
GROVELAND COMMUNITY SERVICES DISTRICT

POLICY MANUAL

OF THE

BOARD OF DIRECTORS

Created: February 4, 2003
Adopted by Resolution 15-04 on December 8, 2004
Revised May 11, 2005

This manual has been compiled from the District's records on such matters (various resolutions), from model policies provided by the California Special Districts Association (CSDA), from the practical experience gained by GCSO Directors, and material from other Special Districts. Its use is intended to assist GCSO Directors with their duties and responsibilities by providing basic guidelines in one comprehensive and dynamic source. Overall, its use should help new Directors quickly comprehend what is expected from them, while supporting the Board's goal to conduct the District's business in an orderly, efficient, effective and respectful manner, compliant with the rules and regulations governing California Special Districts.

PREFACE

The reasons for having a Director's Policy Manual are many. A good portion of this manual is dedicated to process and procedure. It is through process and procedure that we consistently implement fair and equitable practices, and thereby effectively perform the Public's business with efficiency.

Beyond the mechanics, however, the Director's Guide serves another important purpose. All too often, Directors are tempted to cross the line between being a Director and imposing themselves on the day-to-day management of the District. As Directors, we must always test our interaction with the District's professional staff by asking ourselves whether or not we are individually imposing our own versions of policy outside the formal Board meeting process.

Without laboring the point, Directors are chartered by the public to protect their interests in the community's vital services. Not just any service, but vital services that dependably meet health, safety and recreation needs for users, property owners and visitors, services that in many ways sustain and drive economic interests and quality-of-life, while protecting and enhancing the environment. And this protection is not just for our quality of life, and our environment, but for that of our neighbors, too. What we as Directors do and how well we do it, makes a real difference in our community, in surrounding communities, and beyond.

Critical to our jobs is awareness, knowing what is really going on, and providing the judgment, direction, and commitment necessary to insure excellence within a public service organization. It takes teamwork. It takes knowledge. And it takes involvement. As Directors, we should encourage each other to collaborate, learn, and to understand the services that are provided, and how the District provides them. How this journey is taken is perhaps the challenge, and this manual attempts to provide answers, in the context of permissible public business conduct, i.e., the Brown Act intending actions to be taken openly, deliberations be conducted openly, and to keep the public informed so that they may retain control over the instruments they have created. Critical to success is the following attributes of a good Board Member.

A Good Board Member:

1. Is dedicated to helping others and is modest in the light of her/his responsibility,
2. Approaches board responsibilities in the best interest of the District,
3. Stands up for her/his convictions even at the cost of disapproval
4. Backs up other Board Members, and rises to their defense when they are unjustly criticized,
5. Welcomes information and the best advice, but reserves the right to arrive at decisions on the basis of personal judgment,
6. Respects the right of other Board Members to disagree with them and have a fair hearing of all points of view,
7. Criticizes in a constructive way and offers suggestions or alternatives,
8. Recognizes that time and energy are limited and that over commitment may be self-defeating,
9. Maintains loyalty to other Board members, the District, and the organization,

We Directors have taken on a fiduciary responsibility overseeing the delivery of vital community services. To meet this responsibility, the job requires an open mind, patience, and a lot of hard work, which often goes unappreciated. I hope this Director's Policy Manual makes the fulfilling of this responsibility easier and more enjoyable.

Craig Maxwell, Director..... May 21, 2003

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POLICY MANUAL
OF THE BOARD OF DIRECTORS
GROVELAND COMMUNITY
SERVICES DISTRICT

1 GENERAL RULES

1.1 Purpose

The purpose of this policy manual is to provide rules and guidelines for the conduct of the Board of Directors of the Groveland Community Services District.

It shall supersede all prior resolutions or past practices regarding district policies covered in this document.

1.2 Suspension of Rules

Any of the rules or guidelines contained in this Manual that are not required by law may be suspended by a majority of the Board.

1.3 Alteration, Amendment or Repeal

Any rule or guideline may be altered, amended or repealed at a duly noticed meeting by a majority vote of the Board.

2 BASIS OF AUTHORITY

2.1 Authority of the Board

The Board of Directors is the unit of authority within the District. Apart from her/his normal function as a part of this unit, individual Directors may not commit the District to any policy, act or expenditure.

2.2 Representation

The Board of Directors as a whole should not represent any factional

segment of the community, but rather represent and act for the community as a whole and not for their long-term benefit.

2.3 Governing Laws

The Board of Directors shall comply with and be guided by applicable state laws and regulations, including the enabling act of the District and applicable federal laws and regulations.

3 BOARD STRUCTURE

3.1 Officers

Annually, at the regular December Board Meeting, the Board shall select a President and Vice President for the next calendar year. The General Manager or his designee shall perform the duties of Treasurer and the District's Executive Secretary shall be Board Secretary.

3.1.1 President

The President shall perform the duties of presiding officer at all meetings of the Board of Directors and shall carry out the resolution and orders of the Board of Directors and perform such other duties as the Board of Directors prescribes, including appointment of Directors to serve on committees of the Board and designation of committee chairs.

3.1.2 Vice President

When the president resigns or is absent or disabled, the Vice President shall perform the President's duties. When the President disqualifies herself/himself from participating in an agenda item or declares herself/himself partisan in the debate on any such item, the Vice President shall perform the duties of the President.

3.2 *Committees*

The Board may create standing or ad hoc committees at its discretion.

3.2.1 *Committee Authorities*

Unless authority to perform a duty is expressly delegated by the Board to a Committee, committee motions and recommendations shall be advisory to the Board.

Committees shall not commit the District to any policy, act or expenditure nor may any committee direct staff to perform specific duties unless authorized by the Board. The Committee Chair is authorized to schedule committee meetings as deemed necessary and to preside at any such meeting.

3.2.2 *Ad hoc Committees*

The President shall appoint such ad hoc committees as may be deemed necessary or advisable by herself/himself and/or the Board. Ad hoc committees are formed for a specific, singular purpose and/or to reach a specific goal within a finite time period. The duties of ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

3.2.3 *Standing Committees*

The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified at the time that the standing committee is formed. The standing committee's purpose may be amended from time to time at the Board's discretion. Said assignment may be made by the Board President, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said

review should be submitted to the Board via a written or oral report.

3.2.3.1 *Standing Committee Meetings*

All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

3.2.3.2 *Standing Committee Members*

The Board President shall appoint and publicly announce the members of the standing committees at the time of their initial formation and thereafter for the ensuing year no later than the Board's regular meeting in January.

3.2.4 *Non-District Committees*

Where the Board has agreed to designate a Director or Directors to serve on a non-District committee, the President shall nominate said Directors for Board ratification.

4 **BOARD MEETING PROCEDURES**

4.1 *Regular Meetings*

Regular meetings of the Board of Directors shall be held on the second Wednesday of each calendar month at 9:00 AM and on the fourth Wednesday of each calendar month at 2:00 PM. A Board Workshop may be scheduled prior to the second Board meeting of the month. Members of the Board of Directors are not required to attend Workshop sessions. Board meetings shall be held in the GCSD administration building, main conference room, 18966 Ferretti Road, Groveland. The date, time and place of regular Board meetings shall be reconsidered annually at the annual organizational meeting of

the Board in December. The date, time and place may be changed at will by the Board President or majority vote by the Board prior to public notice of the meeting in order to accommodate compelling circumstances.

4.2 Special Meetings (non-emergency)

Special meetings (non-emergency) of the Board of Directors may be called by the Board President or the Presiding Officer, in the absence of the President, at a regular Board meeting.

4.2.1 Notice

All Directors, the General Manager, Fire Chief, District Counsel and other desired staff shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, delivered to them at least twenty-four (24) hours prior to the meeting.

4.2.2 Notification

Newspapers of general circulation in the District, radio stations and television stations, organizations, and property owners who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by a mailing unless the special meeting is called less than one week in advance, in which case notice, including business to be transacted, will be given by telephone during business hours as soon after the meeting is scheduled as practicable.

4.2.3 Agenda

An agenda shall be prepared as specified for regular Board meetings and shall be delivered with the notice of the special meeting to those specified above.

4.2.4 New Business

Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

4.3 Special Meetings (emergency)

In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an emergency special meeting without complying with the twenty-four (24) hour notice required above. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by the General Manager, Fire Chief, Board President or Vice President in the President's absence.

4.3.1 Notification

Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54962) shall be notified by at least one (1) hour prior to the emergency special meeting. In the event that telephone services are not functioning, the notice requirement of one hour is waived, but the General Manager, or her/his designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible.

4.3.2 New Business

No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be

observed with the exception of the twenty-four (24) hour notice. The minutes of the emergency special meeting, a list of persons the General Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in the District office as soon after the meeting as possible.

4.4 Adjourned Meetings

A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the Secretary may declare there is no quorum.

4.5 Annual Organizational Meeting

The Board of Directors shall hold an annual organizational meeting at the first regular meeting in December. At this meeting the Board will elect a President and Vice President from among its members to serve during the coming calendar year, and will appoint the General Manager, or his designee, as the Board's Treasurer and the Executive Secretary as the Board's Secretary.

4.6 Order of Agenda

The Chairperson (Presiding Officer) of the meetings described herein may deviate from the published order of agenda and in such cases shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

4.7 Board Agenda Actions

No action shall be taken on any item not appearing on the posted agenda unless:

- (a) A majority of the Board of Directors determine that an urgent or emergency situation, as defined by Government Code §54956.5, exists;
- (b) The Board of Directors determine by a two-thirds vote, or by a unanimous vote if less than two-thirds of the Board members are present, that the need to take action on the item arose subsequent to the posting of the agenda;
- (c) The item was included in a properly posted agenda for a prior meeting occurring not more than five days prior to the meeting at which the action is taken and was continued to the meeting at which the action was taken.

4.8 Non-Posted Agenda Items

Any item not on the posted agenda requiring action by the Board which are raised by Board members, staff, or by members of the public shall be automatically referred to staff and placed on the agenda for the next regular or regular adjourned meeting.

4.9 Questions

Directors shall defer to the Presiding Officer for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be confined to the matter being discussed by the Board.

4.10 Inclusions in the Minutes

Directors may request for inclusion in the minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

4.11 Conflict of Interest

Directors shall abstain from participating in consideration on any item involving a legally prohibited conflict of interest and shall declare the nature of the conflict to the Board.

4.12 Meeting Room Preparation

The Board Secretary shall insure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

5 BOARD MEETING AGENDA

The General Manager, in cooperation with the Board President, or in the absence of the General Manager, the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors.

5.1 Public Address to Board Members

A portion of each agenda for each regular or regular adjourned meeting shall provide an opportunity for members of the public to directly address the Board members on items of interest to the public that are within the subject matter jurisdiction of the Board of Directors. The public is asked to follow the Guidelines for Public Comment at Board Meetings (Exhibit B) in addressing the Board.

5.2 Agenda Items

Any Director may call the General Manager, or in the absence of a General Manager the Board President, and request that any item be placed on the agenda no later than 4:00 o'clock p.m. on the cut-off date for agenda items determined by the General Manager or Board President.

5.3 Agenda Items (from members of the public)

Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

5.3.1 Written Request

The request must be in writing and be submitted to the General Manager (or other responsible employee designated by the Board to accept agenda items from the public) together with supporting documents and information, if any, at least five (5) business days prior to the date of the meeting;

5.3.2 Agendizing Public Requests

The General Manager (or other responsible employee designated by the Board to accept agenda items from the public) shall be the sole judge of whether the public request is or is not a "matter directly related to District business."

5.3.3 Agenda Requests for Closed Session Items

No matter (or item) which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy.

5.3.4 Time Limit to Consider Agenda Item

The Board President on his or her own authority, or after considering requests from Board Members, may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

5.4 Correspondence

Staff shall date mark the original of all correspondence from constituents, responsible agencies, and trustee agencies upon receipt and distribute a copy to each Director within one week.

5.4.1 Response Copies to Board

Where a response to correspondence is requested or where the General Manager, Fire Chief, or other responsible employee designated by the Board believes a response is needed, the General Manager, Fire Chief, or other responsible and designated employee will cause a response to be transmitted to the author with copies to the Board as soon as workloads allow but no later than ten working days following receipt.

5.4.2 Director Reaction to Correspondence

Any Director that believes that the Board should address any issue raised by the author of correspondence or by staff's response to correspondence reserves the right to request Board review on a subsequent agenda by submitting a written request to the General Manager, or in the absence of the General Manager, the Board President, at least seventeen days prior to the meeting where the review is to be agendized.

Where a Director submits such a request, staff shall prepare a draft response for Board edit at the next Board meeting, except where a concern arises within seventeen days of a Board Meeting.

When such a concern arises within seventeen days of the next Board meeting, the Director with the concern should express her or his concern at the next Board meeting and request subsequent Board action.

5.5 Non-agendized Requests (from the public)

This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters that are not on the agenda that a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting, unless such action is deemed urgent by 2/3 vote of the Board.

5.6 Conspicuous Agenda Posting

At least seventy-two (72) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review to include the following places:

- (a) On the front door of the District office.
- (b) On the bulletin boards located in the Post Offices in Big Oak Flat and Groveland.

5.6.1 Conspicuous Agenda Posting (special meetings)

The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same manner and at the same locations noted above in section 5.6, Conspicuous Agenda Posting (see also Chapter 4 BOARD MEETING PROCEDURES).

6 BOARD MEETING CONDUCT

The Chairperson shall conduct meetings of the Board of Directors in an orderly and respectful manner, as prescribed within these policies in a manner that is consistent with the policies of the District.

6.1 Conduct Objective

The conduct of meetings shall, to the fullest possible extent, enable Directors to consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems, and to receive, consider and take any needed action with respect to reports of accomplishment of District operations.

6.2 Respect for Schedule

All Board meetings shall commence at the time stated on the agenda and shall be guided by the desire to complete the Board's business within a reasonable period of time either by intent or by time allotted.

6.2.1 Recess

Schedule notwithstanding, the chairperson may declare a short recess during any meeting.

6.3 Meeting Table

Only Directors, the District's legal Counsel, and authorized staff members shall be seated at the meeting table.

6.4 Public Input

Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as follows:

6.4.1 Time Limits

The Presiding Officer, unless a majority of the Board objects, may allot a maximum amount of time for each speaker and a maximum amount of time to each subject matter. If no such time limit was or is specified prior to the commencement of a speaker's presentation or the discussion of an agenda item,

the Presiding Officer may intervene at any time to impose a reasonable time limit for concluding the presentation or discussion.

6.4.2 Actions Taken

No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by section 4.7 Board Agenda Actions or by §54954.2 of the Government Code.

6.4.3 Boisterous Conduct

No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address to the Board and immediate ejection from the meeting.

6.4.4 Charges or Complaints Against District Employees

The Board of Directors desires that public complaints be resolved through administrative processes, and that the method for resolution of complaints be logical and systematic. Public complaints covered by this policy are allegations by a member of the public of a violation or misrepresentation of a District policy, state or federal statute, or regulation of which the individual has been adversely affected.

6.4.4.1 Right to Redirect Oral Charges or Complaints

The public is asked to not make oral presentation that include charges or complaints against any District employee, regardless of whether or not the employee is identified in the presentation by name or by another reference that tends to identify. All charges or complaints against employees should be submitted to the Board of Directors under provisions contained in

the District's policy on Public Complaints

This policy is not intended to limit the public from presenting charges or complaints related to the performance of Directors and employees in relation to their duties as public service providers.

6.5 *Decorum*

The Chairperson shall take whatever actions are necessary and appropriate to preserve order and decorum during board meetings, including public hearings. The chairperson may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a lawful request from the chairperson, or otherwise disrupting the meeting or hearing.

6.5.1 *Willful Disruption, Disturbances or Interruptions*

Willful disruption, disturbances or interruptions (hereafter disruption) of any of the meetings of the Board of Directors shall not be permitted. If the Chairperson finds that there is in fact willful disruption of any meeting of the Board, he/she may order the room cleared and subsequently conduct the Board's business without the audience present.

6.5.2 *Use of Law Enforcement at Meetings*

The Board by majority opinion may direct the use of law enforcement to insure the safety and well being of all present at Board meetings. Use of law enforcement at Board of Director meetings will be considered appropriate by majority opinion of the Board members if repeated orders by the Chairperson to clear the room are not adhered to or if, in the opinion of the Board, one or more individuals attending

the meeting are physical threatened or abused.

6.5.3 *Continuation of Business*

In the event that the room has been cleared for willful disruption, only matters appearing on the agenda may be considered in such a session.

6.5.4 *Re-admittance*

After clearing the room, the Chairperson should and may permit those persons who, in her/his opinion, were not responsible for the willful disruption to re-enter the meeting room before any further business is conducted.

6.5.5 *Media*

Duly accredited representatives of the news media, whom the Chairperson finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.

6.6 *Quorum and Majority*

Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a minimum quorum is present, therefore, require all three (3) votes to be effective.

6.7 *Abstentions*

When a Director abstains in a vote with respect to a potential conflict of interest, the Director shall be considered to be absent. When a Director abstains in a vote for any other reason than a potential conflict of interest (see paragraph 4.11, Conflict of Interest), the abstention will be recorded as an abstention, which has the same effect as a "NO" vote. Thus, if only three Directors are present and one abstains, then no action can be taken on

the item because a “Majority of the Board” did not vote “YES”.

6.8 Staff Direction

The Board may give directions that are not formal action. Such directions include the Board’s directives and instructions to the General Manager or Fire Chief (or their acting counterparts). The Presiding Officer shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the Presiding Officer, a voice vote may be requested. A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as to refer the matter to the General Manager, Fire Chief, or their designee, for review and recommendation, etc.).

7 PARLIAMENTARY PROCEDURE

Action items shall be brought before and considered by the Board by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Board prefers a flexible form of meeting and, therefore, does not conduct its meetings under formalized rules – i.e., Robert’s Rules of Order.

7.1 Parliamentary Determinations

The Presiding Officer (Chairperson) shall preserve order and decorum and shall decide questions of order subject to appeal to the Board.

If a Director believes order is not being maintained or procedures are not adequate, then he/she may raise a point of order - not requiring a second - to the Chairperson. If the ruling of the Chairperson is not satisfactory to the Director, then it may be appealed to the Board. A

majority of the Board will govern and determine the point of order.

7.2 Authority of Presiding Officer

The Presiding Officer may make motions or second motions and he/she may debate and vote on any matter under consideration. Where the Presiding Officer wishes to make or second a motion that he or she may have a personal interest in, he/she should vacate the role of Presiding Officer until that item is resolved. Where the Presiding Officer has vacated the role of Presiding Officer for a particular agenda item, the Vice President (or another director) shall become the presiding officer until all action on that agenda item is completed.

7.3 Obtaining the Floor

Any Director desiring to speak should address the Chairperson and, upon recognition by the Chairperson, may address the subject under discussion.

7.4 Motions

Any Director, including the Chairperson, may make or second a motion. A motion shall be brought and considered as follows:

- (1) A Director makes a motion
- (2) Another Director seconds the motion
- (3) The Chairperson states the motion

7.5 Call for the Vote

Once the Chairperson has stated the motion, it is open to discussion and debate. After the matter has been fully debated, and after the public in attendance has had an opportunity to comment, the Chairperson will call for the vote.

7.5.1 Motion to Close Debate

If the public in attendance has had an opportunity to comment on the proposed action, any Director may move to immediately bring the question being debated to a vote, suspending any further debate. The motion to bring the question being debated to a vote must be made, seconded, and approved by a majority vote of the Board.

7.6 Amendments to Motions (substitute motions)

A main motion may only be amended with the consent of the maker and seconder. Without this approval, no amendment to a motion shall be in order without a vote on the principal motion. A “substitute motion” shall be construed as an amendment to the main motion, and shall follow the process described in this rule.

7.6.1 Motion to Amend

A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.

7.6.2 Motion to Table

Any Director may move that an item be tabled for an indefinite time even if a main motion is pending consideration. If such a motion is seconded and passed all consideration on the item is halted until a Director requests consideration on a subsequent agenda.

7.6.3 Motion to Continue

Any Director may move that an item be continued (or postponed) to a specific future Board Meeting even if a main motion is pending consideration. If such a motion is seconded and passed all consideration on that item is halted until

agendized and heard at a subsequent meeting.

7.6.4 Motion to Refer to Committee

A main motion may be referred to a board committee for further study and recommendation by a motion to refer to committee, which is then seconded and approved by a majority vote of the Board.

7.6.5 Motion to Close Debate and Vote Immediately

As provided above, any Director may move to close debate and immediately vote on a main motion.

7.6.6 Motion to Adjourn

A meeting may be adjourned by motion made, seconded, and approved by a majority vote of the Board before voting on a main motion.

7.7 Reconsideration

Any Director that voted for an approved motion on an agenda item may move to reconsider that item at a subsequent meeting. If seconded by any other Director and passed by a majority vote, the effect of the motion is to nullify the earlier motion such that a new motion may be debated at the subsequent meeting. Under no circumstances can such an item be reconsidered at the same meeting. If the matter is to be reconsidered at a subsequent meeting, notice of that fact must be stated in the agenda for the subsequent meeting.

7.8 Reconsideration (subsequent to meeting)

Any two Directors may request that an item resolved at an earlier meeting be added to the agenda of a subsequent meeting. The Presiding Officer may reject this request if no new information

is presented in his/her opinion to warrant further debate. At the meeting where the item rejected by the Presiding Officer could have been considered, a majority of the Board may place an item on a subsequent meeting's agenda.

7.9 Order of Debate (legislative matter)

The Presiding Officer shall follow the following order of debate in the consideration of legislative matters:

7.9.1 Presentation

Staff or a committee representative shall present the issue with any recommendations.

7.9.2 Questions of Staff or to Committee by Board

The Board may ask questions of staff or to the committee to clarify the issue or the recommendation.

7.9.3 Audience Input

Members of the audience may make statements or ask questions regarding the matter. Any person wishing to address the Board, shall, when recognized by the Presiding Officer, step to the rostrum, and give their name to the Board Secretary. All questions of staff or to the committee from the public shall be addressed to the Presiding Officer. The Presiding Officer may impose reasonable limitations upon the amount of time each person may speak or the number of times any speaker may speak and may close public comments whenever necessary to allow the Board to complete its business. The public is asked to follow the Guidelines for Public Comments at Board Meetings (Exhibit B) in addressing the Board.

7.9.4 Board Discussion and Resolution

Following closure of public input, the Board shall discuss the item, taking the action it deems desirable by motion. Individual Directors may ask questions of members of the audience through the Presiding Officer but such questions and answers should not become a debate. All other audience input shall be deemed "out of order" by the Presiding Officer unless the Board, by majority vote, determines that additional input is desirable.

7.10 Order of Debate (quasi-judicial)

The Presiding Officer shall follow the following order of debate in the consideration of quasi-judicial matters:

7.10.1 Presentation

Staff or a committee representative shall present the issue with any recommendations.

7.10.2 Questions of Staff by Board

The Board may ask questions of staff or of the committee to clarify the issue or the recommendation.

7.10.3 Public Hearing

The Presiding Officer shall open the public hearing, call upon the applicant to make a statement, and then receive any and all input from the public. Any person wishing to address the Board, shall, when recognized by the Presiding Officer, step to the rostrum, and give their name to the Board Secretary. All questions of staff or to the committee from the public shall be addressed through the Presiding Officer. Following receipt of public comment, the applicant shall be given the opportunity to respond to comments received. The Presiding Officer may limit the amount of time

each person can speak or the number of times a speaker can speak and close public comment restricting further discussion to the Board level unless a majority of the Board wishes to hear other testimony. The Presiding Officer shall close the public hearing.

7.10.4 Board Discussion and Resolution

Following closure of public input, the Board shall debate the item, taking the action it deems desirable by motion. Individual Directors may ask questions of members of the audience through the Presiding Officer but such questions and answers should not become a debate. All other audience input shall be deemed “out of order” by the Presiding Officer unless the Board determines, by majority vote, that additional input is desirable.

7.11 Ex Parte Contact and Disclosure

If a Director talks to or is otherwise contacted by a party in a quasi-judicial matter pending before the Board, that Director must disclose to the Board of Directors that he or she was contacted and disclose the name of the person who contacted them.

7.12 Amendment of Parliamentary Procedure

By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting:

- (a) Temporarily suspend these rules in whole or in part,
- (b) Amend these rules in whole or in part, or
- (c) Both.

8 MINUTES OF BOARD MEETINGS

The Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

8.1 Copies and Storage of Minutes

Copies of said minutes shall be made for distribution to Directors with the agenda for the next regular Board meeting. The official minutes of the regular and special meetings of the Board shall be kept in a fireproof vault or in fire-resistant, locked cabinets.

8.2 Recording of Meetings

A video and/or audio tape recording of any meeting of the Board of Directors, including closed sessions, may be made at the request of the Secretary, General Manager or any Director when such request is approved by a majority of the whole Board.

Such requests must be specific with regards to the recording media, the meetings to be recorded, and the use to which the recording will be put.

8.2.1 Announcement of Intention to Record Meeting

The Chairperson will announce the fact that a recording is being made at the beginning of the first meeting authorized by the Board to be recorded by the recording media, and the recording device shall be placed in plain view of all present, so far as is possible. The Chairperson shall also state at said meeting the expected number of future meetings to be recorded in the manner stated.

No other announcements at subsequent meetings authorized to be recorded will be necessary.

8.2.2 *Recording Closed Sessions*

Recordings made during closed sessions of the Board are deemed not to be public records.

8.2.3 *Storage of Recording Media*

The recordings, tapes, discs or other electronic data/information storage devices shall be kept in fire-resistant, locked cabinets or in a fireproof, locked vault.

8.3 *Motions, Resolutions or Ordinances*

Motions, resolutions or ordinances shall be recorded as having passed or failed, and individual votes will be recorded unless the action was unanimous.

8.3.1 *Numbering of Resolutions and Ordinances*

All resolutions and ordinances adopted by the Board shall be numbered consecutively starting new at the beginning of each calendar year.

8.4 *Content of Minutes*

The minutes of Board meetings shall be maintained as hereinafter outlined.

8.4.1 *Procedural Practice*

The following procedural practices shall be maintained:

- (a) Date, place and type of each meeting;
- (b) Directors present and absent by name;
- (c) Call to order;
- (d) Arrival of tardy Directors by name;
- (e) Pre-adjournment departure of Directors by name, or if absence takes place when any agenda items are acted upon;
- (f) Adjournment of the meeting;

- (g) Record of written notice of special meetings; and,
- (h) Record of items to be considered at special meetings.

8.4.2 *Board Actions*

The following Board actions shall be maintained:

- (a) Approval or amended approval of the minutes of preceding meetings;
- (b) Complete information as to each subject of the Board's deliberation;
- (c) Complete information as to each subject including the roll call record of the vote on a motion if not unanimous;
- (d) All Board resolutions and ordinances in complete context, numbered serially for each calendar year;
- (e) A record of all contracts entered into;
- (f) All employments and resignations or terminations of employment within the District;
- (g) A record of all bid procedures, including calls for bids authorized, bids received, and other action taken;
- (h) A record by number of all warrants approved for payment;
- (i) Adoption of the annual budget;
- (j) Financial reports, including collections received and deposited, payables to be paid, and sales of District property, shall be presented to the Board every month;
- (k) A record of all important correspondence;
- (l) A record of the General Manager's and Fire Chief's report to the Board;
- (m) Approval of all policies and Board-adopted regulations; and,

- (n) A record of all visitors and delegations appearing before the Board.
- (o) A record of all formal written presentations.

9 ATTENDANCE AT MEETINGS

Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence. A vacancy shall occur if any member ceases to discharge the duty of her/his office for the period of three (3) consecutive months pursuant to Government Code 1770(g), except as authorized by the Board of Directors.

10 REMUNERATION AND REIMBURSEMENT

The purpose of this policy is to prescribe the manner in which members of the Board may be reimbursed for expenditures related to District business, and how Directors may be compensated for their service. The District shall adhere to Government Code Sections 53232 through 53232.4 when dealing with issues of Director remuneration and reimbursement.

10.1 Scope

This policy applies to all members of the Board of Directors, and its provisions regarding expense reimbursement are intended to result in no personal gain or loss to Director.

10.2 Implementation.

Whenever District Directors desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) appropriately relating to District business, they shall submit their requests on a reimbursement form approved by the

General Manager. Included on the reimbursement form will be an explanation of the District-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached.

The Finance Division Manager or the General Manager will review and approve reimbursement requests. Reimbursement requests by the Finance Division Manager will be reviewed and approved by the General Manager. Reimbursement requests by the General Manager will be reviewed and approved by the Finance Division Manager.

10.3 Director Compensation.

Members of the Board of Directors shall receive a Director's Fee for each "meeting day", with a maximum of six meeting days per month. The fee shall be annually established by the Board at the first regular meeting in July.

In addition to Board meetings, Directors may be compensated for the following: (1) Regular Board meetings; (2) Special Board meetings; (3) advisory or committee body meetings; (4) training and educational seminars or conferences; (5) negotiation sessions; (6) depositions; (7) meetings with District consultants, engineers, or other professionals for the purpose of conducting District business or potential business; (8) Any other activity the Board requests in writing that a member attend in advance of attendance.

Several meetings may be attended on the same day, but will be considered as only one meeting day.

Staff will not reimburse Board members for ceremonial events such as annual

festivals where no business is conducted, even if such meeting is noticed.

10.4 Board Member Expenses

Members of the Board of Directors shall be reimbursed for travel, meals, lodging and other reasonable and necessary expenses incurred in attending any meetings or in making any trips on official business of the Board when so authorized in accordance with this Policy and the District's policy on Board Member Training, Education and Conferences/Offsite Non-District Meetings. Reimbursement

Any and all expenses that do not fall within the adopted reimbursement policy or the IRS reimbursable rates are required to be approved by the Board of Directors of the District in a public meeting prior to the expense(s) being incurred. Expenses that do not adhere to the adopted reimbursement policy or the IRS reimbursable rates, and that do not receive prior approval from the Board of Directors of District in a public meeting prior to the expense being incurred, shall not be eligible for reimbursement.

If travel and lodging is in connection with Item 4 above, or other prior approved event, government or group rates offered by the provider of transportation or lodging shall be used when available. If the published group rate is unavailable, Directors shall be reimbursed for comparable lodging at government or IRS rates.

10.5 Expense Reimbursement Forms.

The District shall provide expense reimbursement report forms to

Directors who incur reimbursable expenses on behalf of the District to document that their expenses adhere to this policy.

10.5.1 Receipts Required.

Receipts are required to be submitted in conjunction with all items listed on the expense report form. Expenses without receipts will not be reimbursed.

Expense reports shall be submitted within a reasonable time, but not more than [number] days, after incurring the expense.

Directors attending functions consistent with Item 4 above, or other prior approved event shall submit reports to District on the meeting(s), in conjunction with the District's Policy on Board member Training, Education, and Conferences/Off Site Non-District Meetings.

10.6 Violation of this Policy.

It is against the law to falsify expense reports. Penalties for misuse of public resources or violating this policy may include, but are not limited to, the following: (a) the loss of reimbursement privileges; (b) restitution to the District; (c) civil penalties for misuse of public resources pursuant to Government Code Section 8314; and (d) prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code.

11 MEMBERS OF THE BOARD OF DIRECTORS

Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors.

Information may be requested from staff or exchanged between Directors before meetings.

11.1 Exchanging Information

Information that is exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

11.2 Courteous Conduct

Directors shall at all times conduct themselves with courtesy and respect to each other, to staff and to members of the audience present at Board meetings.

11.3 Discussions

Directors shall defer to the Chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda during the meeting. All comments should be brief and confined to the matter being discussed by the Board.

11.4 Brief Comments into Minutes

Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

11.5 Conflict of Interest

Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities. Potential conflict of interest must be declared by the Director prior to the Board's initiation of discussion on the item. Thereafter, the conflicted Director may not participate

in any way, directly or indirectly, in the ensuing discussion and vote.

11.6 Requests for Information

Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager or Fire Chief.

12 TRAINING, EDUCATION AND CONFERENCES/OFFSITE NON-DISTRICT MEETINGS

Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Attendance at such educational conferences and professional meetings are considered part of an official's performance of their official duties for the District. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

12.1 "Junkets" are Disallowed

"Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

12.2 Expense Reimbursement

It is the policy of the District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted. All reimbursements of

actual and necessary expenses shall be pursuant to the requirements of Section 10 of this Manual.

12.3 Arrangements – Manager’s Approval

The General Manager, or his designee, is responsible for making arrangements for Directors for conference and registration expenses, and for compensation and reimbursement pursuant to Section 10 of this Manual.

12.3.1 Per Diem and Expenses

Per Diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the General Manager on a District expense form with all validated receipts attached.

12.4 Approval

Prior to incurring any reimbursable costs, the Board shall approve attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences.

12.5 Keeping Expenses Minimal

Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the General Manager and by:

- (a) Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.
- (b) Directors traveling together whenever feasible and economically beneficial.

- (c) Requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates.
- (d) Utilizing government or group rates when available.

12.6 Prohibitions

A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending resignation, or if it occurs after an election in which it has been determined that they will not retain their seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

12.7 Reports

Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use by other Directors and staff.

13 ETHICS TRAINING

All Directors of the District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the Board of Directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2. This policy shall also apply to all staff

members that the Board of Directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.

13.1 *Curriculum.*

All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission.

13.2 *Proof of Participation.*

Directors shall obtain proof of participation after completing the ethics training. District staff shall maintain records indicating both the dates that Directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after Directors receive the training, and are public records subject to disclosure under the California Public Records Act.

13.3 *Available Training.*

District staff shall provide the Board of Directors with information on available training that meets the requirements of this policy at least once every year. Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

13.4 *Training Required by Board Member Serving on Another Board.*

Any member of the Board that serves on the Board of another agency is only required to take the training once every two years.

EXHIBIT A — BOARD MEMBER CODE OF ETHICS

1 OBJECTIVES

The Board of Directors of GCSO is committed to providing excellence in legislative leadership that results in the provision of the highest quality services and representation to the District's constituents. In order to assist in the government of the behavior between and among members of the Board of Directors, the following guidelines shall be observed:

1.1 Respect

The dignity, style, values and opinions of each director shall be respected.

1.2 Representation

The needs and desires of the District's constituents should be the priority of the Board of Directors.

1.3 Listening

Responsive and attentive listening in communication is encouraged.

1.4 Responsibility

The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

1.5 Attitude

Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

1.6 Courtesy

Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

1.7 Issue Orientation

Directors should commit themselves to focusing on issues and not personalities. The presentation of the opinions of others should be encouraged. Cliques and voting blocks based on personalities rather than issues should be avoided.

1.8 Openness

Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable.

Once the Board of Directors takes action, Directors should commit to supporting said action and not to create barriers to the implementation of said action.

2 RECEIVING AND COMMUNICATING INFORMATION

Directors should practice the following procedures when seeking or communicating information:

2.1 Clarification

In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

2.2 Complaints

In handling complaints from residents and property owners of the District, said

complaints should be referred directly to the General Manager. If the complaint is directed at the General Manager or one of the Directors, then the complaint shall be referred to the President for appropriate action.

2.3 Safety

In handling items related to safety, concerns for safety or hazards should be reported to the General Manager, Fire Chief or to the District office, as appropriate. Emergency situations should be dealt with immediately by seeking appropriate assistance.

2.4 Policy

In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager.

2.5 Staff Notes

Information that is exchanged before the meetings shall be distributed through the General Manager or Fire Chief as appropriate, and all Directors will receive all information being distributed.

3 RELATIONSHIP MANAGEMENT

Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

3.1 Team Effort

The smooth working of the District is a team effort. All individuals should try to work together in the collaborative process, assisting each other in conducting the affairs of the District.

The Board of Directors functions collectively, not as individuals. Unless

the Board, by formal action, delegates responsibility to one or more individual Board members, no Director has the legal capacity to act on behalf of the District.

3.2 Constituent Requests

When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

3.3 Staff Interaction

When approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor. The chain of command should be followed.

3.4 General Manager & Fire Chief Interaction

Directors should develop a working relationship with the General Manager, Fire Chief (and all other managers reporting directly to the Board) wherein current issues, concerns and District projects can be discussed comfortably and openly.

4 CONSTITUENT SATISFACTION

The Board of Directors, as the unit of authority within the District, is ultimately responsible for the District's overall performance and constituent's satisfaction.

4.1 Performance Standards

The Board of Directors is responsible for setting performance standards satisfying constituents benefiting from the District's delivery of services, while at the same time complying with all

applicable laws, regulations, operating permit requirements, and the public's expectation for openness, and fair and equitable application of authority. Such standards apply to all areas under the District's authority, to include tax, price of service provided, financing capital improvements, issuance of debt, and establishing and maintaining cost efficient and effective administrative structures.

4.2 Preparation

Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff,

but contact among Board members concerning District affairs, outside of the meeting context, is to be avoided as such activity may be in violation of the State of California open meeting laws.

4.3 Monitoring Progress

Directors are responsible for monitoring the District's progress in meeting performance standards and attaining its goals and objectives, while pursuing its mission, and are responsible for issuing clear direction to the General Manager and the Fire Chief for all necessary course corrections required to meet such goals and objectives.

Exhibit B—Guidelines for Public Comments at District Board Meetings

The GCSD Board and Staff welcome information on issues and matters within the District's jurisdiction (Sec. 5.5)*. Comments and submittals should be:

- Concise
- Factual to the best of the speaker's knowledge.
- Respectful
- Be specific to enable the Board and Staff to be fully informed and take the appropriate action.

Agenda Discussions Procedure (Sec. 7.9 – 7.9.4)*

The Presiding Officer will:

- Announce the Agenda Item
- The Staff will provide a report and any associated recommended actions to be considered by the Board of Directors.
- Members of the public will be identified by the Presiding Officer and asked to present their comments and submittals.
- The Presiding Officer may close the hearing, if a formal hearing, or may close public comments, and bring the issue back to the Directors for discussion and possible action.

Attendance Cards

- Persons wishing to speak on any Agenda Item are asked to complete a Speaker Request Card and give it to the Board Secretary prior to the meeting.
- A completed attendance card is voluntary. However, the Board would appreciate Speaker Request Cards from all persons wishing to speak.
- When an Agenda Item is of interest to a member of the public, the Presiding Officer will call upon those name(s) that have submitted a Speaker Request Card. Others may be called upon to speak at the discretion of the Presiding Officer.

Written Public

- All interested parties may speak at a Board Meeting, and are requested to orally summarize their written submittals.
- Written comments should be submitted 2 days prior to the Board Meeting to allow the Board Members and Staff to read and respond to the comments prior to possible Board action on an Agenda Item. These written comments will be included in the Administrative Record.

Oral Public (Sec 6.4.1; Sec 7.9.3)*

- All comments will be addressed to the Board.
- Oral comments will typically be limited to 5 minutes and must be relevant to the Agenda Item.
- A timer may be used and speakers are expected to honor the time limits.
- Oral comments may not be argumentative in nature.
- One person will have the floor at any one time.
- Cross-talking is discouraged by those attending the Board Meeting.
- A Director may ask a question(s) of the speaker for clarification or to expand upon a point made.

*Section References from Policy Manual of the Board of Directors