discrimination, please let the Executive Director know immediately. A complaint procedure is also addressed in SMCTC's Anti-Harassment and Anti-Discrimination Policy (see Section 9.1 below) which you should use to address any instances of workplace harassment or discrimination. SMCTC will not retaliate against any employee who raises concerns in good faith. Anyone found to be engaging in any type of unlawful discrimination will be subject to appropriate disciplinary action, up to and including termination of employment.

3.2 DISABILITY ACCOMMODATION AND FITNESS FOR DUTY

- A. **Reasonable Accommodations.** SMCTC will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. If you feel you need a workplace accommodation due to a physical or mental disability, notify the Executive Director and/or the HR Manager/Administrative Services Officer III ("HR Manager"). You may be required to provide medical certification regarding your disability and need for accommodation. All medical information is kept in a confidential medical file and shared only on a need-to-know basis. While SMCTC welcomes your suggestions for accommodations to enable you to perform the essential functions of your job, SMCTC will make the final decision as to what, if any, reasonable accommodation to provide.
- B. **Fitness for Duty.** Continued employment with SMCTC is conditioned on an employee being fit and able to perform the duties specified in the applicable job description. SMCTC may require an employee to submit to a medical examination and obtain a fitness for duty certification if SMCTC has a reasonable belief, based on objective evidence, that the employee's ability to perform essential job functions is impaired by a medical condition, or that the employee will pose a direct threat due to a medical condition. Any fitness for duty examination will be job-related and consistent with business necessity. If the examination finds the employee to be in an unfit condition to perform the position duties, SMCTC will commence an interactive process with the employee to ascertain whether the employee is eligible for any reasonable accommodations.

3-3 LACTATION ACCOMMODATION

SMCTC is committed to providing lactation accommodation in compliance with the law.

- A. **Reasonable Break Time.** SMCTC shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child each time the employee has the need to express milk. The break time shall, if possible, run concurrently with any break time already provided to the employee. Break time for an employee that does not run concurrently with any rest time authorized for the employee shall be unpaid, unless the employee wants to use available sick leave or vacation. Employees must notify their supervisor or other appropriate personnel in writing of their intent to make use of the lactation accommodations offered within this policy. At management discretion, beginning or ending work times may be adjusted to accommodate these breaks.

- B. **Appropriate Private Location.** Unless an exemption is applicable, SMCTC shall provide an employee with the use of a room or other location for the employee to express milk in private. The location may be the place where the nursing mother normally works if there is adequate privacy and the location otherwise suits the requirements of the law (e.g., the employee's private office, a supervisor's private office, or a conference room that can be secured).

A lactation room shall be in close proximity to the employee's work area, shielded from view, and free from intrusion while the employee is expressing milk. A lactation room or location shall comply with all of the following requirements:

1. Be safe, clean, and free of hazardous materials.
2. Contain a surface to place a breast pump and personal items.
3. Contain a place to sit.
4. Have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations needed to operate an electric or battery-powered breast pump.

A sink with running water and a refrigerator suitable for storing milk (or another cooling device) shall be made available in close proximity to the employee's workplace. If a refrigerator cannot be provided, an employer may provide another cooling device suitable for storing milk, such as an employer-provided cooler.

For non-traditional worksites and any required travel, the employee and the supervisor or SMCTC's HR Manager should enter into a good faith interactive process to identify reasonable accommodations.

- C. **Lactation Accommodation Request Procedure.** An employee who has a need for lactation accommodation should inform her supervisor or the SMCTC's HR Manager and discuss any relevant workload or scheduling issues. The employee should also complete the Lactation Accommodation request form.

Supervisors who receive a lactation accommodation request shall, in consultation with the HR Manager, do the following:

1. Review available space and prepare to provide appropriate nearby space and break time.
 2. Contact the Executive Director for assistance if they are unable to locate appropriate space to meet an employee's request.
 3. Respond to the employee's request in writing detailing accommodations that will be made.
- D. **Reporting and Addressing Non-Compliance or Inappropriate Treatment.** It is prohibited under this policy to discharge, discriminate, or retaliate against an employee for exercising or attempting to exercise their right to lactation accommodation. Any incident of such will be appropriately and promptly addressed by SMCTC. Nursing mothers who feel they have been denied appropriate accommodation are encouraged to contact the HR Manager. Appropriate internal investigations will be conducted.

3.4 DRIVING RECORD AND PRIVILEGES

All employees who are required to drive (whether their own vehicle or a SMCTC/County van or vehicle) in connection with their job duties are required to maintain an acceptable driving record.

- A. **Insurance Requirement.** Employees required to drive on SMCTC business must first provide proof of a current valid California driver's license and current effective insurance coverage. It is the employee's responsibility to maintain the level of insurance required by California whenever driving in connection with work assignments. Employees are required to submit up-to-date insurance documents upon renewal and/or change of insurance coverage.
- B. **DMV Employer Pull Notice Program.** SMCTC requires all employees who are required to drive as part of their job duties to participate in the California Department of Motor Vehicles Employer Pull Notice Program. This Program provides SMCTC with a means of promoting driver safety through the ongoing review of driver records. Through an agreement with SMCTC and the DMV, the DMV notifies SMCTC if there is any activity on an employee's driving record that limits or prevents him/her from operating a motor vehicle. This is intended to promote motor vehicle safety and ensure that SMCTC receives information bearing on employee driving privileges (including convictions for driving-related offenses, accidents, suspensions, and revocations).
- C. **Prompt Notice of Accidents.** Any accidents or traffic violations must be reported to your supervisor immediately if they occur during your working hours and in the course of your duties. Failure to report an on-the-job motor vehicle accident, no matter how minor, will lead to disciplinary action, up to and including termination. You will be responsible for any tickets you receive while driving on SMCTC business whether in a SMCTC/County van or vehicle or your own personal vehicle.

3.5 DRUG FREE WORKPLACE AND TESTING

SMCTC maintains a workplace free of drugs and alcohol and discourages drug and alcohol abuse by its employees. SMCTC has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse is incompatible with health, safety, efficiency, and success at SMCTC. Employees who are under the influence of a drug or alcohol on the job compromise SMCTC's interests, endanger their own health and safety and the health and safety of others, and can cause a number of other work-related problems, including excessive absenteeism and tardiness, substandard job performance, increased workloads for co-workers, behavior that disrupts other employees, delays in the completion of jobs, and inferior quality in products or service.

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its property, equipment, and operations, SMCTC has established a policy concerning the use of alcohol and drugs and, in some circumstances, will conduct drug testing of employees. As a condition of continued employment with SMCTC, each employee must abide by this policy. All employees are expected to read and abide by this policy in the course of their employment with SMCTC. It is SMCTC's intent to promote a safe, healthy, and productive work environment for employees. SMCTC recognizes that the illegal and/or excessive use of drugs and/or alcohol is not conducive to safe working conditions. SMCTC also recognizes that employees who work while impaired endanger the health and safety of their co-workers and members of the public. It is the objective of SMCTC to have a workforce that is free from the influence of illegal substances and alcohol during work hours and at all times on the premises of SMCTC.

A. **Purpose of this Policy.** The purposes of this policy are:

- (1) to establish and maintain a safe, healthy working environment for all employees;
- (2) to ensure the safety and health of all SMCTC employees, customers, and members of the public with whom SMCTC employees interact;
- (3) to ensure the sound reputation of SMCTC and its employees within the community and industry;
- (4) to reduce the number of injuries to persons or property; and
- (5) to reduce absenteeism and tardiness and to improve productivity.

B. **Testing/Policy Requirements.** As an employee of SMCTC, you will be required to submit to alcohol/drug testing in accordance with the items of this policy. The following rules represent SMCTC's policy concerning substance abuse:

- (1) The unlawful possession, manufacture, distribution, dispensation, or use of any illegal substance is inconsistent with SMCTC's objective of operating in a safe and efficient manner and is strictly prohibited. Accordingly, no employee shall engage in the unlawful possession, manufacture, distribution, dispensation, or use of any illegal substance during working hours or at any time on the premises of SMCTC. No employee shall report to work or continue to work while under the influence of any drug whose manufacture, sale, dispensation, distribution, use or possession is unlawful. Similarly, no employee shall use or have in his or her possession on the premises of SMCTC any prescription medication other than medications currently prescribed by a physician for the employee. For purposes of this Policy, the terms

“drug” and “illegal substance” include any substance that is defined as illegal under either California or federal law. Because marijuana is defined as illegal under federal law, it is treated as a drug and illegal substance under this Policy.

- (2) Employees taking physician-prescribed medications which impair their job performance should not report to work. An employee who is using prescription or over-the-counter drugs that may impair the employee’s ability to safely perform the job, or affect the safety or well-being of others, must notify a supervisor of such use immediately before starting or resuming work.
- (3) The use of alcoholic beverages by employees engaged in the operation or maintenance of SMCTC’s equipment and/or facilities is inconsistent with the objective of operating in a safe and efficient manner. Accordingly, no employee shall use or possess alcoholic beverages on SMCTC’s premises or during working hours. No employee shall report to work or continue to work under the influence of alcoholic beverages. The consumption of alcohol at SMCTC sponsored events does not violate this policy, though employees are expected to behave responsibly.
- (4) Desks and storage areas are the property of SMCTC and must be maintained according to SMCTC’s standards. All such areas must be kept clean and are to be used only for work-related purposes. SMCTC reserves the right, at all times and without further notice, to conduct searches and inspections of any or all employee work areas and other SMCTC property for the purposes of determining if this Policy has been violated.

All vehicles and containers, including bags, boxes, purses, backpacks, briefcases, and lunch containers brought onto SMCTC’s premises are subject to inspection at any time an authorized representative of SMCTC has a reasonable suspicion that a SMCTC rule, policy, or regulation has been violated and such an inspection is reasonably necessary in the investigation of such violation(s). Such inspections will be conducted, to the extent reasonably possible, in a manner designed to preserve the dignity of the employee. Inspections will be done in a private area, and will be conducted by a member of the same sex. An employee who refuses to consent to such an inspection may be subject to disciplinary action up to and including termination.

- (5) As a condition of continued employment, employees must abide by this and all other policies in these Personnel Policies. As a further condition of continued employment, any employee who is convicted of a violation of any criminal drug statute related to the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace must inform SMCTC no later than five (5) days after such conviction (this requirement does not apply to convictions of misdemeanor marijuana offenses). Any employee who is so convicted shall be subject to disciplinary action, up to and including, but not limited to, termination of employment. SMCTC in its sole discretion may require an employee who is convicted of any offense set forth above to satisfactorily participate and complete a drug use/abuse assistance or rehabilitation program as a condition of continued employment with SMCTC.

C. **Authorized and Unauthorized Conduct.** SMCTC adheres to the following:

- (1) Customary Use of Over-the-Counter Drugs. Nothing in this policy is intended to prohibit the customary and ordinary purchase, use, possession, or dispensation of over-the-counter drugs, so long as that activity does not violate any law or result in an employee being impaired by the use of such drugs in violation of this policy.
- (2) Off-the-Job Conduct. This policy is not intended to regulate off-the-job conduct, so long as the employee's off-the-job use of alcohol or legal drugs does not result in the employee being under the influence of or impaired by the use of alcohol or drugs in violation of this policy. Employees can be subject to drug testing as described below.

D. **Drug Testing.** SMCTC will conduct drug testing of employees under the following circumstances:

- (1) Pre-employment. All initial offers of employment for positions with SMCTC will be made contingent upon satisfactory completion by the applicant of a pre-employment drug and alcohol screen (bodily fluid testing). Positive test results shall not bar reapplication at a later time. If an employee refuses or fails to cooperate with the administration of the drug and alcohol test, the refusal will be handled in the same manner as a positive test result.
- (2) For Cause Testing. If SMCTC has a reasonable suspicion that an employee is (1) intoxicated or under the influence of drugs or alcohol, or (2) has used drugs or alcohol on SMCTC's premises or during working time, or (3) is under the influence of drugs or alcohol during working time, the employee may be directed to undergo drug and/or alcohol testing at an independent licensed laboratory to determine whether a violation of this policy has occurred.

"Reasonable suspicion" includes: a suspicion that is based on specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; information provided to management by an employee, by law enforcement officials, by a security service, or by other persons believed to be reliable; or a suspicion that is based on other reliable surrounding circumstances.

"Reasonable suspicion" may be based upon: evidence of illegal substances or alcohol on or about the employee's person or in the employee's immediate vicinity; a pattern of unusual conduct or erratic behavior on the employee's part that suggests impairment or influence of illegal substances or alcohol; any physical circumstances that suggest impairment or influence of illegal substances or alcohol; arrest or conviction of a drug-related offense or the identification of the employee as the focus of a criminal investigation involving illegal substances; information provided by a reliable and credible source that the employee is under the influence of illegal substance or alcohol; evidence that the employee has tampered with a previous drug test.

If an employee refuses or fails to cooperate with the administration of the drug and alcohol test, the refusal will be handled in the same manner as a positive test result.

- (3) **Post-accident.** Any employee involved in a serious on-the-job accident or injury resulting in personal injury or property damage that appears likely to exceed \$2,500 may be required to submit to an alcohol/drug test, as part of an investigation to determine the root cause of the incident. "Involved in an on-the-job accident or injury" means not only the one who was injured, but also any employee who potentially contributed to the accident or injury in any way.

If an employee refuses or fails to cooperate with the administration of the drug and alcohol test, the refusal will be handled in the same manner as a positive test result.

- E. **Manner of Testing.** SMCTC will refer the applicant or employee to an independent National Institute on Drug Abuse (NIDA)-certified medical clinic or laboratory, which will administer the test. SMCTC will pay the cost of the test. When an employee is directed to undergo drug/alcohol testing because SMCTC possesses reasonable suspicion that the employee is intoxicated or under the influence of drugs or alcohol, the employee shall be transported to the laboratory by a designated SMCTC employee or designated transportation provider. The employee will have the opportunity to alert the clinic or laboratory personnel to any prescription or non-prescription drugs that he or she has taken that may affect the outcome of the test. All drug testing will be performed by urinalysis. Initial screening will be done by EMIT II (enzyme multiplied immunoassay technique). Positive results will be confirmed by appropriate diagnostic testing.

The clinic or laboratory will inform SMCTC as to whether the applicant or employee passed or failed the drug test. If an employee fails the test, he or she will be considered to be in violation of this policy and will be subject to discipline accordingly.

Refusal to cooperate fully in drug and/or alcohol testing procedures under the circumstances described above may constitute insubordination and may result in disciplinary action, up to and including termination.

If SMCTC directs an employee to undergo drug or alcohol testing based upon a reasonable suspicion, the employee will be placed on administrative leave from the time of the initial testing until test results are received and reviewed by SMCTC. Employees subject to "for cause" disciplinary action will be placed on paid administrative leave, whereas all others will be placed on unpaid administrative leave.

Any employee whose test results are positive for the presence of any of the specified substances will be given a reasonable opportunity to explain or present exculpatory evidence before any permanent disciplinary action is taken.

- F. **Counseling/Employee Assistance.** Employees who suspect they may have alcohol or drug problems, even in the early stages, are encouraged voluntarily to seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. Employees who wish to voluntarily enter and participate in an approved alcohol or drug rehabilitation program are encouraged to contact the Executive Director, who will determine whether SMCTC can accommodate the employee by providing leave for the time necessary to complete participation in the program. SMCTC abides by all applicable laws and regulations regarding providing leaves of absence to employees who are addicted to drugs. Employees should be aware that participation in a rehabilitation program will not necessarily shield them from

disciplinary action for a violation of this policy, particularly if discipline is imposed for a violation occurring before the employee seeks assistance. The time to request assistance is before any misconduct or violation of policy occurs, as SMCTC is not obligated to overlook or ignore any policy violations.

- G. **Accommodations.** Nothing in this Policy is intended to diminish SMCTC's commitment to employ and reasonably accommodate qualified disabled individuals. SMCTC will reasonably accommodate qualified disabled employees who must take legal drugs because of their disability and who, because of their appropriate use of such drugs, cannot perform the essential functions of their positions without reasonable accommodation. In addition, SMCTC will provide a leave of absence to eligible employees who wish to seek treatment for drug and alcohol dependency.

To this end, employees desiring such assistance should request a treatment or rehabilitation leave. SMCTC is not obligated, however, to continue to employ any person whose performance of essential job duties is impaired because of current drug or alcohol use, nor is SMCTC obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. SMCTC is not obligated to accommodate current usage of illegal drugs or alcohol.

Additionally, employees who are given the opportunity to seek treatment and/or rehabilitation, but fail to successfully overcome their dependency or problem, will not automatically be given a second opportunity to seek treatment and/or rehabilitation. This policy on treatment and rehabilitation is not intended to affect SMCTC's treatment of employees who violate the regulations described above. Rather, rehabilitation is an option for an employee who acknowledges a chemical dependency and voluntarily seeks treatment to end that dependency.

Violation of the above standards of conduct will not be tolerated. An employee who violates this policy is subject to discipline, up to and including immediate discharge, even for a first violation. Where appropriate, SMCTC also may bring the matter to the attention of appropriate law enforcement authorities.

3.6 **EMPLOYMENT OF RELATIVES AND DISCLOSURE OF PERSONAL RELATIONSHIPS**

SMCTC desires to avoid misunderstandings, complaints of favoritism or lack of objectivity, claims of sexual harassment, and the morale and dissension problems that potentially result from romantic or other non-work-related relationships between employees. In order to implement these objectives, SMCTC abides by the following requirements:

- A. **Limitation on Hiring Family Members.** SMCTC discourages the employment of relatives within the same department. An employee will not be allowed to work in a position that would result in him/her directly or indirectly supervising or reporting to a Family Member (defined below). Additionally, SMCTC may prohibit reporting relationships between employees who are romantically involved with one another. A reporting relationship exists between two employees if one employee is within another employee's chain of command and is directly or indirectly supervised by the other. SMCTC will disqualify any applicant for employment or transfer where the result of that hiring or transfer would put an employee in

direct supervision of (or under the direct supervision of) a Family Member or otherwise create a security, safety, or morale problem for SMCTC

For purposes of this Policy only, Family Member includes parent, child, grandparent, grandchild, uncle, aunt, niece, nephew, cousin, sibling, spouse, domestic partner, cohabitants, or in-law relations (whether arising from a spouse or domestic partner relationship). Family Member is intended to encompass all family-like relationships regardless of blood or legal relationship.

- B. **Disclosure Requirement.** Employees are required to immediately notify the Executive Director of any relationship (either a familial or a romantic relationship) that potentially falls under this policy. If, in SMCTC's opinion, any of the potential problems noted above cannot be avoided in a reasonable manner, SMCTC may take any action that SMCTC deems appropriate to appropriately address the situation.

3.7 PERSONNEL RECORDS

The official confidential personnel file will be maintained by SMCTC for each individual employed. Employees may review their files at a mutually agreeable time in SMCTC's office during regular business hours.

3.8 BUSINESS CONTINUITY

In the event of a pandemic, natural disaster, or other event affecting SMCTC operations, SMCTC may make appropriate modifications to the work environment, employees' assigned duties, and the method of job performance. In such circumstances, SMCTC may allow for special remote work arrangements or make other adjustments (including, but not limited to, allowing children in the workplace) as a temporary alternative to ensure SMCTC's business continuity. This arrangement in no way changes the terms and conditions of employment with SMCTC or the essential functions of an employee's position.

SECTION 4
PERFORMANCE APPRAISAL SYSTEM

4.1 PERFORMANCE REVIEWS

All supervisors/managers shall conduct performance reviews for each employee supervised by that supervisor/manager. The evaluation shall be in writing and presented to and discussed with the employee. The purpose of evaluations is to provide constructive and meaningful feedback for employees. As a result, evaluations shall provide recognition for effective performance and also identify areas that need improvement. Employees are expected to provide their own input on their evaluations by completing a self-evaluation. Employees can also provide responding comments after receiving their evaluations. Employees are encouraged and expected to take an active role in their development and in the performance evaluation process.

4.2 TIMING OF PERFORMANCE EVALUATIONS

At-will employees are subject to annual performance evaluations.

- All Production Assistants are at-will employees and will be reviewed after six months of employment, at or around one year of employment, and, thereafter, annually on or around the anniversary of their employment.
- All temporary employees are at-will employees and will be reviewed annually.
- All other workers (including interns and volunteers) will be reviewed annually or in accordance with another periodic review schedule deemed appropriate by their supervisor and the Executive Director or Human Resources Manager.

4.3 STEP INCREASES

- A. **Eligibility.** Employees who have not yet reached the highest step in their pay range may be eligible for a step increase in connection with their performance evaluation. Employees are not automatically entitled to a step increase. All decisions about step increases are subject to the supervisor's sole discretion and approval, with the concurrence of the HR Manager and Executive Director.

The decision of whether to award a pay increase is based on merit, satisfactory performance, budgetary limitations, and any other relevant considerations. If a step increase is determined appropriate, a confirming memo shall be provided. In appropriate circumstances, employees can be provided with a step increase consisting of more than one step, based on the supervisor's recommendation and with the Executive Director's approval.

- B. **Timing.** An employee is eligible for and can be considered for their first step increase with their first performance evaluation. Thereafter, the employee will be considered for a step increase on each evaluation thereafter. If a step increase is granted, it will be made effective as of the date the employee was due for a performance evaluation.

SECTION 5
HOURS OF WORK AND COMPENSATION

5.1 EMPLOYMENT STATUS

SMCTC has the following types of positions, subject to this Handbook:

- A. **Part-Time At-Will (Production Assistants).** A position in which the employee is hired on a part-time, at-will basis to work as a Production Assistant. This position is not subject to a probationary period and is terminable at-will.
- B. **Temporary.** A position where the employee is hired on a temporary basis (either directly or through a staffing agency) with no guarantee or expectation of a continued assignment. These employees are typically hired to perform a particular project or to fulfill a temporary need arising out of the unavailability of regular personnel. Temporary employees will not work in excess of 1,040 hours during each fiscal year and are terminable at will.
- C. **Student Intern.** A position occupied by a continuing student on a temporary and limited term basis.
- D. **Volunteer.** An individual who volunteers services to SMCTC for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation for services rendered.

Definition of At-Will: At-will employees may be terminated at the will of either the employer or the employee, at any time, with or without cause.

5.2 HOURS OF WORK AND WORK SCHEDULES

Production Assistants are assigned work hours on an as-needed basis in accordance with the Metro Cable production schedule. Production Assistants are not guaranteed any minimum number of hours each week or month, and assigned hours may vary based on Metro Cable and SMCTC needs. Other workers (including temporary staff, interns, and volunteers) are assigned work hours on an as-needed basis, based on Metro Cable and SMCTC business needs.

5.3 PAY PERIODS AND PAYDAYS

The wages of all SMCTC employees shall be paid semi-monthly. In the event a payday falls on a weekend or one of the holidays listed, the immediately preceding working day shall become the payday. Upon request, SMCTC employees can be paid via direct deposit into a personal bank account.

5.4 WORKWEEK

The workweek begins on Sunday at 12:01 a.m. and ends the following Saturday at midnight.

5.5 MEAL PERIODS AND REST BREAKS

Meal Periods. Employees who work more than five hours are provided with one hour for lunch each day, to be taken approximately in the middle of the workday. An employee may be granted permission by the employee's supervisor to reduce the lunch break to not less than 30 minutes. *During some shifts, employees working alone may need to work through a meal break, with pay, if leaving the control room or building is not feasible.* Employees are expected to observe assigned working hours and the time allowed for meal periods. *Please alert your supervisor if you are unable to take a meal break during your shift.*

Shorter lunch breaks are not available merely for the purposes of providing a shorter workday. Meal periods, if taken, are unpaid and must be reflected on the employee's timecard; employees are relieved of all responsibility and can use the time as the employee chooses, as long as the employee returns to the worksite at the conclusion of the meal period.

- A. **Rest Breaks.** Employees are also entitled to a mid-shift break of fifteen (15) minutes. If working a full day, Employees are entitled to a morning break of fifteen (15) minutes and a mid-afternoon break of fifteen (15) minutes. Time allocated to breaks may not be accumulated or used to come in late, leave early, or add to a meal period.

When working alone covering a government meeting, Production Assistants should pick appropriate times to take rest breaks. If appropriate staff (Metro Cable 14 or agency IT/Media) are available to watch the control room for a few minutes, the Production Assistant should ask them for assistance. If nobody is available to cover for the employee, the Production Assistant should leave the camera on a wide shot, or on a dependable virtual meeting source, and return to the control room as soon as possible. If able, the Production Assistant should monitor an audio or video streaming feed when out of the control room.

5.6 COMPENSATION

- A. **Rates of Pay.** Each employee shall be paid a rate of pay within the pay range for the position for which the individual is employed. All newly appointed employees shall be paid at the first step of the salary range for the position to which the introductory employee is appointed except as provided elsewhere herein.
- B. **Entrance Salary.** An employee shall be appointed at the minimum step for the pay range unless the HR Manager determines the necessity to make an appointment at a higher step. Consideration may be given to the qualifications of the candidate, availability of applicants, and the resulting relationship with other similar positions.
- C. **Promotion.** An employee who is promoted shall be placed at the step of the salary range that results in the employee receiving a pay increase of at least five percent (5%). In no event, however, shall the employee be provided a salary that exceeds the maximum step of the new salary range.
- D. **Reclassification.** An employee whose position is reclassified to a higher class will receive a pay increase of at least five percent (5%) provided that such employee shall be placed at the lowest qualifying step and no more than the maximum step of the higher classification. When an employee's position is reclassified to a lower classification, the employee's salary shall remain unchanged. If the salary is above the maximum step of the lower classification, the employee's salary shall be Y-rated and no further salary increases shall be granted until such

time as the current salary falls within the range of the new classification.

- E. **Transfer.** When an employee is transferred from one position to a comparable position, the employee's salary shall remain the same.
- F. **Demotion.** When an employee is demoted (whether voluntarily or involuntarily), the employee shall be paid in accordance with the established compensation/pay ranges for the new position. The Executive Director, with input from the employee's supervisor and the HR Manager, will determine the employee's appropriate step in the demoted position.

5.7 OVERTIME

A. Overtime.

- (1) **Non-exempt Part-Time Production Assistants.** Non-exempt part-time Production Assistants who work in excess of eight (8) hours per day shall be compensated for such overtime at time and one-half. Sick leave, vacation, holidays, or any other form of paid time off (if applicable), shall be considered as time worked for purposes of overtime compensation.
- (2) **Exempt Management Employees.** Exempt management employees shall not be entitled to overtime compensation, and any hours worked beyond normal working hours shall be considered part of the duties and responsibilities of the position.
- (3) **Non-exempt Temporary Employees (whether full- or part-time).** Non-exempt temporary employees who are not Production Assistants and who work in excess of forty (40) hours per week shall be compensated for such overtime at time and one-half. These employees are not entitled to daily overtime.

Sick leave, vacation, holidays, or any other form of paid time off (if applicable), shall be considered as time worked for purposes of overtime compensation.

- B. **Approval Required.** When feasible, before working overtime, employees must first obtain supervisor approval. **If a government meeting shift may exceed 8 hours, or you are close to surpassing 40 hours worked in a week, please alert your supervisor.** In certain instances, with advance supervisor approval, an employee's assigned work hours may be adjusted within one workweek to minimize or avoid the necessity for overtime (such as where an employee, with supervisor approval, works in excess of assigned hours on one particular day).

5.8 TRAVEL/MILEAGE REIMBURSEMENT

Production Assistant meeting coverage. Production Assistants are hired and assigned to cover televised meetings at various locations within the Sacramento area. These Sacramento area locations, where the Production Assistants report at the commencement of a shift, are considered within the scope of reasonable commuting distance.

When a Production Assistant is assigned to cover a meeting in Galt or Folsom, the Production Assistant will be provided with one extra hour of pay for each day on which the Production Assistant travels to one of those locations, to compensate for the additional distance in both time and mileage.

If a Production Assistant is assigned to report to a second location during the same workday, the Production Assistant will be paid for travel time and mileage to the second location (but not for the commute home at the end of the workday).

5.9 TERMINATION PAY

Termination checks with final wages shall be disbursed on a regularly scheduled semi-monthly payday unless otherwise approved by the Executive Director.

SECTION 6
HOLIDAYS, SICK LEAVE AND OTHER PAID TIME OFF

6.1 BENEFITS AND INSURANCE COVERAGE

- A. **Disability Insurance.** Each employee contributes to State Disability Insurance (SDI) through payroll deduction. If you have sustained a non-work-related illness or injury, you may be eligible for state disability insurance benefits. Eligibility and benefit amounts are determined by the State of California. Where appropriate, SMCTC integrates SDI with available sick leave. See the HR Manager for more information.
- B. **Workers' Compensation.** You are protected by SMCTC's workers' compensation insurance policy while employed by and working for SMCTC. The policy provides benefits to eligible employees in case of occupational injury or illness while working for SMCTC.

6.2 HOLIDAYS

- A. **Eligible Employees.** All regular and limited-term full-time employees are eligible for holiday pay. Part-time employees are not eligible for holiday pay. If part-time employees work on a recognized holiday, the part-time employees will receive pay at the rate of time and one-half.
- B. **Observed Holidays.** SMCTC observes the following holidays. SMCTC reserves the right to decide on which working days the holidays will be observed.

New Year's Day
Martin Luther King, Jr. Day
Abraham Lincoln's Birthday
George Washington's Birthday
Cesar E. Chavez Day
Memorial Day
Independence Day
Labor Day
Columbus Day
Veterans Day
Thanksgiving
Friday after Thanksgiving
Christmas
New Year's Day
In addition to the holidays listed above, each full-time employee shall be allowed four hours off work with pay on the last working day before Christmas or the last working day before New Year's Day.

6.3 PAID SICK LEAVE – FOR TEMPORARY AND PART-TIME EMPLOYEES

In accordance with applicable law, SMCTC provides paid sick leave to part-time, temporary, and other employees who do not qualify for regular sick leave. The purpose of this policy is to comply with the Healthy Workplaces and Healthy Families Act of 2014.

- A. **Eligibility.** All SMCTC employees covered by this policy who have worked thirty (30) or more days in California within a year from the beginning of their employment are eligible to earn paid sick leave in accordance with the terms of this policy. After ninety (90) days of employment, eligible employees may begin using paid sick leave under this policy.
- B. **Leave Entitlement.** At the beginning of each calendar year, eligible employees will receive 24 hours of paid sick leave. If an employee commences work for SMCTC mid-year, the employee will be credited with 24 hours of paid sick leave (but eligibility requirements still apply).
- C. **Reasons for Leave.** Leave under this policy may be used in connection with the diagnosis, care or treatment for an existing health condition or preventive care for the employee or the employee's immediate family member. "Family member" for purposes of this policy includes spouses, registered domestic partners, children (regardless of age or dependency status), parents (including step- parents, parents-in-law, or legal guardian), grandparents, grandchildren, and siblings. Leave under this policy may also be used for employees who are the victims of domestic violence, sexual assault, or stalking, in order to obtain medical care or seek other assistance. Sick leave is not granted for the purpose of accompanying or taking pets to procure medical attention.
- D. **Unused Leave Time.** At the end of each calendar year, unused sick leave will be removed from the employee's sick leave bank. All eligible employees will be credited with 24 hours of available paid sick leave at the commencement of the next calendar year. SMCTC does not provide pay in lieu of unused sick leave. Additionally, any unused sick leave is not paid out on separation of employment. However, previously unused paid sick days must be reinstated if an employee separates from employment and is then rehired by SMCTC within one year.
- E. **Leave Time Increments.** A minimum of two (2) hours sick leave must be taken on each occasion, and is tracked in increments of one-quarter of an hour.
- F. **Procedure for Requesting and Using Leave Time.** Employees taking sick leave under this policy should advise their immediate supervisor of the need for leave and provide as much advance notice of upcoming leave as possible.
- G. **Tracking Leave Time Available.** SMCTC will track leave and will provide documentation reflecting the current amount of accrued paid sick leave available.

SECTION 7
LEAVES OF ABSENCE

7.1 PREGNANCY RELATED LEAVE AND TRANSFER PRIVILEGES

A. Eligibility for Leave.

- (1) SMCTC provides pregnancy disability leaves of absence without pay to eligible employees who are temporarily unable to work due to a disability related to pregnancy, childbirth, or related medical conditions.
- (2) Employees who are affected by pregnancy or a related medical condition are also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if such a transfer is medically advisable and can be reasonably accommodated. Where transfers are made based on the employee's health needs, the employee will receive the pay that accompanies the alternate position.

B. Procedures for Requesting Leave.

- (1) An employee should make requests for pregnancy disability leave to her supervisor at least 30 days in advance of foreseeable events and as soon as possible for unforeseeable events.
- (2) A health care provider's statement must be submitted verifying the need for pregnancy disability leave and stating:
 - (a) The date on which the employee became disabled due to pregnancy, childbirth or related medical condition, or the date on which the need for a transfer became medically advisable;
 - (b) The probable duration of the period or periods of disability or the need for transfer; and
 - (c) A statement that, due to the disability, the employee is unable to perform one or more of the essential functions of her position without undue risk to herself, the successful completion of her pregnancy, or to other persons, or that the transfer is medically advisable.
- (3) Re-certification may be required if the employee requests an extension beyond the original certification.
- (4) Any changes in this information contained in the health care provider's statement should be promptly reported to the HR Manager.

C. Length of Leave.

- (1) Full-time employees are normally granted unpaid leave for the period of the disability, up to a maximum of four months (or 17 1/3 weeks). Part-time employees are granted unpaid leave on a pro-rata basis.

- (2) Pregnancy disability leave does not need to be taken in one continuous period of time, but can be taken on an as-needed basis. In other words, leave may be taken intermittently or on a reduced work schedule when determined medically advisable by the employee's health care provider. The smallest increment of time that can be used for such leave is 0.25 of an hour. SMCTC may transfer the employee to an alternate position or alter the existing job to accommodate intermittent leave or a reduced work schedule. The employee will receive the same pay and benefits in the alternate position.

D. Compensation and Benefits During Leave.

- (1) During pregnancy leave, an employee may be eligible for wage replacement benefits in the form of state disability insurance (SDI). SDI benefits are administered by the California Employment Development Department (EDD) and are funded by way of payroll deduction. More information is available on EDD's website at www.edd.ca.gov.
- (2) During the unpaid portion of leave, an employee taking pregnancy leave must substitute all accrued sick leave before continuing on an unpaid basis. (While an employee receives SDI benefits, she can choose whether to supplement those benefits with accrued sick leave.) After exhausting available sick leave, the employee will continue leave on an unpaid basis. Substituted paid leave time will be counted toward the 17 1/3 week entitlement.
- (3) SMCTC integrates all available paid time off with SDI benefits (meaning that an employee can use a portion of available paid time off during any time the employee is receiving SDI benefits). This integration is intended to allow an employee to use available paid time off on a pro rata basis while receiving SDI in order to receive full compensation for a period of time. At no time while an employee is on pregnancy disability leave should an employee receive more than 100% of her normal compensation.
- (4) Employees on unpaid leave will not continue to accrue sick leave, unless otherwise required by applicable law. For any time an employee is using a pro rata portion of accrued leave to integrate benefits with SDI, the employee will continue to accrue further paid leave benefits on a pro rata basis.
- (5) SMCTC will allow the employee to continue participating, as required by law, in any group health and welfare benefit plans in which the employee was enrolled before the first day of the leave (for up to a maximum of 17 1/3 work weeks) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of the pregnancy disability leave.

E. Return to Work.

- (1) So that an employee's return to work can be properly scheduled, an employee on pregnancy disability leave must provide the HR Manager with at least two weeks' advance notice of the date she intends to return to work.

- (2) When a pregnancy disability leave ends, an employee will be reinstated to her original position or to a comparable position with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on Pregnancy Leave would have been laid off had she not gone on leave, or if the employee's position has been eliminated during the leave and there is no comparable position available, then the employee would not be entitled to reinstatement. An employee's use of pregnancy disability leave will not result in the loss of any employment benefit that the employee earned or was entitled to before the leave.
- (3) An employee returning from pregnancy disability leave must submit a health care provider's verification of his/her fitness to return to work.
- (4) If an employee fails to report to work promptly at the end of the pregnancy disability leave, SMCTC will assume that the employee has resigned.

7.2 FAMILY AND MEDICAL LEAVE

SMCTC provides eligible employees with family medical leave ("Family and Medical Leave") under the California Family Rights Act ("CFRA").

- A. **Reasons for Leave.** Family and Medical Leave may be taken for the birth of the employee's child, the placement of a child with the employee for adoption or foster care, to care for the employee's spouse, domestic partner, child, parent, parent-in-law, grandparent, grandchild, or sibling who has a serious health condition, or for a serious health condition that makes the employee unable to perform his/her job. Leave can also be taken for certain military-related reasons as further detailed below. For purposes of this policy, a "serious health condition" does not include pregnancy or any related medical condition.
- B. **Eligibility.** To be eligible for Family and Medical Leave, an employee must have at least 12 months of service with SMCTC and must have worked at least 1,250 hours during the 12-month period preceding the date the leave is to begin.
- C. **Duration.** Employees may take up to a maximum of twelve (12) workweeks of Family and Medical Leave within a 12-month period. SMCTC uses a "rolling" 12-month period to determine an employee's eligibility for leave. The 12-month period is measured backward from the date an employee uses any Family and Medical Leave.

Leave may be taken intermittently (in blocks of time or on a reduced-time schedule) if the leave is for the serious health condition of the employee or the employee's family member and if such intermittent leave is medically necessary as determined by the health care provider of the person with the serious health condition. The smallest increment of time that can be used for such leave is one-quarter of an hour (0.25).

Any leave taken for the birth, adoption, or foster placement of a child must be taken within one year of the birth or placement of the child with the employee. The minimum duration for leave taken in connection with the birth, adoption, or foster care placement of a child is two weeks, except that SMCTC shall grant a request for CFRA leave of less than two weeks on any

two occasions during the one year period following the birth or placement of the child with the employee.

- D. **Procedures.** Please contact the HR Manager as soon as you become aware of the need for Family and Medical Leave. If the leave is for the birth, adoption, or foster placement of a child, or for planned medical treatment for a serious health condition of the employee or family member, the employee must provide at least 30 days' advance notice before the leave is to begin. If 30 days' notice is not possible, notice must be given as soon as practicable. For any planned medical treatment, employees must consult with their supervisor regarding the need for leave and must make a reasonable effort to schedule any treatment so as to minimize disruption of SMCTC operations. Actual scheduling is, however, subject to the approval of the patient's health care provider.

If the leave is needed for the employee's own serious health condition, the employee must provide a certification from the health care provider stating:

- i. the date of commencement of the serious health condition;
- ii. the probable duration of the condition; and
- iii. that the employee is unable to work at all or is unable to perform any one or more of the essential functions of his/her position because of the employee's serious health condition.

SMCTC will require certification by the employee's health care provider that the employee is fit to return to his/her job.

If the leave is needed to care for the serious health condition of a family member, the employee must provide certification from the health care provider stating:

- i. the date of commencement of the serious health condition;
- ii. the probable duration of the condition;
- iii. an estimate of the amount of time that the health care provider believes the employee needs to take in order to care for the child, parent, or spouse; and
- iv. confirmation that the serious health condition warrants the participation of the employee.

Recertification may be required if the employee requests an extension beyond the original certification.

E. **Compensation.**

- (1) While receiving wage replacement benefits. For any period of time that an employee is eligible for and receiving any type of wage replacement benefits (i.e., disability benefits, SDI, PFL, and/or workers' compensation benefits), the employee is not required to use accrued sick leave in connection with his or her Family and Medical

Leave. The employee may, however, choose to supplement these forms of wage-replacement payments with accrued sick leave on a pro rata basis, so long as the employee's pay does not exceed their normal wage. Should an employee desire to supplement SDI benefits with accrued sick leave, SMCTC will integrate benefits with paid leave.

- (2) **While on otherwise unpaid leave.** If an employee is on Family and Medical Leave for his or her own serious health condition and is not receiving any wage replacement benefits from another source, the employee must use any available sick leave and vacation during the leave. (See Pregnancy Disability Leave policy for rule applicable to employees disabled by pregnancy). If an employee is on Family and Medical Leave to care for a family member or bond with a new baby (and is not receiving paid parental leave), the employee, at the employee's choice, may use available sick leave.

Once all sick leave is exhausted (or if the employee has the choice and elects not to use it), Family and Medical Leave will continue on an unpaid basis for the remainder (if any) of the available 12-weeks. Any family and medical leave, whether paid, unpaid, or a combination thereof, will be counted toward the 12-week leave entitlement.

During any period of unpaid leave, employees will not continue to accrue sick leave and will not be paid for holidays that occur during the leave.

- F. **Benefits.** An employee taking Family and Medical Leave will be allowed to continue participating in any health and welfare benefit plans in which he/she was enrolled before the first day of the leave (for up to a maximum of 12 workweeks) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave. SMCTC will continue to make the same premium contribution as if the employee had continued working, and the employee is expected to continue to pay his or her share of the monthly premiums (either by way of payroll deduction during any period of paid leave or by way of separate payment to SMCTC). The continued participation in health benefits begins on the date leave first begins.

Employees are eligible for a maximum of 12-weeks benefits continuation during any 12-month period, unless otherwise required by law. If leave lasts longer than 12 weeks and if the law does not otherwise require benefits to be continued, then the employee will be placed on COBRA and can opt for continued coverage at his or her own expense. An employee who does not return from leave may be required, under certain circumstances provided by the law, to reimburse SMCTC for any employee contributions paid by SMCTC while the employee was on unpaid leave.

- G. **Qualified Exigency Leave.** Eligible employees with a spouse, domestic partner, child, or parent on active duty or called to active duty in the armed forces of the United States may take up to the normal 12 weeks of leave because of any "qualifying exigency." For purposes of this policy, "qualifying exigency" includes: (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) finance and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; and (8) additional activities agreed to by the employer and the employee.

- (1) **Amount of Leave.** For a qualifying exigency, an employee is entitled to a maximum of 12 weeks leave (when combined with leave for any other qualifying reason) in accordance with the rolling 12-month period measured backward.
- (2) **Procedures.** Please contact the HR Manager as soon as you become aware of the need for any type of qualified exigency leave. Except in the case of exigency leave for short-notice deployment, SMCTC requires certification of the need for leave.

H. **Reinstatement.** Upon return from a Family and Medical Leave, an employee will be reinstated to his/her original position or to an equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee had been continuously employed rather than on leave.

For example, if an employee on Family and Medical Leave would have been laid off had he/she not gone on leave, or if the employee's position has been eliminated during the leave, then the employee would not be entitled to reinstatement. An employee's use of Family and Medical Leave will not result in the loss of any employment benefit that the employee earned or was entitled to before the leave.

As stated above, when an employee takes leave on account of the employee's own serious health condition, SMCTC requires certification, prior to reinstatement, by the employee's health care provider that the employee is fit to return to his/her job.

If an employee fails to report to work promptly at the end of the Family and Medical Leave and fails to obtain approval for an additional personal leave of absence, SMCTC will treat the failure to return as a voluntary resignation.

7.3 **MILITARY LEAVE**

Military leave shall be granted in accordance with the provisions of applicable state and federal law. All employees entitled to military leave shall give SMCTC an opportunity within the limits of applicable military regulations to determine when such leave shall be taken, and shall provide SMCTC with a copy of the military orders.

7.4 **WORKERS' COMPENSATION LEAVE**

If an employee is injured at work and is temporarily unable to perform his or her usual and customary work, the employee will be allowed to take an unpaid leave of absence while receiving workers' compensation benefits. Certification from a recognized medical professional confirming the necessity of the leave must be provided to SMCTC within 14 days after the leave begins. The duration of the leave will be determined on a case-by-case basis, considering both the injured employee's medical condition and SMCTC's business needs.

The employee may return to work only after a recognized medical professional certifies that the employee is capable of resuming all of the duties of the employee's position. SMCTC may, in its discretion, provide modified or light duty work if the employee's release contains such limitation. If the employee has been released without limitation, the employee will be offered the same position he or she held previously, unless the job no longer exists or has been filled so that SMCTC can operate safely and efficiently or the employment relationship has otherwise been terminated.

Benefits continuation for employees on worker's compensation leave is the same as for other medical leaves of absence (subject to the maximum period of continuation).

7.5 BONE MARROW AND ORGAN TRANSPLANT LEAVE

California employees are entitled to paid time off to donate organs or bone marrow. Employees may take up to thirty (30) days paid leave in any one-year period for organ donation, and up to five (5) days paid leave in any one-year period to donate bone marrow, as long as the employee seeking leave provides written verification that he or she is a donor and there is a medical necessity for the donation. The donation need not be for the employee's family member; it can be for any other person.

SMCTC requests that the employee taking leave provide as much advance notice as reasonably practicable. Employees taking leave for organ donation must use two weeks accrued sick leave (if available) before receiving the 30 days paid leave. Employees taking leave for bone marrow donation must take five (5) days accrued sick leave (if available) before receiving the five (5) days paid leave. Employees on bone marrow/organ donation leave will continue to accrue and receive all benefits of employment as if they were actively at work.

Leave can be taken intermittently, up to the maximum of 30 days/5 days within a 12 month period immediately preceding the first day of leave. At the conclusion of leave, the employee will be reinstated to the position the employee held when the leave began or to an equivalent position.

SMCTC will only deny reinstatement if circumstances, unrelated to the employee's organ or bone marrow donor leave, make reinstatement impossible. Employees taking donation leave will be allowed to continue participating in any health and welfare benefit plans in which he or she was enrolled before the first day of the leave at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave.

7.6 ADDITIONAL LEAVES

SMCTC complies with all state and federal laws regarding the provision of leaves of absence. When required by applicable law, time off shall be granted for the following reasons:

- to victims of domestic violence to help ensure their health and safety;
- to victims of serious crimes to attend court proceedings;
- to victims of sexual assault and/or stalking;
- to vote in elections and to serve as election officials ;
- to parents or guardians to appear at a child's school in connection with a suspension ;
- for certain employees required to perform emergency duties;
- to parents and to guardians to participate in school or day care activities; or
- to volunteer firefighters, reserve peace officers, or emergency rescue personnel to perform emergency duties.

**SECTION 8
WORKPLACE STANDARDS**

8.1 ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY

- A. **Purpose.** All employees, applicants, volunteers, and independent contractors (“workers”) working for SMCTC are to be treated with respect and dignity. SMCTC has adopted this policy (“Policy”) as part of its commitment to providing an atmosphere free of harassment and discrimination based on such factors as race (including traits historically associated with race, such as hair texture and hairstyles like braids, locks, and twists), color, religion, national origin or ancestry, physical or mental disability, medical condition, genetic characteristics, pregnancy, childbirth or related conditions, marital status, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, marital status, or any other characteristic protected by applicable law.

Harassment and discrimination are against the law, and they are demeaning and harmful to both the victim and SMCTC. SMCTC will not tolerate harassment of, or discrimination against, its workers by managers, supervisors, co-workers, or anyone conducting SMCTC business. Similarly, SMCTC will not tolerate harassment of its workers by others with whom SMCTC has a business, service, or professional relationship (including members of the public).

This Policy does not restrict nor inhibit any supervisor from their responsibility or in their ability to direct, critique, and discipline employees in a non-discriminatory manner.

Failure to follow this Policy may result in disciplinary action, up to and including termination of employment.

- B. **Harassment Prohibited.** Harassment includes conduct that has the purpose or effect of unreasonably interfering with an individual’s work performance; creating an intimidating, hostile, threatening or offensive working environment; or adversely affecting the employee’s performance, evaluation, assigned duties or any other condition of employment or career development. This Policy prohibits harassment in any form, including:
- (1) Oral or written harassment such as epithets, jokes, derogatory comments or slurs based on any characteristic protected by law;
 - (2) Physical harassment such as assault, touching, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual; and
 - (3) Visual harassment such as derogatory posters, cartoons or drawings, based on one of the categories above.
 - (4) Sexual harassment includes any unsolicited, offensive or unwelcome sexual advances, requests for sexual favors, and other oral or written, visual, or physical conduct of a sexual nature which occurs under any of the following circumstances:

- Submission to such conduct is made either expressly or by implication a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting the individual; or
- Other examples of sexual harassment include unwelcome sexual flirtations or propositions; verbal abuse of a sexual nature; graphic verbal comments about an individual's body; sexually degrading words used to describe an individual; and the display or use in the work environment of sexually suggestive objects or pictures, posters, jokes, cartoons, or calendar illustrations.
- Sexual harassment also includes gender-based harassment by a person of the same gender.

C. **Retaliation Prohibited.** Retaliation against an employee for reporting violations of this policy or for participating in the investigation of a harassment or discrimination complaint is strictly prohibited.

D. **Procedures regarding all complaints of harassment including retaliation.**

- (1) **Employee Responsibility.** It is important that employees inform SMCTC as soon as possible about any prohibited harassment because nothing can be done to remedy the situation if SMCTC does not know that it exists.

Any individual who feels comfortable doing so should let a fellow employee know when that employee's behavior or comments are offensive or unwelcome, even if the situation does not rise to the level of a violation of this Policy. However, individuals are not required to handle these situations on their own. If an individual is not comfortable handling a situation directly with another employee, the individual should immediately report the conduct to one of the persons listed below.

Any individual who believes that they have been or are being harassed in violation of this Policy shall report this violation to his or her supervisor, the Executive Director, the HR Manager, or any SMCTC supervisor with whom the individual feels comfortable speaking.

Any individual who is aware or suspects that another person has been harassed in violation of this Policy shall report this violation to his or her supervisor, the Executive Director, the HR Manager, or any SMCTC supervisor with whom the individual feels comfortable speaking.

- (2) **Supervisor Responsibility.** Each supervisor has the responsibility of maintaining a work environment free of harassment. This responsibility includes being available to discuss this Policy with the workers that they supervise and to assure the workers that they are not required to endure any form of prohibited harassment. If someone reports a harassment allegation to a supervisor, it is the responsibility of the supervisor to take immediate action by documenting the incident(s) and reporting the allegation of harassment to the HR Manager or the Executive Director.

Any supervisor who fails to take appropriate action to report or address harassment, discrimination or retaliation issues can and will be disciplined by SMCTC.

E. **Investigation.**

- (1) **Process.** SMCTC will investigate all complaints of harassment in a prompt, objective, and thorough manner, including interviews of those with relevant knowledge where appropriate. SMCTC's investigation will be designed to maintain, to the extent possible, the privacy and confidentiality of all parties involved. The Executive Director is responsible for directing an investigation into such allegations and for implementing appropriate remedial action, where warranted.
- (2) **Resolution.** After investigation, SMCTC will communicate in writing the confidential findings (i.e., "sustained" or "not sustained") to the complainant, the alleged harasser, and members of management with a legitimate need to know.
- (3) **Appropriate Action.** If there is a finding that harassment in violation of this Policy has occurred, SMCTC will take appropriate and immediate action to end any harassment and prevent its recurrence. This may include imposing discipline. Specific action taken will depend upon the specific circumstances.

F. **Further Information.** Employees are urged to contact the Executive Director if they have any questions or concerns about this Policy.

In addition to this Policy, the State of California Department of Fair Employment and Housing ("DFEH") provides additional information regarding the legal remedies and complaint process available through the government agencies. If a worker thinks he or she has been harassed, discriminated against, or that he or she has been retaliated against for complaining, that person may file a complaint or obtain additional information from DFEH at 1-800-884-1684 or <http://www.dfeh.ca.gov>.

8.2 FRAUD PREVENTION AND WHISTLEBLOWER POLICY

SMCTC requires its employees and Board members to observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

- A. **Reporting Inappropriate Conduct and Actions.** This Fraud Prevention / Whistleblower Policy establishes procedures for Commission employees, its Board members, and the community to report any concerns about inappropriate conduct and action, alleged illegal, fraudulent, or inappropriate conduct and activity conducted by Commission employees or its Board members.
- B. **Prohibited Activities.** Any person should report information related to one of the following prohibited activities, which includes, but is not limited to:
 - (1) Violation of any law and regulation;
 - (2) Conflict of Interest;

- (3) Fraud, waste, or misuse of Commission property and resources;
- (4) Creation of a specific and substantial danger to public safety by failing to perform duties required by the Commission position held;
- (5) Theft, misuse of, or misappropriation of Commission property, assets or funds, or an attempt to do any of the same;
- (6) Intentional falsification of records including, but not limited to, Commission financial records;
- (7) Misuse of the Commission credit card (P-card);
- (8) Intentionally submitting false reimbursements for payment;
- (9) Improprieties in the handling or reporting of financial transactions for the Commission;
- (10) Authorizing payment for goods not received or services not performed; and
- (11) Computer-related activity involving unauthorized alteration, destruction of data, forgery, or manipulation of data or mis-appropriation of Commission-owned software.

C. **Reporting Procedure.** The Commission has an open door policy and suggests that employees share their concerns, questions, complaints with their immediate supervisor within 45 days of the date of the act or event. If an employee is not comfortable speaking to their supervisor or is not satisfied with the supervisor's response, he/she is encouraged to speak with or write to the Executive Director. Supervisors and Managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the Commission's Compliance Officer (Legal Counsel).

D. **Compliance Officer.** The Commission's Executive Director is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Commission's Legal Counsel will review and advise the Executive Director on resolution of any complaints on an as-needed basis; the complaints will then be reported to the Chair of the Commission Board if deemed necessary.

E. **Protection from Retaliation.** Any Commission employee or the community who acts as whistleblower and makes such a good faith report is protected against adverse actions or retaliation.

The person reporting the complaint ("Whistleblower") must exercise sound judgement to avoid baseless allegations. The intentional filing of a false report is itself considered an improper governmental activity, which the Commission has the right to action upon.

An employee who retaliates against the Whistleblower who has reported a violation in good faith is subject to discipline up to and including termination of employment.

- F. **Acting in Good Faith.** Anyone filing a written complaint concerning a violation of suspected violated must be acting in good faith and have reasonable grounds for believe the information reported indicates a violation. Any allegations that prove not to be substantiated and prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.
- G. **Confidentiality.** Although every effort will be made to protect the anonymity of the whistleblower, there may be situations where anonymity cannot be guaranteed.

8.3 DRESS AND GROOMING STANDARDS

SMCTC is a professional organization required to work with member agencies, other public agencies, private organizations, members of the public, contractors, and vendors. All SMCTC employees must present a professional appearance in order to promote a positive image. The general public frequently forms its initial impression of professional credibility based solely on employee appearance. This policy applies to all SMCTC employees, regardless of classification.

- A. **General Policy.** All SMCTC staff should be neatly and professionally dressed so as to present a positive and professional image. Regardless of assignment or work site, all SMCTC staff must maintain a professional and clean appearance. Personal hygiene is essential to presenting a professional image in the workplace. It is necessary that all employees maintain a clean, presentable appearance at all times during working hours. It is the responsibility of all staff to ensure that they are aware of and adhere to acceptable and appropriate dress and grooming standards as specified in this Policy.

This Dress and Grooming Standards Policy is intended to provide employees with guidelines on apparel, grooming, and appearance, though it is not meant to address all situations. There may be slight differences for individual work assignments, depending on the specific work environment, nature of the work performed, involvement with the public, required uniforms, or other circumstances as defined by the Executive Director or designated management personnel.

- B. **Fragrances.** Since employees and visitors may have sensitivity or allergic reactions to various fragrant products, SMCTC is a fragrance-free workplace. As a result, employees should not bring natural or artificial scents that could be distracting, disturbing, or annoying to others. Personal fragrant products (fragrances, colognes, lotions, powders and other similar products) that are perceptible to others should not be worn by employees when reporting to work at SMCTC offices or other work locations.
- C. **Acceptable Attire.**
 - SMCTC may require certain employees, as a condition of their employment, to wear designated uniform shirts (a “SMCTC shirt”). If an employee is provided with a SMCTC shirt and requested to wear it, employees must do so. SMCTC shirts are expected to be clean, pressed, and properly fitted/worn. Employees are responsible for cleaning, pressing, and otherwise taking reasonable care of the assigned uniform. New SMCTC shirts will be periodically provided to employees to account for regular wear and tear. If an employee loses or

destroys a SMCTC shirt, then the employee may be expected to obtain a replacement at his or her own cost.

- Employees who are not required to wear SMCTC shirts are expected to wear clean, pressed, and properly fitting business clothing appropriate to the position held.
- Acceptable attire for women includes dresses, skirts, suits, or slacks/trousers worn with blouses, sweaters, and/or jackets. Unless otherwise advised, a SMCTC shirt is always acceptable attire (even if the employee is not required to wear a SMCTC shirt as a condition of employment).
- Acceptable attire for men includes suits, slacks/trousers worn with collared shirts, dress shirts, sweaters, and/or jackets. Unless otherwise advised, a SMCTC shirt is always acceptable attire (even if the employee is not required to wear a SMCTC shirt as a condition of employment).

D. **Unacceptable Attire.** Employees may not wear the following:

- Overalls or coveralls.
- Jeans at the job sites are not allowed other than pursuant to the policy section titled “Field Work”, etc. (note that neat, black jeans may be acceptable attire).
- Clothing that is visibly worn, torn, ripped, or dirty.
- Shorts of any type, including “skorts” or other clothing that look like shorts.
- T-shirts, jerseys, jackets, or hats with messages, graphics, team sport logos, or offensive writings.
- Clothing with logos or names of contractors, vendors, or consultants that might suggest a SMCTC endorsement of the entity.
- Gym attire, sweats, workout wear, or spandex pants or leggings.
- Camisoles, tank tops, shirts or dresses with spaghetti straps, unless covered by a jacket, blouse, or other outer garment.
- Halter tops, strapless tops, tube-type shirts, or sheer, see-through, or fishnet tops.
- Low-front or low-back attire or other revealing or provocative items.
- Excessively tight fitting or revealing clothing and/or oversized (baggy) garments.
- Pajama pants or tops.

E. **Footwear and Accessories.**

- Footwear shall be worn at all times.

- All footwear is expected to be appropriate to the employee's position and duties. Shoes are to be neat, clean, and in good repair. Sandals of any material, which are commonly referred to as "flip-flops" or "thongs", are prohibited for all employees.
- No bandanas are allowed in the workplace except as provided for in the Section titled Field Work.

This list of acceptable and unacceptable attire is intended to be explanatory and may not include all items deemed inappropriate. In addition, exceptions may be granted at the discretion of the Executive Director based on the specific job functions, necessary accommodations, or other unique circumstances. If an employee's religious beliefs or medical conditions require deviation from the standards set forth above, the employee should submit the request to the Executive Director. Those requests will be considered on an individual basis and granted where required by applicable law. If you have questions about whether particular clothing is acceptable, please seek clarification from the Executive Director before wearing the garment in the workplace.

- F. **Location Work.** If an employee is working on location, the employee must follow the requirements set forth in this policy. Jeans are not allowed when an employee is working in the council chambers or control rooms of a member agency or contracted agency. In that situation, the employee must remember that he or she is acting on behalf of SMCTC and must portray a positive image.
- G. **Field Work.** If an employee is either working outdoors in the field and/or assembling PEG projects or engaging in other physically active work, that type of work assignment may call for usage of clothing or other items that would not be appropriate in an office setting. Attire for field work may include, but is not limited to, the following:
- Jeans or other denim clothing.
 - Headwear such as caps, sun visors, sweatbands or beanies for workplace activities outside as protection from the elements. Such headwear shall not display inappropriate logos or logos of contractors, vendors, or consultants that might suggest a SMCTC endorsement of the entity.
 - Work on a construction site may require long pants, proper footwear, safety vests, and/or hardhats.
- H. **Responsibilities and Procedures.** Supervisors are responsible for explaining and enforcing this Dress and Grooming Standards Policy. If an employee is not in compliance with this Policy, their supervisor will address the issue, and the employee will be expected to bring himself/herself into compliance. Employees who report to duty and are non-compliant with this Policy may be sent home to change without compensation. Failure to comply with this Policy or repeated violations of it will subject the employee to disciplinary action, up to and including termination.

Exceptions to the dress code provisions of this Policy (regarding appropriate clothing only) can be made on an individual basis by the Executive Director or his/her designee to

accommodate special circumstances such as special events or projects (and, as mentioned above, where necessary as an accommodation for religious beliefs or medical conditions).

Issues or disagreements arising out of the enforcement of this Policy shall be reviewed by the Executive Director. If you have questions about how this Policy applies to you, please consult with the Executive Director.

8.4 OPEN DOOR POLICY

SMCTC adheres to an open door policy and encourages all employees to share opinions, ideas, and thoughts about general operations, especially relating to improving efficiency, increasing productivity, devising innovative solutions, and achieving desired results. The open door policy is intended to encourage personnel at all levels of SMCTC to express their opinions and ideas about any general item. The open door policy allows management to understand details about SMCTC's operations and creative suggestions for improvement.

SECTION 9
WORKPLACE CONDUCT

9.1 ATTENDANCE AND PUNCTUALITY

Employee dependability and regular attendance during assigned working hours are essential functions of each employee's job and are critical to the smooth operation of SMCTC. Each employee must be prompt in attendance on assigned work days. If you find that you must be out or late, due to illness or other compelling personal matter, you must notify your immediate supervisor prior to your scheduled start time. Failure to adhere to this policy may lead to disciplinary action up to and including termination.

If you fail to report for work or make proper notification of your absence, you will be subject to discipline, up to and including termination of employment.

9.2 JOB ABANDONMENT

Voluntary absence from work without permission is grounds for termination. An employee's voluntary absence from work without contacting the supervisor and without permission for three (3) consecutive working days shall be considered an automatic resignation, and SMCTC will separate the employee from service.

9.3 STANDARDS OF CONDUCT

The following types of behavior or conduct, among others, shall violate acceptable standards of conduct:

- A. Fraud in securing employment.
- B. Negligence in the performance of duties.
- C. Inefficiency in performance of work which results in performance lower than that which is typically expected of a similar employee in a similar position.
- D. Neglect of duty.
- E. Insubordination including any disobedience of a lawful rule or direction.
- F. Dishonesty.
- G. Partaking of alcoholic beverages, illegal drugs, or being under the influence thereof while on duty.
- H. Unless legally authorized to do so, taking, possessing, being under the influence of, or offering for sale any controlled substance while on duty. The term "controlled substance" shall have the meaning that the term has in California Health and Safety Code, Division 10 and under applicable federal law.

- I. Dress that is unsafe or unsuitable for effective job performance.
- J. Misuse of sick leave.
- K. Unexcused absences.
- L. Discourteous or offensive conduct or language toward the public or toward fellow employees or officials.
- M. Using SMCTC employment for outside personal gain.
- N. Using the prestige of a SMCTC position on behalf of any political candidate or any political party.
- O. Acceptance by an employee of a reward, gift, gratuity, or other form of remuneration from any source, in addition to the regular compensation, for the performance of SMCTC duties.
- ~~P. Supplementary (outside) employment not specifically authorized in writing by SMCTC or in violation of the outside employment policy.~~
- Q. Negligence or intentional misconduct which causes damage to SMCTC or other public property.
- R. Misuse, misappropriation or unauthorized possession of SMCTC property, vehicles, equipment, or supplies.
- S. Conviction of a criminal offense involving moral turpitude.
- T. Falsifying time card.
- U. Any conduct related to employment which impairs, disrupts, or causes discredit to SMCTC or SMCTC service.
- V. Incompetence.
- W. Inexcusable neglect of duty.
- X. Neglect of duties.
- Y. Excessive tardiness.
- Z. Falsification of SMCTC records.
- AA. Fighting or other abusive conduct toward employees or to the public during working hours.
- BB. Harassment in violation of Commission policy.
- CC. Violation of SMCTC rules, regulations, standard operating procedures, or policies.

These standards of conduct are illustrative only. Nothing in this policy changes the at-will status of employees subject to the provisions of this Handbook. SMCTC has the discretion to determine the appropriate level of discipline, if any, in the circumstances involved. SMCTC is not obligated to follow any particular level or order of discipline or to impose any at all; employment at-will can be terminated for any or no reason.

**SECTION 10
RESIGNATION**

10.1 RESIGNATION

Any employee may resign from SMCTC service at any time, just as SMCTC may terminate employment at any time. Resignations can be submitted either in writing or orally. To allow for proper transition of duties, SMCTC requests – but does not require – that employees provide SMCTC with at least two (2) weeks advance notice of resignation. On or before the effective date of the employee's resignation, employee shall immediately relinquish to his or her supervisor all SMCTC property, including, but not limited to, identification badges, keycards, parking permits, keys, phone, computer, credit cards, and any other SMCTC property in the employee's possession.

**EMPLOYEE ACKNOWLEDGMENT
RECEIPT OF EMPLOYEE HANDBOOK (PART-TIME REGULAR AND TEMPORARY EMPLOYEES)**

I have received my copy of SMCTC's Employee Handbook (Part-Time Regular and Temporary Employees) ("the Handbook") which was adopted by SMCTC's Board of Directors on September 2, 2021.

I have read the Handbook, understand it, and agree to abide by the provisions therein.

I expressly acknowledge receipt of the Anti-Harassment and Anti-Discrimination Policy contained in the Handbook and agree to abide by the provisions of that policy.

My signature below certifies that I agree to be bound by the terms and conditions of employment stated in this Handbook.

Employee Name (Printed)

Title

Employee Signature

Date



SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

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A Joint Powers Agency Representing Sacramento County and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova and Sacramento

AGENDA ITEM NO. 7

DATE: March 3, 2022
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: CALENDAR YEAR 2022 INVESTMENT POLICY FOR THE POOLED INVESTMENT FUND

RECOMMENDATION:

It is recommended the Board receive and file the County of Sacramento's Calendar Year 2022 Investment Policy for the Pooled Investment Fund.

BACKGROUND/DISCUSSION:

Since 1987, the County of Sacramento's Director of Finance has submitted a statement of investment policy for the *Pooled Investment Fund* to the County Board of Supervisors for consideration and adoption. The Board of Supervisors approved the attached **Calendar Year 2022 Investment Policy for the Pooled Investment Fund** on December 7, 2021.

As stipulated on the enclosed County's Department of Finance February 1, 2022 memo, the Calendar Year 2022 Investment Policy eliminates redundant references to reporting requirements and updates the annual limit on honoraria, gifts, and gratuities for investment staff and Treasury Oversight Committee members to \$520.

RECOMMENDATION:

As the Commission is a participant in the County's Pooled Investment Fund, the County recommends the Commission's Board receive and file the attached *Calendar Year 2022 Investment Policy* of the Pooled Investment Fund at this regular Board meeting. Your action to receive and file the Policy constitutes consideration at a public meeting, as recommended by Government Code Section 53646(a)(2).

Respectfully submitted,

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission

Attachments:

February 1, 2022 Memo - CY 2022 Investment Policy for the Pooled Investment Fund
Calendar Year 2022 Investment Policy for the Pooled Investment Fund

Department of Finance
Ben Lamera
Director



Divisions
Administration
Auditor-Controller
Consolidated Utilities Billing & Service
Investments
Revenue Recovery
Tax Collection & Business Licensing
Treasury

County of Sacramento

February 1, 2022

To: Pooled Investment Fund Participant Agency Board Chairs

Subject: **CALENDAR YEAR 2022 INVESTMENT POLICY FOR THE POOLED INVESTMENT FUND**

Since 1987, the Director of Finance has submitted a statement of investment policy to the Sacramento County Board of Supervisors for consideration and adoption. The Board of Supervisors approved the enclosed calendar year 2022 investment policy on December 7, 2021.

The 2022 investment policy eliminates redundant references to reporting requirements and updates the annual limit on honoraria, gifts, and gratuities for investment staff and Treasury Oversight Committee members to \$520.

I recommend that the legislative body of your agency receive and file the enclosed Sacramento County Annual Investment Policy of the Pooled Investment Fund — Calendar Year 2022 at its next regular meeting. Your action to receive and file the policy constitutes consideration at a public meeting as recommended by Government Code section 53646(a)(2). The investment policy is also available on the Department of Finance – Investment Division webpage at <https://finance.saccounty.gov/investments>.

The following investment-related reports are also available on the Investment Division webpage:

- Pooled Investment Fund Monthly Review
- Quarterly Pooled Investment Fund Report
- Non-Pooled Investment Funds Portfolio Report

If you have any questions about the investment policy or management of the Pooled Investment Fund portfolio, please call me at (916) 874-6744 or Chief Investment Officer Bernard Santo Domingo at (916) 874-7320.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Lamera".

Ben Lamera
Director of Finance

Enclosure



SACRAMENTO COUNTY

Annual Investment Policy of the Pooled Investment Fund

CALENDAR YEAR 2022

*Approved by the
Sacramento County Board of Supervisors*

December 7, 2021
Resolution No. 2021-0770

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SACRAMENTO COUNTY

Annual Investment Policy of the Pooled Investment Fund

CALENDAR YEAR 2022

I. Authority

Under the Sacramento County Charter, the Board of Supervisors established the position of Director of Finance and by ordinance will annually review and renew the Director of Finance's authority to invest and reinvest all the funds in the County Treasury.

II. Policy Statement

This Investment Policy (Policy) establishes cash management and investment guidelines for the Director of Finance, who is responsible for the stewardship of the Sacramento County Pooled Investment Fund. Each transaction and the entire portfolio must comply with California Government Code and this Policy. All portfolio activities will be judged by the standards of the Policy and its investment objectives. Activities that violate its spirit and intent will be considered contrary to the Policy.

III. Standard of Care

The Director of Finance is the Trustee of the Pooled Investment Fund and therefore, a fiduciary subject to the prudent investor standard. The Director of Finance, employees involved in the investment process, and members of the Sacramento County Treasury Oversight Committee (Oversight Committee) shall refrain from all personal business activities that could conflict with the management of the investment program. All individuals involved will be required to report all gifts and income in accordance with California state law. When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the Director of Finance shall act with care, skill, prudence, and diligence to meet the aims of the investment objectives listed in Section IV, Investment Objectives.

IV. Investment Objectives

The Pooled Investment Fund shall be prudently invested in order to earn a reasonable return, while awaiting application for governmental purposes. The specific objectives for the Pooled Investment Fund are ranked in order of importance.

A. Safety of Principal

The preservation of principal is the primary objective. Each transaction shall seek to ensure that capital losses are avoided, whether they be from securities default or erosion of market value.

B. Liquidity

As a second objective, the Pooled Investment Fund should remain sufficiently flexible to enable the Director of Finance to meet all operating requirements that may be reasonably anticipated in any depositor's fund.

C. Public Trust

In managing the Pooled Investment Fund, the Director of Finance and the authorized investment traders should avoid any transactions that might impair public confidence in Sacramento County and the participating local agencies. Investments should be made with precision and care, considering the probable safety of the capital as well as the probable income to be derived.

D. Maximum Rate of Return

As the fourth objective, the Pooled Investment Fund should be designed to attain a market average rate of return through budgetary and economic cycles, consistent with the risk limitations, prudent investment principles and cash flow characteristics identified herein. For comparative purposes, the State of California Local Agency Investment Fund (LAIF) will be used as a performance benchmark. The Pooled Investment Fund quarterly performance benchmark target has been set at or above LAIF's yield. This benchmark was chosen because LAIF's portfolio structure is similar to the Pooled Investment Fund.

V. Pooled Investment Fund Investors

The Pooled Investment Fund investors are comprised of Sacramento County, school and community college districts, districts directed by the Board of Supervisors, and independent special districts and joint powers authorities whose treasurer is the Director of Finance. Any local agencies not included in this category are subject to California Government Code section 53684 and are referred to as outside investors.

VI. Implementation

In order to provide direction to those responsible for management of the Pooled Investment Fund, the Director of Finance has established this Policy and will provide it to the Oversight Committee and render it to legislative bodies of local agencies that participate in the Pooled Investment Fund. In accordance with California Government Code section 53646, et seq., the Board of Supervisors shall review and approve this Policy annually at a public meeting.

This Policy provides a detailed description of investment parameters used to implement the investment process and includes the following: investable funds; authorized instruments; prohibited investments; credit requirements; maximum maturities and concentrations; repurchase agreements; Community Reinvestment Act Program; criteria

and qualifications of broker/dealers and direct issuers; investment guidelines, management style and strategy; Approved Lists; and calculation of yield and costs.

VII. Internal Controls

The Director of Finance shall establish internal controls to provide reasonable assurance that the investment objectives are met and to ensure that the assets are protected from loss, theft, or misuse. To assist in implementation and internal controls, the Director of Finance has established an Investment Group and a Review Group.

The Investment Group, which is comprised of the Director of Finance and his/her designees, is responsible for maintenance of the investment guidelines and Approved Lists. These guidelines and lists can be altered daily, if needed, to adjust to the ever-changing financial markets. The guidelines can be more conservative or match the policy language. In no case can the guidelines override the Policy.

The Review Group, which is comprised of the Director of Finance and his/her designees, is responsible for the monthly review and appraisal of all the investments purchased by the Director of Finance and staff. This review includes bond proceeds, which are invested separately from the Pooled Investment Fund and are not governed by this Policy.

The Director of Finance shall establish a process for daily, monthly, quarterly, and annual review and monitoring of the Pooled Investment Fund activity. The following articles, in order of supremacy, govern the Pooled Investment Fund:

1. California Government Code
2. Annual Investment Policy
3. Current Investment Guidelines
4. Approved Lists (see page 9, Section IX.K)

The Director of Finance shall review the daily investment activity and corresponding bank balances.

Monthly, the Review Group shall review all investment activity and its compliance to the corresponding governing articles and investment objectives.

All securities purchased, with the exception of bank deposits, money market mutual funds, and LAIF, shall be delivered to the independent third-party custodian selected by the Director of Finance. This includes all collateral for repurchase agreements. All trades, where applicable, will be executed by delivery versus payment by the designated third-party custodian.

VIII. Sacramento County Treasury Oversight Committee

In accordance with California Government Code section 27130 et seq., the Board of Supervisors, in consultation with the Director of Finance, has created the Sacramento County Treasury Oversight Committee (Oversight Committee). Annually, the Oversight

Committee shall cause an audit to be conducted on the Pooled Investment Fund. The meetings of the Oversight Committee shall be open to the public and subject to the Ralph M. Brown Act.

A member of the Oversight Committee may not be employed by an entity that has contributed to the campaign of a candidate for the office of local treasurer, or contributed to the campaign of a candidate to be a member of a legislative body of any local agency that has deposited funds in the county treasury, in the previous three years or during the period that the employee is a member of the Oversight Committee. A member may not directly or indirectly raise money for a candidate for local treasurer or a member of the Sacramento County Board of Supervisors or governing board of any local agency that has deposited funds in the county treasury while a member of the Oversight Committee. Finally, a member may not secure employment with, or be employed by bond underwriters, bond counsel, security brokerages or dealers, or financial services firms, with whom the treasurer is doing business during the period that the person is a member of the Oversight Committee or for one year after leaving the committee.

The Oversight Committee is not allowed to direct individual investment decisions, select individual investment advisors, brokers or dealers, or impinge on the day-to-day operations of the Department of Finance treasury and investment operations.

Investment Parameters

A. Investable Funds

Total Investable Funds (TIF) for purposes of this Policy are all Pooled Investment Fund moneys that are available for investment at any one time, including the estimated bank account float. Included in TIF are funds of outside investors, if applicable, for which the Director of Finance provides investment services. Excluded from TIF are all funds held in separate portfolios.

The Cash Flow Horizon is the period in which the Pooled Investment Fund cash flow can be reasonably forecasted. This Policy establishes the Cash Flow Horizon to be one (1) year.

Once the Director of Finance has deemed that the cash flow forecast can be met, the Director of Finance may invest funds with maturities beyond one year. These securities will be referred to as the Core Portfolio.

B. Authorized Investments

Authorized investments shall match the general categories established by the California Government Code sections 53601 et seq. and 53635 et seq. Authorized investments shall include, in accordance with California Government Code section 16429.1, investments into LAIF. Authorization for specific instruments within these general categories, as well as narrower portfolio concentration and maturity limits, will be established and maintained by the Investment Group as part of the Investment

Guidelines. As the California Government Code is amended, this Policy shall likewise become amended.

C. Prohibited Investments

No investments shall be authorized that have the possibility of returning a zero or negative yield if held to maturity except for securities issued by, or backed by, the United States government during a period of negative market interest rates.

Prohibited investments shall include inverse floaters, range notes, and interest only strips derived from a pool of mortgages.

All legal investments issued by a tobacco-related company are prohibited. A tobacco-related company is defined as an entity that makes smoking products from tobacco used in cigarettes, cigars, or snuff or for smoking in pipes. The tobacco-related issuers restricted from any investment are any component companies in the Dow Jones U.S. Tobacco Index or the NYSE Arca Tobacco Index.

D. Credit Requirements

Except for municipal obligations and Community Reinvestment Act (CRA) bank deposits and certificates of deposit, the issuer's short-term credit ratings shall be at or above A-1 by Standard & Poor's, P-1 by Moody's, and, if available, F1 by Fitch, and the issuer's long-term credit ratings shall be at or above A by Standard & Poor's, A2 by Moody's, and, if available, A by Fitch. There are no credit requirements for Registered State Warrants. All other municipal obligations shall be at or above a short-term rating of SP-1 by Standard & Poor's, MIG1 by Moody's, and, if available, F1 by Fitch. In addition, domestic banks are limited to those with a Fitch Viability rating of a or better, without regard to modifiers. The Investment Group is granted the authority to specify approved California banks with Fitch Viability ratings of bbb+ but they must have a Support rating of 1. Foreign banks with domestic licensed offices must have a Sovereign rating of AAA from Standard and Poor's, Moody's, or Fitch and a Fitch Viability rating of a or better, without regard to modifiers; however, a foreign bank may have a Fitch Viability rating of bbb+ but they must have a Support rating of 1. Domestic savings banks must have a Fitch Viability rating of a or better, without regard to modifiers, or may have a rating of bbb+ but they must a Support rating of 1.

Community Reinvestment Act Program Credit Requirements

Maximum Amount	Minimum Requirements
Up to the FDIC- or NCUSIF-insured limit for the term of the deposit	<u>Banks</u> — FDIC Insurance Coverage
	<u>Credit Unions</u> — NCUSIF Insurance Coverage <i>Credit unions are limited to a maximum deposit of the NCUSIF-insured limit since they are not rated by nationally recognized rating agencies and are not required to provide collateral on public deposits.</i>

Maximum Amount	Minimum Requirements	
Over the FDIC- or NCUSIF-insured limit	<p><i>(Any 2 of 3 ratings)</i></p> <p>S&P: A-2</p> <p>Moody's: P-2</p> <p>Fitch: F-2</p> <p>Collateral is required</p>	<p>OR</p> <p>Through a private sector entity that assists in the placement of deposits to achieve FDIC insurance coverage of the full deposit and accrued interest.</p>

Eligible banks must have Community Reinvestment Act performance ratings of “satisfactory” or “outstanding” from their federal regulator. In addition, deposits greater than the federally-insured amount must be collateralized. Banks must either have a letter of credit issued by the Federal Home Loan Bank of San Francisco or place securities worth between 110% and 150% of the value of the deposit with the Federal Reserve Bank of San Francisco, the Home Loan Bank of San Francisco, or a trust bank.

Since credit unions do not have Community Reinvestment Act performance ratings, they must demonstrate a commitment to community reinvestment lending and charitable activities comparable to what is required of banks.

All commercial paper and medium-term note issues must be issued by corporations operating within the United States and having total assets in excess of one billion dollars (\$1,000,000,000).

The Investment Group may raise these credit standards as part of the Investment Guidelines and Approved Lists. Appendix A provides a Comparison and Interpretation of Credit Ratings by Standard & Poor’s, Moody’s, and Fitch.

E. Maximum Maturities

Due to the nature of the invested funds, no investment with limited market liquidity should be used. Appropriate amounts of highly-liquid investments, such as U.S. Treasury and Agency obligations, should be maintained to accommodate unforeseen withdrawals.

The maximum maturity, determined as the term from the date of ownership to the date of maturity, for each investment shall be established as follows:

- U.S. Treasury and Agency Obligations 5 years
- Washington Supranational Obligations¹ 5 years
- Municipal Notes 5 years
- Registered State Warrants 5 years

¹ The International Bank for Reconstruction and Development, International Finance Corporation, and Inter-American Development Bank.

Bankers Acceptances	180 days
Commercial Paper	270 days
Negotiable Certificates of Deposit.....	180 days
CRA Bank Deposit/Certificates of Deposit	1 year
Repurchase Agreements	1 year
Reverse Repurchase Agreements	92 days
Medium-Term Corporate Notes.....	180 days
Collateralized Mortgage Obligations	180 days

The Investment Group may reduce these maturity limits to a shorter term as part of the Investment Guidelines and the Approved Lists.

The ultimate maximum maturity of any investment shall be five (5) years. The dollar-weighted average maturity of all securities shall be equal to or less than three (3) years.

F. Maximum Concentrations

No more than 80% of the portfolio may be invested in issues other than U.S. Treasury and Agency obligations. The maximum allowable percentage for each type of security is set forth as follows:

U.S. Treasury and Agency Obligations	100%
Municipal Notes.....	80%
Registered State Warrants.....	80%
Bankers Acceptances	40%
Commercial Paper	40%
Washington Supranational Obligations.....	30%
Negotiable Certificates of Deposit and CRA Deposit/Certificates of Deposit	30%
Repurchase Agreements	30%
Reverse Repurchase Agreements	20%
Medium-Term Corporate Notes.....	30%
Money Market Mutual Funds.....	20%
Collateralized Mortgage Obligations	20%
Local Agency Investment Fund (LAIF).....	(per State limit)

The Investment Group may reduce these concentrations as part of the Investment Guidelines and the Approved Lists.

Excluding U.S. Treasury and Agency obligations, no more than 10% of the portfolio, may be invested in securities of a single issuer including its related entities.

Where a percentage limitation is established above, for the purpose of determining investment compliance, that maximum percentage will be applied on the date of purchase.

G. Repurchase Agreements

Under California Government Code section 53601, paragraph (j) and section 53635, the Director of Finance may enter into Repurchase Agreements and Reverse Repurchase Agreements. The maximum maturity of a Repurchase Agreement shall be one year. The maximum maturity of a reverse repurchase agreement shall be 92 days, and the proceeds of a reverse repurchase agreement may not be invested beyond the expiration of the agreement. The reverse repurchase agreement must be "matched to maturity" and meet all other requirements in the code.

All repurchase agreements must have an executed Sacramento County Master Repurchase Agreement on file with both the Director of Finance and the Broker/Dealer. Repurchase Agreements executed with approved broker-dealers must be collateralized with either: (1) U.S. Treasury and Agency obligations with a market value of 102% for collateral marked to market daily; or (2) money market instruments on the Approved Lists of the County that meet the qualifications of the Policy, with a market value of 102%. Since the market value of the underlying securities is subject to daily market fluctuations, investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102% no later than the next business day. Use of mortgage-backed securities for collateral is not permitted. Strictly for purposes of investing the daily excess bank balance, the collateral provided by the Sacramento County's depository bank can be U.S. Treasury and Agency obligations valued at 110%, or mortgage-backed securities valued at 150%.

H. Community Reinvestment Act Program

The Director of Finance has allocated within the Pooled Investment Fund, a maximum of \$90 million for the Community Reinvestment Act Program to encourage community investment by financial institutions, which includes community banks and credit unions, and to acknowledge and reward local financial institutions that support the community's financial needs. The Director of Finance may increase this amount, as appropriate, while staying within the investment policy objectives and maximum maturity and concentration limits. The eligible banks and savings banks must have Community Reinvestment Act performance ratings of "satisfactory" or "outstanding" from each financial institution's regulatory authority. The minimum credit requirements are located on page 5 of Section IX.D.

I. Criteria and Qualifications of Brokers/Dealers and Direct Issuers

All transactions initiated on behalf of the Pooled Investment Fund and Sacramento County shall be executed through either government security dealers reporting as primary dealers to the Market Reports Division of the Federal Reserve Bank of New York or direct issuers that directly issue their own securities that have been placed on the Approved List of brokers/dealers and direct issuers. Further, these firms must have an investment grade rating from at least two national rating services, if available.

Brokers/Dealers and direct issuers that have exceeded the political contribution limits as contained in Rule G-37 of the Municipal Securities Rulemaking Board, within the preceding four-year period to the Director of Finance, any member of the Board of Supervisors, or any candidate for the Board of Supervisors, are prohibited from the Approved List of brokers/dealers and direct issuers.

Each broker/dealer and direct issuer will be sent a copy of this Policy and a list of those persons authorized to execute investment transactions. Each firm must acknowledge receipt of such materials to qualify for the Approved List of brokers/dealers and direct issuers.

Each broker/dealer and direct issuer authorized to do business with Sacramento County shall, at least annually, supply the Director of Finance with audited financial statements.

J. Investment Guidelines, Management Style and Strategy

The Investment Group, named by the Director of Finance, shall issue and maintain Investment Guidelines specifying authorized investments, credit requirements, permitted transactions, and issue maturity and concentration limits consistent with this Policy.

The Investment Group shall also issue a statement describing the investment management style and current strategy for the entire investment program. The management style and strategy can be changed to accommodate shifts in the financial markets, but at all times they must be consistent with this Policy and its objectives.

K. Approved Lists

The Investment Group, named by the Director of Finance, shall issue and maintain various Approved Lists. These lists are:

1. Approved Domestic Banks for all legal investments.
2. Approved Foreign Banks for all legal investments.
3. Approved Commercial Paper and Medium Term Note Issuers.
4. Approved Money Market Mutual Funds.
5. Approved Firms for Purchase or Sale of Securities (Brokers/Dealers and Direct Issuers).
6. Approved Banks / Credit Unions for the Community Reinvestment Act Program.

L. Calculation of Yield and Costs

The costs of managing the investment portfolio, including but not limited to: investment management; accounting for the investment activity; custody of the assets; managing and accounting for the banking; receiving and remitting deposits; oversight controls; and indirect and overhead expenses are charged to the

investment earnings based upon actual labor hours worked in respective areas. Costs of these respective areas are accumulated by specific cost accounting projects and charged to the Pooled Investment Fund on a quarterly basis throughout the fiscal year.

The Department of Finance will allocate the net interest earnings of the Pooled Investment Fund quarterly. The net interest earnings are allocated based upon the average daily cash balance of each Pooled Investment Fund participant.

X. Reviewing, Monitoring and Reporting of the Portfolio

The Review Group will prepare and present to the Director of Finance at least monthly a comprehensive review and evaluation of the transactions, positions, performance of the Pooled Investment Fund and compliance to the California Government Code, Policy, and Investment Guidelines.

Quarterly, the Director of Finance will provide to the Board of Supervisors, the Oversight Committee, and to any local agency participant that requests a copy, a detailed report on the Pooled Investment Fund. The report will also be posted on the Department of Finance website. Pursuant to California Government Code section 53646, the report will list the type of investments, name of issuer, maturity date, par and dollar amount of the investment. For the total Pooled Investment Fund, the report will list average maturity, the market value, and the pricing source. Additionally, the report will show any funds under the management of contracting parties, a statement of compliance to the Policy and a statement of the Pooled Investment Fund's ability to meet the expected expenditure requirements for the next six months.

XI. Withdrawal Requests for Pooled Fund Investors

The Director of Finance will honor all requests to withdraw funds for normal cash flow purposes that are approved by the Director of Finance at a one dollar net asset value. Any requests to withdraw funds for purposes other than immediate cash flow needs, such as for external investing, are subject to the consent of the Director of Finance. In accordance with California Government Code Sections 27133(h) and 27136, such requests for withdrawals must first be made in writing to the Director of Finance. When evaluating a request to withdraw funds, the Director of Finance will take into account the effect of a withdrawal on the stability and predictability of the Pooled Investment Fund and the interests of other depositors. Any withdrawal for such purposes will be at the market value of the Pooled Investment Fund on the date of the withdrawal.

XII. Limits on Honoraria, Gifts, and Gratuities

In accordance with California Government Code Section 27133(d), this Policy establishes limits for the Director of Finance; individuals responsible for management of the portfolios; and members of the Investment Group and Review Group who direct individual investment decisions, select individual investment advisors and broker/dealers, and conduct day-to-day investment trading activity. The limits also apply

to members of the Oversight Committee. Any individual who receives an aggregate total of gifts, honoraria and gratuities in excess of \$50 in a calendar year from a broker/dealer, bank or service provider to the Pooled Investment Fund must report the gifts, dates and firms to the designated filing official and complete the appropriate State forms.

No individual may receive aggregate gifts, honoraria, and gratuities from any single source in a calendar year in excess of the amount specified in Section 18940.2(a) of Title 2, Division 6 of the California Code of Regulations. This limitation is \$520 for the period January 1, 2021, to December 31, 2022. Any violation must be reported to the State Fair Political Practices Commission.

XIII. Terms and Conditions for Outside Investors

Outside investors may invest in the Pooled Investment Fund through California Government Code Section 53684. Their deposits are subject to the consent of the Director of Finance. The legislative body of the local agency must approve the Sacramento County Pooled Investment Fund as an authorized investment and execute a Memorandum of Understanding. Any withdrawal of these deposits must be made in writing 30 days in advance and will be paid based upon the market value of the Pooled Investment Fund. If the Director of Finance considers it appropriate, the deposits may be returned at any time to the local agency.

Appendix A

Comparison and Interpretation of Credit Ratings

Long Term Debt & Individual Bank Ratings				
Rating Interpretation	Moody's	S&P	Fitch	Fitch Viability Rating
<i>Best-quality grade</i>	Aaa	AAA	AAA	aaa
<i>High-quality grade</i>	Aa1	AA+	AA+	aa+
	Aa2	AA	AA	aa
	Aa3	AA-	AA-	aa-
<i>Upper Medium Grade</i>	A1	A+	A+	a+
	A2	A	A	a
	A3	A-	A-	a-
<i>Medium Grade</i>	Baa1	BBB+	BBB+	bbb+
	Baa2	BBB	BBB	bbb
	Baa3	BBB-	BBB-	bbb-
<i>Speculative Grade</i>	Ba1	BB+	BB+	bb+
	Ba2	BB	BB	bb
	Ba3	BB-	BB-	bb-
<i>Low Grade</i>	B1	B+	B+	b+
	B2	B	B	b
	B3	B-	B-	b-
<i>Poor Grade to Default</i>	Caa	CCC+	CCC	ccc
<i>In Poor Standing</i>	-	CCC	-	
	-	CCC-	-	
<i>Highly Speculative Default</i>	Ca	CC	CC	cc
	C	-	-	c
<i>Default</i>	-	-	DDD	f
	-	-	DD	f
	-	D	D	f

Short Term / Municipal Note Investment Grade Ratings			
Rating Interpretation	Moody's	S&P	Fitch
<i>Superior Capacity</i>	MIG-1	SP-1+/SP-1	F1+/F1
<i>Strong Capacity</i>	MIG-2	SP-2	F2
<i>Acceptable Capacity</i>	MIG-3	SP-3	F3

Appendix A

Short Term / Commercial Paper Investment Grade Ratings			
Rating Interpretation	Moody's	S&P	Fitch
<i>Superior Capacity</i>	P-1	A-1+/A-1	F1+/F1
<i>Strong Capacity</i>	P-2	A-2	F2
<i>Acceptable Capacity</i>	P-3	A-3	F3

Fitch Support Ratings	
<i>Rating</i>	<i>Interpretation</i>
1	A bank for which there is an extremely high probability of external support. The potential provider of support is very highly rated in its own right and has a very high propensity to support the bank in question. This probability of support indicates a minimum Long-Term Rating floor of 'A-'.
2	A bank for which there is a high probability of external support. The potential provider of support is highly rated in its own right and has a high propensity to provide support to the bank in question. This probability of support indicates a Long-Term Rating floor in the 'BBB' category.
3	A bank for which there is a moderate probability of support because of uncertainties about the ability or propensity of the potential provider of support to do so. This probability of support indicates a Long-Term Rating floor in the 'BB' category.
4	A bank for which there is a limited probability of support because of significant uncertainties about the ability or propensity of any possible provider of support to do so. This probability of support indicates a minimum Long-Term Rating floor of 'B+' or 'B'.
5	A bank for which there is a possibility of external support, but it cannot be relied upon. This may be due to a lack of propensity to provide support or to very weak financial ability to do so. This probability of support indicates a Long-Term Rating floor no higher than 'B-' and in many cases no floor at all.



SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

799 G Street, 4th Floor, Sacramento, CA 95814 • (916) 874-6661 • Fax: (916) 854-9666 • www.sacmetroable.tv

A Joint Powers Agency Representing Sacramento County and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova and Sacramento

AGENDA ITEM NO. 8

DATE: March 3, 2022
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: GENERAL ADMINISTRATION REPORT

RECOMMENDATION:

It is recommended the Board receive a verbal report from staff regarding the following Commission matters:

1. City of Eugene, Oregon vs. Federal Communications Commission
2. BESTNet MOU (Approval of Extension After December 2023)
3. Cable Company Audits (Calendar Years 2020 & 2021)
4. SMCTC Ordinance for Amended and Restated JPA
5. Fiscal Year 2022-23 Call for PEG Fee Funding – Deferral
6. Metro Cable YouTube Channel Update & Demonstration

Respectfully submitted,

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission



SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

799 G Street, 4th Floor, Sacramento, CA 95814 ♦ (916) 874-6661 ♦ Fax: (916) 854-9666 ♦ www.sacmetroable.tv

A Joint Powers Agency Representing Sacramento County and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova and Sacramento

AGENDA ITEM NO. 9

DATE: March 3, 2022
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: CHANNEL LICENSEE REPORTS

RECOMMENDATION:

It is recommended the Board receive and file reports and comments, if any, from the representatives of the following Channel Licensees:

- A) Access Sacramento
- B) Capital Public Radio
- C) KVIE, Inc.
- D) SacFaith TV
- E) Sacramento Educational Cable Consortium

Respectfully submitted,

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission



SACRAMENTO METROPOLITAN CABLE TELEVISION COMMISSION

799 G Street, 4th Floor, Sacramento, CA 95814 ♦ (916) 874-6661 ♦ Fax: (916) 854-9666 ♦ www.sacmetroable.tv

A Joint Powers Agency Representing Sacramento County and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Rancho Cordova and Sacramento

AGENDA ITEM NO. 10

DATE: March 3, 2022
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: STATE FRANCHISEE REPORTS

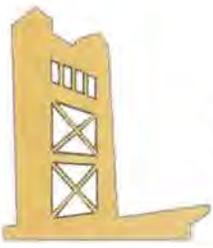
RECOMMENDATION:

It is recommended the Board receive and file reports and comments, if any, submitted from representatives of the following state franchisees:

- A) AT&T
- B) Comcast
- C) Consolidated Communications, Inc.

Respectfully submitted,

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission



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AGENDA ITEM NO. 11

DATE: March 3, 2022
TO: Chair and Board of Directors
FROM: Robert A. Davison, Executive Director
SUBJECT: PUBLIC COMMENTS

RECOMMENDATION:

It is recommended the Board receive comments from the public on matters that are not on the agenda.

Respectfully submitted,

ROBERT A. DAVISON, Executive Director
Sacramento Metropolitan Cable Television Commission