

As Adopted 9-10-02

STATEMENT OF DUTIES & RESPONSIBILITIES

FOR

GARBERVILLE SERVICES
DISTRICT

BOARD OF DIRECTORS

The GSD Chairperson

Function:

The primary duty of the chairperson shall be to serve as the presiding officer of GSD

Reports To:

The chairperson is to report to voting members of the organization at the monthly meeting. The office of the chairperson shall be subject to those policies established and approved by the Board of Directors.

Authority:

The chairperson must ensure that all actions of the organization meet appropriate laws and government regulations. The chairperson is the only board member that has the authority to speak on behalf of GSD.

Responsibility:

- Appoints committees.
- Serves as the chief spokesperson of the organization on policy issues and other activities affecting GSD.
- Presides over all Board of Directors meetings.
- Coordinates any necessary meetings of the Committees.
- Serves as an Ex Officio member of all standing and ad hoc committees.

Statement of Duties & Responsibilities for:

The GSD Vice Chairperson

Function:

In the absence or disability of the Chairperson, the Vice Chairperson shall exercise all the Chairperson's functions.

Reports To:

The Vice Chairperson is to report regularly to the GSD Chairperson.

Authority:

To carry out the program of work which has been approved by the GSD Board, and assist the Chairperson as necessary.

Responsibility:

- Presides over GSD meetings when the Chairperson is unavailable.
- Represents and serves as official spokesperson for the GSD when the Chairperson is unavailable.
- Oversees the policy development process.
- Oversees the work of the various GSD committees.
- Participates as necessary in meetings of Committees.
- Conducts special projects as requested by the Chairperson.

Statement of Duties & Responsibilities for:

The GSD Secretary

Function:

The Secretary shall review all Board meeting minutes and correspondence with staff..

Reports To:

The Secretary is to report regularly to the GSD Chairperson.

Authority:

To ensure all necessary documentation required by law that has been approved by the GSD Board is filed.

Responsibility:

- Ensures the accurate recording of motions and other official actions taken by the Board of Directors and record minutes of each meeting.
- Reads any papers or correspondence received.
- Ensures that a file is maintained of permanent minutes for Board of Directors and regular meeting and other meetings as requested by the Chairperson with approval of the Board.
- Participates as necessary in meetings of Committees.

Statement of Duties & Responsibilities for:

The GSD Treasurer

Function:

The Treasurer is the official reviewer of the funds of the organization. Reviews reimbursement requests by staff.

Reports To:

The Treasurer is to report regularly to the GSD Chairperson and Board.

Authority:

The Treasurer is authorized to approve or deny reimbursement requests made by the directors of the Board, per District policy. The Treasurer serves as the chair of the Fiscal Committee.

Responsibility:

- Reports on receipt and disbursement for the previous period.
- Reviews all financial records are kept up-to-date by staff.
- Presents a detailed report to the Board of Directors at each regular meeting.
- Serves as chair of the Fiscal Committee.
- Participates as necessary in meetings of Committees.
- Interacts with consultants during audits.

Statement of Duties & Responsibilities for:

The GSD Past Chairperson

Function:

The past Chairperson shall serve as a consultant to the current presiding President.

Reports To:

The past Chairperson is to report as appropriate to the GSD President.

Authority:

To carry out the program of work, which has been requested, delegated or approved by the GSD Board, and assist the Chairperson as necessary.

Responsibility:

- Participates as necessary in meetings of Committees.

Statement of Duties & Responsibilities for:

Board Members

Function:

To establish and revise policy as appropriate. .

Reports To:

Board members report regularly to the Chairperson and to their committees.

Authority:

To carry out the program of work that has been approved by the GSD Board. Financial expenditures must be approved by the GSD Board.

Responsibility:

- Attends Board meetings and functions.
- Develops Board policy.
- Participates verbally in all Board activities.
- Contributes a positive attitude toward other Board members and special district representatives with regard to GSD.
- Participates in GSD projects or committees.
- Represents the interests of GSD to the best of their abilities.

Statement of Duties & Responsibilities for:

Planning Committee Members

Function:

The purpose of this committee is to oversee, develop and maintain comprehensive long-range District plans.

Reports To:

The committee chair is to report regularly to the President and work closely with the executive director. The committee members are to report to the chair.

Authority:

To carry out the program of work that has been approved by the GSD Board. Financial expenditures must be approved by the GSD Board.

Responsibility:

- Attends committee meetings.
- Plans for the future of the District, including structural changes, office relocations, etc.
- Attends planning workshop.
- Submits periodic plans to the Board of Directors for review and approval.

Statement of Duties & Responsibilities for:

Fiscal Committee Members

Function:

The purpose of this committee is to coordinate all issues relating to the GSD operating budget.

Reports To:

The committee chair is to report regularly to the Board and work closely with the staff. The committee members are to report to the chair.

Authority:

To carry out the program of work that has been approved by the GSD Board. Financial expenditures must be approved by the GSD Board.

Responsibility:

- Attends committee meetings.
- Develops and discusses annual operating budget prior to Board's approval.
- Identifies and maintains adequate financial reserves.



GARBERVILLE SANITARY DISTRICT

P.O. BOX 211 • GARBERVILLE, CA 95542 • (707) 923-9566

BEFORE THE BOARD OF DIRECTORS OF THE GARBERVILLE SANITARY DISTRICT

In the Matter Of:

RESOLUTION 07-037

A Resolution of the Board of Directors of the)
Garberville Sanitary District Approving and)
Adopting Board Policy for Garberville Sanitary)
District)

The Board of Directors of the Garberville Sanitary District DOES RESOLVE as follows:

WHEREAS, the Board of Directors has been operating under a "Statement of Duties & Responsibilities for Garberville Sanitary District"; and

WHEREAS, the current "Statement of Duties & Responsibilities for Garberville Sanitary District" has not been officially adopted by the Board; and

WHEREAS, the Board wishes to adopt a Board Policy covering all duties and responsibilities for the Board

NOW, THEREFORE, the Board of Directors hereby approves and adopts the Board Policy for the Garberville Sanitary District. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS 2nd day of January 2007, by the following vote:

AYES: Chairperson Schwartz, Copenhafer, Stuart, and Connolly

NOES:

ABSTAINED:

ABSENT:

Herb Schwartz, Chairperson

ATTEST:

Aleida Gerena-Rios, District Administrator

GARBERVILLE SANITARY DISTRICT

POLICY HANDBOOK

1.0 Purpose of Board Policies

1.1 It is the intent of the Board of Directors of the Garberville Sanitary District to maintain a Manual of Policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Manual of Policies will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

1.2 Whenever these rules are found to be in conflict with the terms and provisions of the Brown Act, the Act shall apply and govern. If any policy or portion of a policy contained within the Manual of Policies is in conflict with rules, regulations or legislation having authority over Garberville Sanitary District, said rules, regulations or legislation shall prevail.

2.0 Adoption/Amendment of Policies

2.1 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director or the District Administrator. The proposed adoption or amendment shall be initiated by a Director or the District Administrator by submitting a written draft of the proposed new or amended policy to each Director and the District Administrator by way of the District office, and requesting that the item be included for consideration on the agenda of the next appropriate regular meeting of the Board of Directors.

2.2 Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors and shall require a majority affirmative vote of the entire Board of Directors.

2.3 Copies of the proposed new or amended policy shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration (listed on the agenda). A copy of the proposed new or amended policy(ies) shall be made available to each Director for review at least three (3) days prior to any meeting at which the policy(ies) are to be considered.

3.0 Conflict of Interest

3.1 The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. §18730) which contains the terms of a standard conflict of interest code. It is hereby incorporated by reference and including amended by the Fair Political Practices Commission. Board Members, District Administrator, and Chief Operator are designated positions under the Garberville Sanitary District Conflict of Interest code.

3.2 Designated employees shall file statements of economic interests with the Clerk of the County of Humboldt County on an annual basis due by March 1 of current year (period covered is January 1 through December 31 of prior year). The Conflict of Interest form (form 700) is also required in addition to the annual filing to be filed 30 days assuming office/position and 30 days leaving office/position.

4.0 Code of Ethics

4.1 The Board of Directors of Garberville Sanitary District is committed to providing excellence in legislative leadership that results in the provision of the highest quality services to its constituents. In order to assist in the governance of the behavior between and among members of the Board of Directors, the following rules shall be observed.

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

4.1.2 Responsiveness and attentive listening in communication is encouraged.

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

4.1.4 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.

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

4.1.6 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.

4.1.7 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.

4.1.8 Directors should practice the following procedures:

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

4.1.8.2 In handling complaints from residents and property owners of the District, said complaints should be referred directly to the District Administrator.

4.1.8.3 Emergency situations should be dealt with immediately. In handling emergency situations and/or any items related to safety, concerns for safety or hazards should be reported per the Chain of Command set out in District's Personnel Policy, after the situation is under control or reasonable control. The District Administrator will be the Chief Executive Officer responsible for all day-to-day operation and will be the first point of contact. If the District Administrator is not available then the Board Chair will be consulted and if the Board Chair is not

available, next in line is the Vice-Chair, and then decision making authority extends to any Board Member that is available.

4.1.8.4 In presenting items for discussion at Board meetings, see Policy #14.0.

4.1.8.5 Any Board Member 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 District Administrator. The District Administrator will provide the requested information to the member and if the information being requested needs Board approval it will first be forwarded to the Board for approval before providing the information to the member.

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

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

4.2.1 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.

4.2.2 Directors should develop a working relationship with the District Administrator wherein current issues, concerns and District projects can be discussed comfortably and openly.

4.2.3 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.

4.2.4 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

5.0 Attendance at Meetings

5.1 Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.

5.2 If any member ceases to attend Board meetings for a period of three months without excused absence the Board of Directors may declare that seat vacant and remove that member from the Board.

6.0 Expenditure Reimbursement

6.1 Purpose. The purpose of this policy is to prescribe the manner in which District Directors may be reimbursed for expenditures related to District business.

6.2 Scope. This policy applies to all members of the Board of Directors and is intended to result in no personal gain or loss to a Director.

6.3 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 District Administrator. 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.

6.3.1 The District Administrator will review and approve reimbursement requests.

6.3.2 All expenses must be reasonable and necessary, and Directors are encouraged to exercise prudence in all expenditures.

6.3.3 The most economical mode and class of transportation reasonably consistent with scheduling requirements will be used. In the event a more expensive class of transportation is used, the reimbursable amount will be limited to the cost of the most economical class of transportation available. Reimbursement for use of personal vehicles will be at the applicable IRS-approved rate.

6.3.4 Expenditures for food and lodging will be moderate and reasonable.

6.3.5 Expenditures for alcoholic beverages are not reimbursable expenses.

6.3.6 Reimbursement shall be made within 30 days of submission.

7.0 Remuneration and Reimbursement

7.1 Members of the Board of Directors shall receive a monthly "Director's Fee," the amount of which shall be established annually by the Board at its regular meeting in January.

8.0 Board Chair

8.1 The Chair of the Board of Directors shall serve as Chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

8.2 In the absence of the Chair, the Vice Chair of the Board of Directors shall serve as Chairperson over all meetings of the Board. If the Chair and Vice Chair of the Board are both absent, the remaining members present shall select one of themselves to act as Chairperson of the meeting.

9.0 Members of the Board of Directors

9.1 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.

9.1.1 Information exchanged before meetings shall be distributed through the District Administrator, and all Directors will receive all information being distributed.

9.1.2 Copies of information exchanged before meetings shall be available at the meeting for members of the public in attendance, and shall also be provided to anyone not present upon their request.

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

9.3 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. All comments should be brief and confined to the matter being discussed by the Board.

9.4 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).

9.5 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.

9.6 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the District Administrator.

10.0 Committees of the Board of Directors

10.1 The Board Chair shall appoint such standing committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the standing committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made. The District Administrator will attend and keep a record of all standing committees.

10.2 The following shall be standing committees of the Board:

10.2.1 Planning Committee;

10.2.2 Ordinance Committee;

10.2.3 Personnel Committee;

10.2.4 Finance Committee; and,

10.2.5 Public Relations Committee.

10.3 The Board Chair shall appoint and publicly announce the members of the standing committees for the ensuing year no later than the Board's regular meeting in January.

10.4 The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board Chair, or a majority vote of the Board. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

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

10.5 The Board's standing Planning Committee shall be concerned with the formulation of plans for arranging, realizing, and/or achieving District goals.

10.6 The Board's standing Ordinance Committee shall be concerned with proposed ordinances, resolutions and/or District policies, except those pertaining specifically to personnel.

10.7 The Board's standing Personnel Committee shall be concerned with the functions, activities, operations, compensation and welfare of District staff.

10.8 The Board's standing Finance Committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

10.9 The Board's standing Public Information Committee shall be concerned with assuring that information regarding the affairs of the District is adequately and appropriately communicated to its constituents and the public at large.

11.0 Basis of Authority

11.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

11.2 Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

12.0 Training, Education, and Conferences

12.1 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. 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.

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

12.2 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.

12.2.1 The District Administrator or his/her designee is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. 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 District Administrator, together with validated receipts.

12.2.2 Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Chair of the Board of Directors prior to incurring any reimbursable costs.

12.2.3 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 District Administrator and by:

12.2.3.1 Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.

12.2.3.2 Directors traveling together whenever feasible and economically beneficial.

12.2.3.3 Requesting reservations sufficiently in advance, when possible, to obtain discounted fares and hotel rates.

12.3 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.

12.4 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 of other Directors and staff.

13.0 Board Meetings

13.1 Commencing March 2007, Regular meetings of the Board of Directors shall be held on the 4th Tuesday of each calendar month at 7:00 pm in the Garberville Sanitary District office, 919 Redwood Dr, Garberville, CA. The date, time and place of regular Board meetings shall be reconsidered annually at the annual organizational meeting of the Board.

13.2 Special meetings (non-emergency) of the Board of Directors may be called by the Board Chair.

13.2.1 All Directors, the District Administrator, and the Chief Operator 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 24 hours prior to the meeting.

13.2.2 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.

13.2.3 An agenda shall be prepared as specified for regular Board meetings in Policy #14.0 and shall be delivered with the notice of the special meeting to those specified above.

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

13.3 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 24-hour notice required in 13.2.1, above. An emergency situation means a crippling disaster that severely impairs public health, safety, or both, as determined by the District Administrator, Board Chair or Vice Chair in the Chair's absence.

13.3.1 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 §54926) shall be notified by at least one 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 District Administrator, or his/her 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.

13.3.2 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 24-hour notice. The minutes of the emergency special meeting, a list of persons the District Administrator 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 days in the District office as soon after the meeting as possible.

13.4 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 District Administrator may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified in 13.2.2 above.

13.5 Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in January. At this meeting the Board will elect a Chair, Vice Chair from among its members to serve during the coming calendar year, and will appoint the District Administrator as the Board's Secretary and the District's Treasurer.

13.6 The Chairperson of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

13.7 The Chairperson and the District Administrator shall ensure 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.

14.0 Board Meeting Agenda

14.1 The District Administrator, in cooperation with the Board Chair, shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may call the District Administrator or Board Chair and request any item to be placed on the agenda no later than 5:00 P.M. on the Thursday prior to the meeting

date. If research is required on behalf of the District Administrator for the requested item, then the request needs to be submitted one week prior to the meeting.

14.2 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:

14.2.1 The request must be in writing and be submitted to the District Administrator or Board Chair together with supporting documents and information, if any, at least seven business days prior to the date of the meeting.

14.2.2 The District Administrator shall be the sole judge of whether the public request is or is not a "matter directly related to District business." The public member requesting the agenda item may appeal the District Administrator's decision at the next regular meeting of the Board of Directors. The Board may, by a two-thirds majority vote (or a unanimous vote of those remaining if two-thirds of the Board is not present) add the item to that meeting's agenda if the Board determines that there is need to resolve the issue immediately and that it could not reasonably wait until the Board's next regular meeting. Any Director may request that the item be placed on the agenda of the Board's next regular meeting.

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

14.2.4 The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

14.3 This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

14.4 At least 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 within the District office.

14.4.1 The agenda for a special meeting shall be posted at least 24 hours before the meeting in the same location.

15.0 Board Meeting Conduct

15.1 Meetings of the Board of Directors shall be conducted by the Chair in a manner consistent with the policies of the District. Policy No. 19.0, "Rules of Order for Board and Committee Meetings", shall be used as a general guideline for meeting protocol.

15.2 All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

15.3 The conduct of meetings shall, to the fullest possible extent, enable Directors to:

15.3.1 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

15.3.2 Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

15.4 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 followed:

15.4.1 Designated spokespersons for recognized groups or organizations will have five minutes to address the Board; provided, however, that they may request additional time and will be granted such only with the permission of the Board. Individuals will be given three minutes to address the Board unless additional time is allowed as provided for spokespersons. .

15.4.2 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.

15.4.3 No oral presentation shall 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 which tends to identify. All charges or complaints against employees shall be submitted to the Board of Directors.

15.5 Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the Chair finds that there is in fact willful disruption of any meeting of the Board, he/she may order the disrupting parties out of the room and subsequently conduct the Board's business without them present.

15.5.1 After clearing the room of disruptive individuals, the Chair may permit those persons who, in his/her opinion, were not responsible for the willful disruption to remain in the meeting room.

15.5.2 Duly accredited representatives of the news media, whom the Chair finds not to have participated in the disruption, shall be permitted to remain in the meeting.

16.0 Board Actions and Decisions

16.1 Actions by the Board of Directors include but are not limited to the following:

16.1.1 Adoption or rejection of regulations or policies;

16.1.2 Adoption or rejection of a resolution;

16.1.3 Adoption or rejection of an ordinance;

16.1.4 Approval or rejection of any contract or expenditure;

16.1.5 Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

16.1.6 Approval or disapproval of matters that require or may require the District or its employees to take action and/or provide services.

16.2 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 quorum is present, therefore, require all three votes to be effective (unless a 4/5 vote is required by policy or other law).

16.2.1 A member abstaining in a vote is considered as absent for that vote.

16.2.1.1 Example. If three of five Directors are present at a meeting, a quorum exists and business can be conducted. However, if one Director abstains on a particular action and the other two cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

16.2.1.2 Example. If an action is proposed requiring a two-thirds vote and two Directors abstain, the proposed action cannot be approved because four of the five Directors would have to vote in favor of the action.

16.2.1.3 Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three Directors must vote in favor of the appointment for it to be approved. If two of the four Directors present abstain, the appointment is not approved.

16.3 The Board may give directions that are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the District Administrator.

16.3.1 The Chair shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the Chair, a voice vote may be requested.

16.3.2 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 refer the matter to the District Administrator for review and recommendation, etc.).

16.3.3 Informal action by the Board is still Board action and shall only occur regarding matters that appear on the agenda for the Board meeting during which said informal action is taken.

17.0 Review of Administrative Decisions

17.1 The provisions of §1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of §1094.5 of said code. The provisions of §1094.6 shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District, affecting the subject matter of an appeal.

17.2 This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

17.3 The purpose of this policy is to ensure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

18.0 Minutes of Board Meetings

18.1 The Board's Secretary or Deputy Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

18.1.1 Copies of a meeting's minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept in a fireproof vault or in a fire-resistant, locked cabinet.

18.1.2 Unless directed otherwise, an audio tape recording of regular and special meetings of the Board of Directors will be made. The device upon which the recording is stored shall be kept in a fireproof vault or in fire-resistant, locked cabinet for a minimum of 60 days. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available by the District.

18.1.3 Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed, and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes:

- Date, place and type of each meeting;
- Directors present and absent by name;
- Administrative staff present by name;
- Call to order;
- Time and name of late arriving Directors;
- Time and name of early departing Directors;
- Names of Directors absent during any agenda item upon which action was taken;
- Summary record of staff reports;
- Summary record of public comment regarding matters not on the agenda, including names of commentators;
- Approval of the minutes or modified minutes of preceding meetings;
- Approval of financial reports;
- Record by number (a sequential range is acceptable) of all warrants approved for payment;
- Complete information as to each subject of the Board's deliberation;
- Record of the vote of each Director on every action item for which the vote was not unanimous;
- Resolutions and ordinances described as to their substantive content and sequential numbering;
- Record of all contracts and agreements, and their amendment, approved by the Board;
- Approval of the annual budget;
- Approval of all policies, rules and/or regulations;
- Approval of all dispositions of District assets;
- Approval of all purchases of District assets; and,
- Time of meeting's adjournment.

19.0 Rules of Order for Board and Committee Meetings

19.1 General.

19.1.1 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 - Robert's Rules of Order.

19.1.1.1 If a Director believes order is not being maintained or procedures are not adequate, then he/she should raise a point of order - not requiring a second - to the Chair. If the ruling of the Chair 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.

19.2 Obtaining the Floor.

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

19.3 Motions.

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

19.3.1.1 A Director makes a motion; another Director seconds the motion; and the Chair states the motion.

19.3.2 Once the motion has been stated by the Chair, 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 Chair will call for the vote.

19.3.2.1 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 must be made, seconded, and approved by a majority vote of the Board.

19.4 Secondary Motions. Ordinarily, only one motion can be considered at a time and a motion must be disposed of before any other motions or businesses are considered. There are a few exceptions to this general rule, though, where a secondary motion concerning the main motion may be made and considered before voting on the main motion.

19.4.1 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.

19.4.2 Motion to Table. A main motion may be indefinitely tabled before it is voted on by motion made to table, which is then seconded and approved by a majority vote of the Board.

19.4.3 Motion to Postpone. A main motion may be postponed to a certain time by a motion to postpone, which is then seconded and approved by a majority vote of the Board.

19.4.4 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.

19.4.5 Motion to Close Debate and Vote Immediately. As provided above, any Director may move to close debate and immediately vote on a main motion.

19.4.6 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.

19.5 Decorum.

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

19.5.2 The Chair may also declare a short recess during any meeting.

19.6 Amendment of Rules of Order.

19.6.1 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.

20.0 Budget Preparation

20.1 An annual budget proposal shall be prepared by the District Administrator.

20.2 Prior to review by the Board of Directors, the Board's standing Finance Committee shall meet with the District Administrator/Board's Treasurer and review his/her annual budget proposal.

20.3 The proposed annual budget as reviewed and amended by the Finance Committee shall be reviewed by the Board at its regular meeting at least two Board meetings in advance (start reviewing in April and to be adopted at the June meeting) of the beginning of the District's fiscal year (July 1 thru June 30).

20.4 The proposed annual budget as amended by the Board during its review shall be adopted at its regular meeting no later than the last month of the District's fiscal year.

APPENDIX "A"

GARBERVILLE SANITARY DISTRICT

CHAIN OF COMMAND

