VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT

BOARD MEMBER MANUAL

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Board Member Manual

Vandenberg Village Community Services District
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DISTRICT OVERVIEW 2
SPECIAL DISTRICTS 2
WHAT'S SO SPECIAL ABOUT SPECIAL DISTRICTS? 3
HISTORY OF VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT 5
DISTRICT POWERS 6
MISSION STATEMENT 7
BOARD MEMBERS 8
BOARD MEMBER-ELECT 8
OATH OF OFFICE 8
BOARD MEMBER COMPENSATION 8
BOARD EVALUATION 8
BOARD VACANCIES 9
ETHICS TRAINING (AB1234) 9
ETHICIAL EXPECTATIONS 9
BOARD MEETINGS 14
RALPH M BROWN ACT 14
MEETINGS 14
ADJOURNED MEETINGS 15
SPECIAL MEETINGS 15
EMERGENCY MEETINGS 15
CLOSED SESSIONS 15
PUBLIC HEARINGS 16
BOARD MEMBER ATTENDANCE 16
REMOTE PARTICIPATION 16
AB 2449 JUST CAUSE 17
AB 2449 PERSONAL EMERGENCY 17
BROWN ACT TELECONFERENCING 17
PRESIDING OFFICER 17
PUBLIC ATTENDANCE 18
AGENDAS 18
COMMITTEES 18
FINANCE/BUDGET COMMITTEE 19
LEGAL/PERSONNEL COMMITTEE 19
WATER/WASTEWATER COMMITTEE 19
AD HOC COMMITTEES 19
BOARD ACTION 19
BOARD BUSINESS 22
CALL TO ORDER 22
AGENDA ITEMS 22
PLEDGE OF ALLEGIANCE 22
ROLL CALL 22
ADDITIONS AND DELETIONS TO THE AGENDA 22
PUBLIC FORUM 22
CONSENT CALENDAR 22
APPROVAL OF MINUTES 23
ACTION ITEMS 23
UNFINISHED BUSINESS 23
NEW BUSINESS 23

BOARD FORUM 23
COMMITTEE REPORTS 23
STAFF REPORTS 23
CORRESPONDENCE 24
PUBLIC HEARINGS 24
ORDINANCES AND RESOLUTIONS 24
CLOSED SESSIONS 24
ADJOURNMENT 24
HEARINGS 26
ADMINISTRATIVE HEARINGS 26
LEGISLATIVE HEARINGS 26
RIGHTS OF INTERESTED PERSONS 26
OPPORTUNITY TO APPEAR 26
WITNESSES 26
ADMISSIBLE EVIDENCE 26
ORAL EVIDENCE 26
EXHIBITS AND DOCUMENTS 27
COMMUNICATIONS AND PETITIONS 27
STAFF REPORTS 27
MAPS AND DISPLAYS 27
EVIDENCE OUTSIDE THE HEARING 27
CONTINUANCES 27
DECISION 28
RECORD OF HEARING 28
ADDRESSING THE BOARD 30
WRITTEN CORRESPONDENCE 30
RIGHT TO ADDRESS THE BOARD 30
PUBLIC HEARINGS 30
COMMUNICATIONS 30
MANNER OF ADDRESSING THE BOARD 30
TIME LIMITATION 31
IMPROPER REMARKS 31
DEBATE AND DECORUM 32
REQUESTING THE FLOOR 32
QUESTIONS TO STAFF 32
INTERRUPTIONS 32
POINTS OF ORDER 32
POINT OF PERSONAL PRIVILEGE 32
REMARKS OF BOARD MEMBERS AND SYNOPSIS OF DEBATE 32
DECORUM AND ORDER, BOARD AND DISTRICT STAFF 33
DECORUM AND ORDER, AUDIENCE 33
ENFORCEMENT OF DECORUM 33
FAILURE TO OBSERVE RULES OF ORDER 33
MOTIONS 34
PRESENTATION OF MOTIONS 34
SECOND REQUIRED 34
PRECEDENCE OF MOTIONS 34
PURPOSE OF MOTIONS 34

LOST MOTION 35
VOTING 36
VOTING PROCEDURE 36
CHANGE OF VOTE 36
CONFLICT OF INTEREST 36
FAILURE TO VOTE 36
RECONSIDERATION AND RESCISSION OF PRIOR ACTION 36
ADMINISTRATION 38
SIGNING OF DOCUMENTS 38
MINUTES 38
CONTRACTS 38
EXPENSE REIMBURSEMENT 38
ASSOCIATIONS 40
PUBLIC RECORDS 42
PUBLIC RECORDS 42
RECORDS RETENTION 42
ORGANIZATIONAL CHART 44
CHRONOLOGY OF DIRECTORS 46
REFERENCES 48
PUBLICATIONS 48
CALIFORNIA LABOR CODE 48
CALIFORNIA GOVERNMENT CODE 48
CALIFORNIA PENAL CODE 48

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DISTRICT OVERVIEW

SPECIAL DISTRICTS

(Excerpt from "CSDA – About Special Districts")

What are Independent Special Districts?

Special districts are a form of local government created by a local community to meet a specific need. Inadequate tax bases and competing demands for existing taxes make it hard for cities and counties to provide all the services their citizens *[sic]* desire. When residents or landowners want new services or higher levels of existing services, they can form a district to pay for and administer them.

What Do They Do?

Nearly 85% of California's special districts perform a single function such as sewage, water, fire protection, pest abatement or cemetery management. Multi-function districts, like community services districts, provide two or more services.

Types of special districts include:

- Airport District
- Cemetery District
- Community Services District
- Drainage District
- Flood Control, Water Conservation
- Fire Protection District
- Healthcare/Hospital District
- Harbor/Ports District
- Improvement District
- Irrigation District
- Library District
- Mosquito Abatement/Vector Control District
- Police Protection
- Reclamation District
- Recreation & Park/Open Space District
- Resource Conservation District
- Sanitation/Sewer District
- Transit District
- Utility District
- Water District
- Waste Management Agency/Authority

How Do They Operate?

There are approximately 2,300 independent special districts in California, meaning they are governed by an independent board of directors elected by the districts' voters or appointed to a fixed term of office by either the city council or board of supervisors. Dependent districts are governed by other existing legislative bodies like a city council or board of supervisors. Larger independent districts have a professional manager, similar to a city manager or county administrator, to assist the governing officials. The governing boards adopt policies that the general managers carry out.

How Are They Funded?

Just over a quarter of California's independent special districts are enterprise districts. Enterprise districts operate more like a business enterprise, charging customers for their services. For example, a hospital district charges room fees just to their patients, not the district's other residents. Water districts charge water rates to their customers. Virtually all water, waste and hospital districts are enterprise districts. Non-enterprise districts provide services that don't lend themselves to fees because they benefit the entire community, not just certain residents. These districts provide services like parks, police and fire protection, pest abatement, libraries, and cemeteries and rely overwhelmingly on property taxes to fund their operating budgets. Although some non-enterprise districts like parks and libraries may charge fees for some services, these fees generate very little revenue. Additionally, both enterprise and non-enterprise districts can issue either general obligation or revenue bonds to help pay for capital improvements.

Accountability

Special districts are primarily accountable to the voters who elect their boards of directors and the customers who use their services. However, although they are not functions of the state, the state also provides critical oversight to special district operations. Special districts must submit annual financial reports to the State Controller and must also follow state laws pertaining to public meetings, bonded debt, record keeping and elections.

WHAT'S SO SPECIAL ABOUT SPECIAL DISTRICTS?

(Excerpt from "What's So Special About Special Districts? A Citizen's Guide to Special Districts in California" published by the California State Legislature Senate Local Government Committee)

Special Districts are the most numerous, and least understood, of all governments. A Special District is a separate local governmental agency formed to provide local, highly diverse services including water, closed captioned television, mosquito abatement, and fire protection. Some Special Districts can serve just a single purpose, such as sewage treatment, while others address a multiplicity of needs, as in the case of a Community Services District, which can offer up to 15 different services. Special Districts are local agencies which provide public services to specific communities. They are autonomous government entities and are accountable only to the voters they serve. They are, however, overseen by the state in that they must submit annual financial statements to the State Controller and they must follow state laws pertaining to public health, bonded indebtedness, record keeping, and elections.

Special Districts have corporate powers but rarely police powers. "Corporate power" is the ability to "do things," like constructing public works projects such as dams and sewers and to raise money to pay for these projects and services. "Police power" is the ability to regulate behavior. Governments that make rules and enforce them are using their police powers: zoning property, requiring business licenses, or setting speed limits. When Special Districts do have police powers, they are usually related to some corporate powers.

One way Special Districts are separated is by type of governing body. Dependent Districts are governed by existing legislative bodies, either a city council or county board of supervisors. Independent Districts are governed by a separate Board of Directors elected by the District's own voters. Sixty-six percent of Special Districts are Independent. Vandenberg Village Community Services District is an Independent District governed by a five-member Board of Directors elected by the voters of Vandenberg Village.

Many people disagree over the usefulness of Special Districts. Before you make up your own mind, consider these arguments.

Advantages:

Special Districts tailor services to citizen demand.
Cities and counties must protect their residents' health, safety, and welfare and thus must provide many services, regardless of citizen demand. Special Districts, however, only provide the services desired by the community.

Special Districts link costs to benefits.
General purpose local governments, such as cities and counties, tax their residents to pay for public services. The services that taxpayers receive are not related to the amount of taxes they pay. In a Special District, only those who benefit from District services pay for them. Those who do not benefit do not pay.

Special Districts are responsive to their constituencies.
Because Special Districts are usually smaller and less populated than counties and cities, they can be more responsive to their constituents. Small groups of citizens can be quite effective in influencing Special Districts' decisions.

Disadvantages:

Special Districts can lead to inefficiency.
Many Special Districts provide the same services that cities and counties provide. Overlapping jurisdictions can create competition and conflict between Special Districts, and also between Districts and general-purpose governments. In addition, when areas incorporate, Local Agency Formation Commissions do not dissolve the Special Districts within the new city boundaries, which may result in duplicating services.

Special Districts can hinder regional planning.
Numerous Special Districts can hamper planning efforts. For example, it can be difficult to organize the various water, sewer, and irrigation services in one region to provide an optimal and equal level of services for all residents. Since many Special Districts have independent and autonomous governing boards, there is no single agency which can guarantee a coordination of efforts.

Special Districts can lessen accountability.
The multiplicity of limited purpose Special Districts can make it harder for citizens to gather information. For example, a county's unincorporated area might have a large number of Special Districts providing public services. Furthermore, the narrow and technical nature of District activities often results in Special Districts with low visibility unless a crisis arises. Special District elections typically have very low voter turnout. Although some view low voter turnout as a sign of voter satisfaction, representative democracy requires broad participation to survive.

HISTORY OF VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT

Vandenberg Village Community Services District was established in 1983 as a local government agency under California Government Code Section 61000, et seq., to provide water and wastewater services to the community of Vandenberg Village, an unincorporated area of Santa Barbara County north of Lompoc. It is governed by a Board of five locally elected directors. Vandenberg Village Community Services District currently provides water and wastewater service to approximately 2,600 connections in Vandenberg Village.

In 1960, Vandenberg Utilities Company and Vandenberg Disposal Company were formed to provide water and sewer services to the Vandenberg Village area. In 1973, these two companies were authorized by the Public Utilities Commission to merge into Park Water Company to obtain the needed financial influence to join the City of Lompoc in the construction of a regional wastewater system. In June of 1974, Park Water Company entered into an agreement with the City of Lompoc and participated in the construction of the Lompoc Valley Regional Wastewater Management System. Not long afterward, sewer rates increased by 150 percent even though the construction was primarily financed by a grant from the Environmental Protection Agency.

Frustrated with the quality of local water and after being faced with some of the highest water and sewer rates in the State, Vandenberg Village property owners formed the Vandenberg Village Association Water and Sewer Committee. This Committee engaged consultants who determined it would be feasible to form a community services district to purchase Park Water Company, to capitalize on the tax-exempt status offered to publicly-owned utilities and gain local control over its management. In 1983, residents petitioned the Local Agency Formation Commission (LAFCO) and held an election in which voters approved the formation of a community services district with 1673 in favor and 253 against. Thereafter, the first five-member Board of Directors was elected to serve the District. Those directors were Jack Gabus, Howard Grantz, Charles McKenna III, Jock Sutherland, and Glenn Welch.

The first attempt to purchase Park Water Company failed. Residents passed a $4 million bond measure in 1985 when 1,979 out of 2,180 ballots cast favored the measure. However, on July 29, 1987, the PUC appraised the utility at a higher rate than the VVCSD had anticipated, and a new bond election was then necessary. On June 28, 1988, despite opposition, the District's voters authorized an additional $1.4 million bond issue for the acquisition of Park Water Company. At midnight on December 1, 1988, Park Water Company and VVCSD finally entered into an agreement for the purchase of water and sewer systems at the sale price of $3,985,755.

The District currently operates 32 miles of water distribution system, three groundwater wells, one 500,000-gallon tank reservoir, one 300,000-gallon tank reservoir, two 1,000,000-gallon tank reservoirs, three booster stations, two pressure-reducing stations, and a pressure filter treatment system. The District utilizes standby diesel generators to maintain normal operations during power outages.

The District also operates 29 miles of wastewater collection system, with four pumping lift stations and 574 manholes. Until 1978, wastewater treatment was also provided locally. Since then, the Village's wastewater system has been connected to the Lompoc Regional Wastewater Reclamation Plant (LRWRP) for treatment and disposal. The District has a contractual entitlement to 0.89 million gallons per day (MGD), 16.18 percent, of Lompoc's 5.5 MGD plant capacity.

DISTRICT POWERS

(Reference: California Government Code § 61100(a), § 61100(b), § 61100(e), § 61100(g), § 61106)

Vandenberg Village Community Services District was formed with the ability to provide four services: water, wastewater, street lighting and open spaces. Effective January 1, 2006, the District must obtain approval from LAFCO before exercising any latent powers.

Active powers:

1. **Water** – Supply water for any beneficial uses, in the same manner as a municipal water district, formed pursuant to the Municipal Water District Law of 1911, Division 20 (commencing with Section 71000) of the Water Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.
2. **Wastewater** – Collect, treat, or dispose of sewage, waste water, recycled water, and storm water, in the same manner as a sanitary district, formed pursuant to the Sanitary District Act of 1923, Division 6 (commencing with Section 6400) of the Health and Safety Code. In the case of any conflict between that division and this division, the provisions of this division shall prevail.

Latent powers:

1. **Open Spaces** – Acquire, construct, improve, maintain, and operate recreation facilities, including, but not limited to, parks and open space, in the same manner as a recreation and park district formed pursuant to the Recreation and Park District Law, Chapter 4 (commencing with Section 5780) of Division 5 of the Public Resources Code.

2. **Street Lighting** – Acquire, construct, improve, maintain, and operate street lighting and landscaping on public property, public rights-of-way, and public easements.

MISSION STATEMENT

(Adopted by the Board of Directors on November 4, 1993)

"To efficiently provide dependable drinking water delivery and wastewater collection services to Vandenberg Village residents, with a commitment to customer service."

BOARD MEMBERS

BOARD MEMBER-ELECT

(Reference: California Government Code § 54952.1, § 61042)

Board members elected but not yet sworn in must conduct themselves as if they have already assumed office and shall be treated as such. The current Board member shall hold office until his/her successor qualifies.

OATH OF OFFICE

(Reference: California Government Code § 61042)

Before taking office, each Board member must take and sign an official oath of office administered by the Secretary of the Board. Directors shall take office at noon on the first Friday in December following their election.

BOARD MEMBER COMPENSATION

(Policy Adopted by the Board of Directors on November 30, 1983, Resolution 2-83; Revised January 8, 2008, Board Action; Revised August 6, 2019, Ordinance 1.3.3.; Revised November 5, 2024, Ordinance 1.3.3.; Reference: California Government Code § 53232.1, § 61047)

Board members receive $150 per regular meeting, $75 per standing committee meeting, and $90 per committee meeting for primary and alternate members of the Western Management Area (WMA) of the Santa Ynez River Valley Groundwater Sustainability Agency (GSA) Committee for attendance. The Board authorized, by ordinance, compensation for Board members up to $100 for each day of service with a limit of six days per month.

BOARD EVALUATION

Board's Collective Performance criteria:

1. Efficiently conducts board business at board meetings.
2. Sets policy and establish goals for District to accomplish through the manager.
3. Communicates effectively with the General Manager, roles, policy, standards, and expectations.
4. Ensures adequate financing and responsible spending.
5. Conducts long range planning.

Individual self-review criteria:

1. Understand why you believe the voters elected you to be a director of the District.
2. Share a common understanding of a board member's role in the District's operation (see District's Ordinances).
3. Have a vision of what you expect the District to be.
4. Attend meetings dependably and on time.
5. Contribute productive communications, relevant to obtaining consensus for action.
6. Actively support collective decisions.
7. Maintain functional relationship with staff in relation to their completing their responsibilities and assignments.

BOARD VACANCIES

(Reference: California Government Code § 1780, § 61042)

Board vacancies are filled by appointment by the remaining elected Board members. The appointed Board member's term of office shall be for the unexpired period remaining on the elected Board member's term.

ETHICS TRAINING (AB1234)

(Reference: California Government Code § 53235)

All Board members shall receive ethics training within six months of taking office and every two years thereafter.

ETHICIAL EXPECTATIONS

(Excerpt from "A Local Official's Reference on Ethics Laws" published by the Institute for Local Self Government)

1. No Personal Financial Gain

    - **Obligation to Disclose Personal Financial Interests** – There is an adage about one's life being an open book. Nowhere is this truer than for public officials and their finances. The bottom line is when you become a public official; the public gets to learn a great deal about your financial life.
    - **Disqualification Based on Economic Interests under the Political Reform Act** – A public official may not make, participate in, or influence a governmental decision that will have a foreseeable and material financial effect on the official, the official's immediate family, or any of the official's economic interests.
    - **Interests in Agency Contracts Barred** – A public official may not have a financial interest in any contract made by the council or board of which he or she is a member. Contracts are broadly defined and include employment and a variety of other relationships.
    - **Decisions Affecting Future and New Employers** – A public official may not influence agency decisions when the interests of a prospective employer are at stake. The situation arises when an official negotiating or has "any arrangement" concerning prospective employment with someone with business before the agency.
    - **Receiving Special Favors or Money For Official Actions** – Perhaps the most extreme form of using one's office for financial gain is graft. Graft is the act of obtaining money or anything of value through the misuse of one's public position.

2. No Personal Advantages and Perks

    - **Personal Loans** – Elected officials and others may not receive a personal loan from any officer, employee, member or consultant of the official's respective agency while in office. There also are limits on elected officials' and others' ability to receive loans from those with contracts with the agency

(except for bank or credit card indebtedness made in the regular course of the company's business).

- **Gifts** – State law limits the value of gifts that may be accepted by local elected officials, local agency employees designated in the agency's conflict of interest code, elected or appointed members of the governing board of a special district, and candidates for any of these offices or positions.
- **Travel Expenses** – Gifts of travel expenses (for example, airfare, lodging, meals and entertainment) from non-transportation companies are generally subject to the gift rules and must be reported on one's Statement of Economic Interests as such. With respect to travel provided by transportation companies, state law strictly forbids elected officials from accepting free or discounted travel from transportation companies. This prohibition applies to all personal or business travel, whether intrastate, interstate or foreign. The prohibition applies to both elected and appointed public officers but not to employees.
- **Speaking and Other Fees** – State law also regulates the degree to which public officials may receive payments for giving a speech, writing an article or attending a public or private conference, convention, meeting, social event, meal or similar gathering. Generally such payments – which are known as honoraria – are prohibited. The notion is such communications are part of a public official's service.
- **Use of Public Resources for Personal Purposes** – State law forbids public officials from using public resources for personal purposes. "Public resources" include such things as 1) staff time, 2) office equipment (telephones, fax machines, photocopiers, and computers), and 3) office supplies (stationery, stamps, and other items).
- **Expense and Expense Reimbursement Issues** – There is no dispute the stipends most elected officials receive do not compensate them adequately for the time they spend on official duties. It is also well known those who make careers in public service (for example, city managers and county or district administrators usually can earn more in the private sector. To close the gap, it can be tempting to look at the opportunity to travel and incur other expenses on the agency's tab as a "perk" of office – particularly for those familiar with norms in the private sector. This runs afoul of two laws: 1) laws limited public official compensation, and 2) laws limiting reimbursement of expenses to those that are reasonable and necessary.
- **Use of Public Resources for Political Purposes** – The same statutes that prohibit the use of public resources for personal benefit also prohibit the use of such resources for campaign purposes. The prohibition applies to campaigns to elect candidates and campaigns in support of or opposition to ballot measures.

3. Transparency and Fairness are the Key

    - **Conducting the Public's Business in Public** – California's open meeting laws provide legal minimums for local governmental transparency in decision-making. Decision-making bodies – which include many advisory committees – must conduct their business in an open and public meeting to

assure the public is fully informed about local decisions. A "meeting" is any situation involving a majority of a decision-making body in which business is transacted or discussed. In other words, a majority of the governing body cannot talk privately about an issue before the body no matter how the conversation occurs, whether by telephone or e-mail or at a local coffee shop.

- **The Public's Right to Participate in Meetings** – Another element of open meeting laws is the public's right to address the governing body at an open meeting. An elected official's role is to both hear and evaluate these concerns.
- **The Public's Right to Access Records** – Copies of agenda materials and other documents distributed to the governing body must also be available to the public. Any materials distributed by the local agency, its consultants, or decision-makers must be available for public inspection at the meeting. Material prepared and distributed by some other person must be made available after the meeting. The public has the right to see any materials that are created as part of the conduct of the people's business. These materials include any writing that was prepared, owned, used, or retained by a public agency. They include documents, computer data, e-mails, facsimiles, and photographs. A document is presumed to be a public record unless a specific exception applies.
- **Decisions May Not Benefit Family** – An important part of a fair process is everyone, irrespective of their personal relationship to decision-makers, will have the same access to government benefits and approvals. An outgrowth of this principle is the rule that public officials must disqualify themselves from participating in decisions that will have the result of their immediate family's expenses, income, assets or liabilities increasing or decreasing. "Immediate family" includes one's spouse and dependent children.
- **Holding Multiple Public Offices** – Offices are incompatible if there is "any significant clash of duties or loyalties between the offices, if the dual office holding would be improper for reasons of public policy, or if either officer exercise a supervisory, auditory, or removal power over the other. The holding of one office does not necessarily disqualify the incumbent from holding another office at the same time if there is no overlap in the functions of the two offices in question.
- **Disqualification Based on Receipt of Campaign Contributions** – Generally, the ethics laws with respect to campaign contributions emphasize disclosure rather than disqualification. The emphasis on disclosure enables the public to assess for itself the degree an official could be influenced by campaign contributors who appear before the agency. Both financial and in-kind support must be disclosed. However, under limited and sometimes counterintuitive circumstances, certain local agency officials must disqualify themselves from participating in proceedings regarding licenses, permits and other entitlements for use if the official has received campaign contributions of more than $250 during the previous twelve months from any party or participant.
- **Charitable Fund-raising** – Just as the public wants to know who contributed to campaigns, it also wants to know who is contributing to

elected official's favorite charities and other causes. Elected officials who are successful in getting someone to contribute $5,000 or more to a legislative, governmental or charitable cause during a calendar year are subject to special disclosure requirement under the Political Reform Act.

SEXUAL HARASSMENT PREVENTION TRAINING (AB1825, AB1661, and AB2053)

Reference: Joint Powers Insurance Authority

- All Board members will receive sexual harassment training within six months of taking office and every two years thereafter.

- Public employers are required to provide at least two hours of harassment prevention training to all managers and supervisors Gov. Code § 12950.1. Employers are required to take all reasonable steps to prevent harassment from occurring, such as having a harassment policy, and training employees on sexual harassment Gov. Code § 12940(k).

- Any individual having the authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote discharge, assign, reward, or discipline other employees, or the responsibility to direct them, or to adjust their grievances, or effectively recommend that action, if, in connection with the foregoing, the exercise of that authority is not of a merely routine or clerical nature, but requires the use of independent judgement.

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BOARD MEETINGS

RALPH M BROWN ACT

(Reference: California Government Code § 54950 et seq.)

The Ralph M. Brown Act (Brown Act) governs meetings conducted by local legislative bodies to ensure that all actions of the legislation are open and public.

MEETINGS

(Reference: California Government Code § 54954)

The District Board of Directors holds regular meetings in the District Office Conference Room at 3745 Constellation Road on the first Tuesday of each month at 7:00 p.m. unless adjourned to an alternate time or location within the District. Joint meetings with other agencies may occasionally be held outside the District boundaries.

Regular meeting times of the Board of Directors are set by Resolution or Ordinance. If the regular meeting date falls on a holiday, then the meeting is adjourned to another day at the same hour. The Board of Directors may adjourn to, or call a special meeting, to be held on the holiday.

If a fire, flood, earthquake, or other emergency creates an unsafe situation at the regular meeting place, the Board President or designee may move the meeting place within District boundaries provided notice is provided by the most rapid means of communication available at the time.

All meetings are conducted following this manual, state statute, and the current edition of Robert's Rules of Order.

Members of the Board or District staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights on subjects not listed on the agenda.

No matters other than those listed on the agenda shall be acted upon by the Board except when deemed to be important or urgent under the following conditions:

- Upon a determination by a majority vote of the Board that an emergency exists.
- Upon a determination by a two-thirds vote of the Board present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency after the agenda being posted.
- The item was posted for a prior meeting of the legislative body occurring not more than five calendar days before the date action is taken on the item, and at the prior meeting, the item was continued to the meeting at which action is being taken.

ADJOURNED MEETINGS

(Reference: California Government Code § 54955)

Any regular, adjourned, or special meeting may be adjourned to another time, place, and date specified in the order of adjournment provided it is not beyond the next regular meeting date. Once adjourned, the meeting may not be reconvened.

SPECIAL MEETINGS

(Reference: California Government Code § 54956)

Special meetings may be called at any time by the Board president or by a majority of the members of the Board provided written notice is provided within 24 hours before the time of the meeting by delivering written notice to each Board member and each local newspaper and radio or television station requesting notice in writing.

EMERGENCY MEETINGS

(Reference: California Government Code § 54956.5)

Emergency meetings may be called at any time by the Board president or by a majority of the members of the Board without 24-hour notice provided that an emergency has occurred.

An emergency is defined as:

1. An emergency, as determined by a majority of the Board, that severely impairs public health, safety, or both (i.e., work stoppage).
2. A dire emergency, as determined by a majority of the Board, that poses peril so immediate and significant that requiring one hour notice may endanger the public health, safety, or both (i.e., crippling disaster, mass destruction, terrorist act, or threatened terrorist activity).

CLOSED SESSIONS

(Reference: California Government Code § 54954.5)

Under certain conditions, regular, adjourned, and special meetings may contain closed sessions from which the public is excluded. Those conditions include:

- Conference With Real Property Negotiators (*Reference: California Government Code* § 54956.8)
- Conference With Legal Counsel – Existing Litigation (*Reference: California Government Code* § 54956.9)
- Conference With Legal Counsel – Anticipated Litigation (*Reference: California Government Code* § 54956.9(a))
- Liability Claims (*Reference: California Government Code* § 54956.95)
- Threat to Public Services or Facilities (*Reference: California Government Code* § 54957(a))
- Public Employee Appointment (*Reference: California Government Code* § 54957(b))
- Public Employment (*Reference: California Government Code* § 54957(b))
- Public Employee Performance Evaluation (*Reference: California Government Code* § 54957(b))

- Public Employee Discipline/Dismissal/Release (*Reference: California Government Code* § 54957(b))
- Conference with Labor Negotiators (*Reference: California Government Code* § 54957.6)
- Audit by Bureau of State Audits (*Reference: California Government Code* § 54956.75)

PUBLIC HEARINGS

(Reference: California Government Code § 54354.5)

A public hearing must be held before adopting Ordinances or Resolutions that revise rates or charges. The hearing notice:

- must contain a copy of the proposed Resolution or Ordinance
- must contain the time and place of the hearing
- must be published at least once per week for two weeks before the hearing in the local newspaper with the first notice at least 15 days before the date of the hearing

BOARD MEMBER ATTENDANCE

(Reference: California Government Code § 61045)

Board members are expected to attend all meetings of the Board. If a Board member is absent without permission from all regular Board meetings for 60 days consecutively from the last regular meeting attended, that Director will be invited to resign.

Except when multiple members of the Board must abstain due to a conflict of interest, three members of the Board constitute a quorum and shall be sufficient to transact regular business. If less than three Board members appear for a regular meeting, any member or the Secretary of the Board shall adjourn the meeting to a future date and time.

REMOTE PARTICIPATION

(Reference: California Government Code § 54953, § 54954)

Board members may request to participate in the meeting remotely under either AB 2449[1] or the traditional teleconference provision of the Brown Act. Remote participation requires that:

- all votes taken during a teleconferenced meeting are by roll call,
- the remote member shall participate through both audio and video,
- the remote member shall publicly disclose any individuals 18 years of age or older present in the room at the remote location and the general nature of their relationship, and
- a quorum of the board members must participate in person.

[1] Assembly Bill 2449 went into effect on January 1, 2023 and sunsets on December 31, 2025.

AB 2449 JUST CAUSE

(Reference: California Government Code § 54953(f)(2)(A)(i), § 54953(j)(2))

Under the *just cause* provision of AB 2449, the board member must notify the agency no later than the start of the public meeting and provide a general description of their need to appear remotely due to one or more of four circumstances:

a) caregiving for certain family members,
b) a contagious illness,
c) a need due to a physical or mental disability, or
d) traveling while on official business for a public agency.

Each board member may use this just cause provision no more than two times within a calendar year.

AB 2449 PERSONAL EMERGENCY

(Reference: California Government Code § 54953(f)(2)(A)(ii) , § 54953(j)(1))

Under the *personal emergency* provision of AB 2449, the board member must request approval from the board at the start of the public meeting and provide a general description of their need to appear remotely due to emergency circumstances.

Each board member may not claim emergency circumstances for more than two (20 percent) of the regular meetings within a calendar year.

BROWN ACT TELECONFERENCING

(Reference: California Government Code § 54953(b))

A Board member wanting to attend a meeting remotely under the Brown Act must publish their physical location on the agenda, post the agenda in a visible place at that location, and ensure that the location is accessible to the public and that the public can address the full board from that location.

PRESIDING OFFICER

(Reference: California Government Code § 61043(b))

The President of the Board shall be the Presiding Officer at all meetings of the District Board. In the absence of the President, the Vice-President presides. In the absence of both the President and Vice-President, the Secretary of the Board shall call the Board to order, whereupon a temporary Presiding Officer shall be elected by the Board members present to serve until the arrival of the President or Vice-President or until adjournment.

PUBLIC ATTENDANCE

(Reference: California Government Code § 54950, § 54953.3, § 54954.3, § 54954.5, § 61044)

All regular, adjourned, and special meetings of the District Board of Directors shall be open and public. However, those meetings may contain closed sessions from which the public is excluded.

Members of the public attending District meetings are not to be required to provide their name, address, or any other personal information as a condition of attendance. They may, however, provide such information voluntarily.

Members of the public are allowed to address the Board at regular or committee meetings on any subject within the District's jurisdiction. The Presiding Officer may, at their discretion, disallow comment on any item that has already been considered at a prior public meeting of the Board.

AGENDAS

(Reference: California Government Code § 54954.1, § 54954.2, § 54956.5, § 54957.7)

The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including closed session items and the time and location of the meeting. Whenever feasible, each item on the agenda shall contain a staff recommendation and the specific action requested to be taken by the Board.

Regular meeting agendas shall be posted at least 72 hours before a regular meeting. The agenda package shall be made available to the Board members at least 72 hours before the meeting.

Members of the public may purchase a copy of the agenda packet at the price set by the Board. In addition, members of the public may request that a hard copy of the agenda and/or the agenda packet be mailed directly to them provided they pay the established fee. Meeting agendas may be emailed at no charge. Requests are valid for the calendar year in which it is filed and must be renewed on January 1 of each year.

COMMITTEES

(Reference: California Government Code § 54952(b), § 54952.2(c)(6))

The President may, subject to the approval of the Board, appoint to a committee Board members, District staff, and private citizens, or a combination thereof, as he/she deems necessary and expedient to assist and advise the Board in its work.

The Board has three standing committees that meet as required (Finance/Budget, Legal/Personnel, and Water/Wastewater). Ad hoc committees are created as the need arises. The District General Manager may serve as a member of these committees.

Members of the Board who are not members of the committee may attend standing committee meetings provided they attend only as observers.

Standing committees are subject to Brown Act public meeting regulations, whereas ad hoc advisory committees of less than a quorum are not.

FINANCE/BUDGET COMMITTEE

(Reference: California Government Code § 53631, § 53635, § 53646(a)(2), § 61053, § 61110)

The Finance/Budget Committee reviews issues of interest that pertain to District finances. Annually, the Committee presents its approved budget, proposed rate changes, final audit, and investment policy to the full Board. As needed, the Committee also reviews the District's investments, financial reports, and budget comparisons.

LEGAL/PERSONNEL COMMITTEE

The Legal/Personnel Committee reviews District personnel and legal issues. As needed, the Committee meets with labor negotiators and/or counsel to discuss issues of interest and make recommendations to the Board based on their findings.

WATER/WASTEWATER COMMITTEE

The Water/Wastewater Committee reviews issues of interest that pertain to the District's water and wastewater system. As needed, the Committee meets to discuss Can & Will Serve requests as well as issues of importance regarding the water and wastewater system.

AD HOC COMMITTEES

An ad hoc committee is formed for a specific purpose, usually appointed to solve a particular problem, and is disbanded after the issue is resolved.

BOARD ACTION

(Reference: California Government Code § 61045)

A *Board Action* is a collective decision made by a majority of the members of the Board, a collective commitment or promise made by a majority of the members of the Board to make a positive or negative decision, or an actual vote by a majority of the members of the Board upon motion, resolution, or ordinance.

A *Motion* is a formal proposal put to the vote under parliamentary procedures. Motions are generally used for policy decisions with limited applications or one-time decisions to get day-to-day work accomplished. Any member of the Board may make a motion within the context of the meeting.

A *Resolution* is a motion that is particularly important, long, or complex and tends to be written formally. Resolutions are generally used for documenting long-term policies with multiple chances of application, officially recognizing individuals, officially supporting other agencies, or adopting contracts and contract amendments. A resolution always contains one or more "Resolved" clauses and may have one or more "Whereas" clauses. The District maintains a numerical record of resolutions utilizing the sequential number of the resolution followed by the year it was adopted (i.e. Resolution 134-98 is the District's 134th resolution to date and was adopted in 1998).

An *Ordinance* is a statute enacted by a local government. It is enforceable as law and violation of an Ordinance is punishable as a misdemeanor offense. All Ordinances are signed by the Board President and attested by the Board Secretary. Before the adoption of the Code of Ordinance reorganization in 2009, the District maintained a numerical record of ordinances utilizing the sequential number of the ordinance followed by the year it was adopted (i.e. Ordinance 25-03 is the District's 25th ordinance to date and was adopted in 2003). The current Code of Ordinances contains Titles 1 through 4 with chapters and sections as required (i.e., the time and place for regular meetings is in Section 1.2.1 or Section .1 in Chapter 2 of Title 1).

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BOARD BUSINESS

CALL TO ORDER

At the time set for each regular meeting, the Board members and Secretary of the Board shall take their regular places in the Board room. The President shall call the meeting to order and the business of the Board shall be taken up for consideration and disposition in the order outlined in the Agenda except that, with the consent of a majority of the Board, items may be discussed out of order.

AGENDA ITEMS

Items may be placed on the agenda by any Board member or member of District management. Agenda items shall be delivered to the Secretary of the Board no later than six days before the day of the meeting. The Secretary shall then prepare the agenda under the direction of the District General Manager and Board President.

PLEDGE OF ALLEGIANCE

The President shall lead those present in the pledge of allegiance.

ROLL CALL

The Secretary shall call the roll of the Board members. The names of those present and absent shall be entered into the minutes.

ADDITIONS AND DELETIONS TO THE AGENDA

(Reference: California Government Code § 54954.2)

No matters other than those listed on the agenda shall be acted upon by the Board except when deemed to be important or urgent under the following conditions:

- Upon a determination by a majority vote of the Board that an emergency exists.
- Upon a determination by a two-thirds vote of the Board present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency after the agenda being posted.
- The item was posted for a prior meeting of the legislative body occurring not more than five calendar days before the date action is taken on the item, and at the prior meeting, the item was continued to the meeting at which action is being taken.

PUBLIC FORUM

The Presiding Officer will invite public comment on each action item as it is considered during the meeting. Members of the public wishing to address the Board on other matters that are within the jurisdiction of the District may do so when recognized by the Presiding Officer and shall begin by stating their name and place of residence.

CONSENT CALENDAR

The consent calendar is a special agenda item on which action items considered to be non-controversial are placed for an expedited voting procedure. The consent calendar generally includes the minutes of the previous regular meeting, the minutes of any special

meeting convened since the last regular meeting, the monthly financial reports, and the disbursements since the last regular meeting.

APPROVAL OF MINUTES

The Board shall consider the correction, if necessary, and the approval of the minutes of the last meeting. A full reading of the minutes shall not be required unless requested by a majority of the Board.

ACTION ITEMS

Action Items are unfinished or new business topics to be discussed in detail by the Board or its Committees for potential action.

UNFINISHED BUSINESS

Unfinished business can be any topics, requiring minute action, previously under consideration at a prior meeting which have either been (a) continued to the present meeting or (b) tabled or postponed indefinitely and have now been requested to be placed on the agenda.

NEW BUSINESS

New business can be any topic, requiring minute action, not previously considered by the Board that has been placed on the agenda.

BOARD FORUM

Any member of the Board may address the Board on any subject within the jurisdiction of the District. At this time Board members may request investigation by the District staff on topics not appearing on the agenda provided that no action is taken other than referring the matter for report at a future meeting.

COMMITTEE REPORTS

Where applicable, the members of the committee shall verbally and/or in writing provide information on topics discussed at a previous committee meeting.

Staff reports that communicate the recommendations for approval from the committee to the board may be prepared by the Committee Chair or staff. Committee members may initial the staff report prepared on their behalf if they desire.

STAFF REPORTS

(Reference: California Labor Code § 1101 et. seq.)

Where applicable, members of the District staff shall verbally and/or in writing provide information on topics of interest to the Board. A written staff report is generally provided for each action item listed on the agenda.

Except for matters protected by whistle-blowing laws, District employees are asked to present their personal opinions to their supervisor for inclusion in the written staff report to the Board, instead of presenting to the Board during public testimony.

CORRESPONDENCE

Written correspondence shall be presented at the regular meeting for consideration by the Board.

PUBLIC HEARINGS

(Reference: California Government Code § 54354.5, § 66016 et. seq.)

Specific action items, such as budgets and rates and fees, cannot be approved until the Board has properly noticed and held a public hearing allowing the public sufficient time to comment on the subject.

ORDINANCES AND RESOLUTIONS

(Reference: California Government Code § 54354.5, § 61045)

Ordinances and Resolutions are prepared by the staff and presented to the Board. Ordinances prescribing or revising fees and charges may not be adopted until a public hearing has been held. Ordinances are read into the public record except when waived by a motion of the Board members present. Resolutions are not required to be read into the record. Each Ordinance and Resolution is approved by a roll call vote of the Board members present. Ordinances become effective thirty dates after adoption unless otherwise provided by law. Resolutions are in effect immediately upon adoption.

CLOSED SESSIONS

(Reference: California Government Code § 54956, § 54957.1, § 54957.2, § 54957.7, § 54963)

Should a closed session be necessary, the closed session shall be taken in an order that is convenient to those persons required to attend. A report of the closed session will be given upon resuming the open session or at the next regular session, if applicable.

The Board may, by ordinance or resolution, designate a Secretary to attend the closed session and prepare the minutes. The minutes produced are exempt from the Public Records Act and any confidential information acquired at the meeting may not be disclosed by persons in attendance unless it is disclosed by the Board in open session.

ADJOURNMENT

The meeting shall be adjourned after a motion to adjourn has been made and carried. If being adjourned to other than a regular meeting, the date, time, and place shall be stated in the motion to adjourn.

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HEARINGS

ADMINISTRATIVE HEARINGS

Administrative hearings are public hearings that are administrative or quasi-judicial.

LEGISLATIVE HEARINGS

Legislative hearings are public hearings that relate to legislative action.

RIGHTS OF INTERESTED PERSONS

Notice of hearing shall be given as required by law, District ordinance, resolution, or other action of the Board.

OPPORTUNITY TO APPEAR

On the date, time, and place designated in the notice, the Board shall afford any interested person or their authorized representative, or both, the opportunity to present documentary evidence, to present statements, arguments, or contentions orally or in writing, subject to reasonable limitations set by the Presiding Officer and the rules of ADDRESSING THE BOARD.

WITNESSES

Unless otherwise determined by the Board, interested persons or their representatives will have an opportunity to examine or cross-examine witnesses. The Presiding Officer will set reasonable limitations on the time for the hearing and on the time for individual speakers. All written communication shall be presented to the Secretary of the Board, with sufficient copies provided for all Board members, before the end of this hearing.

ADMISSIBLE EVIDENCE

The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule that might make improper the admission of such evidence in civil actions.

Hearsay evidence may be used to supplement or explain other evidence but shall not be sufficient by itself to support a decision unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.

ORAL EVIDENCE

All oral statements which are relevant to the subject matter of the hearing may be considered by the Board. Oral evidence may be taken on oath or affirmation, at the request of any interested party or their authorized representative.

EXHIBITS AND DOCUMENTS

Exhibits and documents used by the District and any persons participating in the hearing may be considered as evidence.

COMMUNICATIONS AND PETITIONS

All communications and petitions concerning the subject matter shall be read aloud either in full or by synopsis thereof, provided that a reading in full shall be held at the request of any Board member. All such communications and petitions may be considered as evidence by the Board.

STAFF REPORTS

Whenever practicable, a written staff report shall be prepared and read aloud as part of the staff presentation. Staff reports shall be considered as evidence.

MAPS AND DISPLAYS

Large-size maps and displays presented for use at the hearing shall, whenever practicable, be displayed in full view of the participants and the audience. Said maps or displays, or authentic reductions thereof, may be considered as evidence.

EVIDENCE OUTSIDE THE HEARING

Any evidence taken outside the Board room such as field trips, view of the premises, and discussions with individuals, shall not be considered by the Board in reaching its decision except under the following circumstances:

1. When, during the hearing, the meeting is adjourned to a date, place, and time certain for the specific purpose of taking visual or demonstrative evidence, or
2. With the consent, either oral or written, of all interested persons, or their authorized representatives, appearing at the hearing, individual members of the Board may then take visual or demonstrative evidence outside the Board room, provided, that the hearing shall be continued to a date and time certain and upon reconvening in the Board room, each Board member shall orally report his/her observations of such outside evidence taken and shall be subject to examination thereon by any interested person or their authorized representative.

CONTINUANCES

(Reference: California Government Code § 54955.1)

Any hearing being held, noticed, or ordered to be held by the Board may, by minute action, be continued to any subsequent meeting of the Board. The only notice of continuance necessary will be such notice required by law or District resolution or ordinance.

Any hearing continued to a time less than twenty-four (24) hours after the time specified in the order of notice of hearing shall have an order or notice of continuance of hearing posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

DECISION

The Board shall consider all evidence properly presented following the rules stated herein and, unless otherwise provided by law, shall render a decision or determination within 40 days of the close of the hearing. Said decision or determination shall be by motion made and action taken thereon at a regular or adjourned meeting of the Board. Any Board member who was not present during the entire hearing or who, in the opinion of the District Counsel has a substantial conflict of interest in the matter, shall disqualify themselves from discussing or voting on said matter.

RECORD OF HEARING

(Reference: California Government Code § 7920 et. seq.)

A verbatim electronic recording shall be made of the oral evidence presented at the hearing. Said recording, together with all documents, maps, exhibits, and displays admitted into evidence, shall be retained for no less than five years from the date of the close of the hearing. Instead of retaining said recording, the Secretary of the Board may prepare a typewritten transcript thereof which shall be retained for the same period. Under the Public Records Act, said recording or transcript and evidentiary documents shall be made available for public inspection and use at a reasonable time and under such reasonable conditions as may be prescribed by the Secretary of the Board.

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ADDRESSING THE BOARD

WRITTEN CORRESPONDENCE

Written correspondence is reviewed by the General Manager or Board Secretary and presented at the regular meeting for consideration by the Board and shall be answered or acknowledged as soon as practicable.

RIGHT TO ADDRESS THE BOARD

(Reference: California Government Code § 54954.3a)

Every customer or resident of the District shall have the right to address the Board during public meetings. The Presiding Officer may ask that members of the public addressing the Board provide their name and place of residence and may impose a time limit on public comment. The public member is not required to provide their name or place of residence but may do so voluntarily.

PUBLIC HEARINGS

Interested persons or their authorized representatives may address the Board, while a matter is open to public hearing, regarding remarks or questions relevant to the matter under consideration unless participation is restricted by law.

COMMUNICATIONS

Customers or residents of the District, or their authorized representatives, may address the Board by oral communication on any matter concerning District business over which the Board has jurisdiction. An interested person may also request permission from the Presiding Officer to address the Board relevant to any subject matter under consideration during other parts of the agenda. Such requests should, when practicable, be made before a motion is made on the subject. All oral communication with the Board is subject to reasonable time limitation by the Presiding Officer.

The Presiding Officer, or such member of the District staff as he/she may designate, may verbally restate each question immediately before calling for the vote. Following the vote, the Presiding Officer shall announce whether the question carried or was defeated. The Presiding Officer may publicly explain the effect of a vote for the audience, or he/she may direct a member of the District staff to do so, before proceeding to the next item of business.

MANNER OF ADDRESSING THE BOARD

Any person desiring to address the Board shall stand or raise a hand and wait to be recognized by the Presiding Officer. After being recognized, the speaker shall state their name and address for the record and proceed to address the Board. All remarks and questions shall be addressed to the Board as a whole and not to any member thereof. No questions shall be asked a Board member or a District staff member without first obtaining permission from the Presiding Officer.

TIME LIMITATION

(Reference: California Government Code § 54954.3b)

Should the need arise; the President may implement a time limit per subject (i.e., a five-minute time limit per subject). When a group of persons wishes to address the Board on the same subject matter, the President may request that a spokesperson be chosen to represent the group to expedite the process and avoid unnecessary repetition.

IMPROPER REMARKS

(Reference: California Government Code § 54954.3c, § 54957.9)

Public criticism of the policies, procedures, programs, or services of the District or acts or omissions of the Board shall not be censored. However, any person or group of persons making impertinent, slanderous, loud, or profane remarks or otherwise disrupting the orderly conduct of the meeting to the point that order cannot be restored shall cause the meeting room to be cleared, except for members of the media in attendance, and only those not responsible for willfully disturbing the orderly conduct of the meeting shall be readmitted for the remainder of the meeting.

DEBATE AND DECORUM

REQUESTING THE FLOOR

Every Board member desiring to speak shall first address the chair, gain recognition from the Presiding Officer, and shall confine himself to the question under debate.

QUESTIONS TO STAFF

Every Board member desiring to question the District staff shall, after recognition by the Presiding Officer, address his questions to the District General Manager. The District General Manager shall be entitled to either answer the inquiry himself or designate a member of his staff for that purpose.

INTERRUPTIONS

A Board member, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer, a point of order or personal privilege is raised by another Board member, or the speaker chooses to yield a question by another Board member. If a Board member, while speaking, is called to order, the Board member shall cease speaking until the question of order is determined and, if determined to be in order, shall then proceed. Members of the District staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

POINTS OF ORDER

The Presiding Officer shall determine all points of order subject to the right of any Board member to appeal to the Board. The Presiding officer may request an opinion of the District Counsel in making such determination or may declare a continuation until such opinion is obtained, if necessary. If any appeal is taken, the question shall be “Shall the decision of the Presiding Officer be sustained?” Board decision shall conclusively determine such question of order.

POINT OF PERSONAL PRIVILEGE

The right of a Board or staff member to address the Board on a question of personal privilege shall be limited to cases in which their integrity, character, or motives are questioned or where the welfare of the Board is concerned. A Board member raising a point of personal privilege may interrupt another Board member who has the floor subject only to the power of the Presiding Officer to call him/her out of order.

REMARKS OF BOARD MEMBERS AND SYNOPSIS OF DEBATE

Any Board member shall have the right to have an abstract of their statement and/or a synopsis of the debate on any subject under consideration by the Board entered into the minutes. Such right shall be exercised by specific direction to the Secretary of the Board at the Board meeting.

DECORUM AND ORDER, BOARD AND DISTRICT STAFF

The Presiding Officer shall be responsible for the maintenance of order and decorum at all meetings.

While the Board is in session, the Board members and District staff shall preserve order and decorum. A member shall not delay or interrupt the proceedings of the peace of the Board nor disturb any member while speaking nor refuse to obey the directives of the Presiding Officer.

DECORUM AND ORDER, AUDIENCE

(Reference: California Government Code § 54957.9)

Members of the public attending public meetings of the Board shall observe the same rules of order and decorum applicable to the Board and staff. Any person making impertinent, loud, or slanderous remarks or who becomes boisterous while addressing the Board or while attending the Board meeting shall be removed from the room by the order of the Presiding Officer. In cases where order cannot be restored, the meeting room will be cleared and the Board will establish a procedure for re-admittance.

ENFORCEMENT OF DECORUM

(Reference: California Penal Code § 403)

If necessary, the Sheriff, or other member of law enforcement, shall be called at the request of the Presiding Officer, Board member, or District General Manager. The law enforcement officer shall be asked to carry out all orders given by the Presiding Officer or Board to maintain order and decorum at Board meetings. Any Board member may move to require the Presiding Officer to enforce the rules and have the offending person or persons arrested and cited for disturbing a lawful public meeting. Any such motion shall be passed by the affirmative vote of a majority of the Board members present.

FAILURE TO OBSERVE RULES OF ORDER

Rules adopted to expedite the transaction of the business of the Board in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise held in conformity with law.

MOTIONS

PRESENTATION OF MOTIONS

A motion is the formal statement of a proposal or question to the Board for consideration and action. Every Board member has the right to present a motion. The Presiding Officer may move, second, debate, and vote from the Chair. The Presiding Officer shall not be deprived of any rights and privileges conferred on any Board member because he acted as Presiding Officer.

SECOND REQUIRED

A motion by any Board member shall be seconded and shall not be considered until at least one second is made. A second does not mean that the Board member endorses the motion but only that he/she wishes to have the motion considered.

PRECEDENCE OF MOTIONS

When a main motion is before the Board, no motion shall be entertained except the following which shall have precedence, one over the other, in the following order:

1. Adjourn
2. Recess
3. Postpone temporarily (table) or indefinitely
4. Previous question
5. Limit or extend debate
6. Refer to committee or staff
7. Amend

The above order of preference is subject to the following restrictions:

- A motion shall not be repeated for a second vote without intervening business or discussion.
- A motion shall not be in order when the previous question has been ordered.
- A motion shall not be in order while a vote is being taken.

PURPOSE OF MOTIONS

The purpose and salient criteria of the above-listed motions are as follows:

1. Main Motion
   Purpose: The primary proposal or question before the Board for discussion and decision.
   Debatable or Amendable: Debatable and amendable.
2. Motion to adjourn
   Purpose: To end a meeting
   Debatable or Amendable: No, except a motion to adjourn to another time is debatable and amendable as to the time to which the meeting is to be adjourned.

3. Motion to recess
   Purpose: To permit an interlude in the meeting and to set a definite time for continuing the meeting.
   Debatable or Amendable: It is amendable as to the length of recess but is not debatable.
4. Motion to postpone temporarily (table or postpone definitely)
   Purpose: To set aside, temporarily, a pending main motion provided that it may be taken up again for consideration during the current meeting or at the next regular meeting. A motion with a specific time for resumption is a motion to postpone definitely. A motion without a specific time for resumption is a motion to lay on the table.
   Debatable or Amendable: It is debatable but not amendable.
5. Motion to postpone indefinitely
   Purpose: To remove the main motion from the Board's consideration for the session without a direct vote on it.
   Debatable or Amendable: It is debatable but not amendable.
6. Motion for the previous question
   Purpose: To prevent or stop discussion of the pending question or questions and to bring such question or questions to vote immediately. If the motion fails, the discussion shall continue. If the motion passes, a vote shall be taken on the pending motion or motions.
   Debatable or Amendable: Neither debatable nor amendable.
7. Motion to limit or extend debate
   Purpose: To limit or determine the time that will be devoted to the discussion of a pending motion or to extend or remove limitations already imposed on its discussion.
   Debatable or Amendable: Not debatable. Amendments are restricted to the period of the proposed limit or extension.
8. Motion to refer to committee or staff (commit or refer)
   Purpose: To refer the question before the Board to a committee or to the District staff to investigate or study the proposal and to make a report back to the Board. If the motion fails, discussion or vote on the question resumes.
   Debatable or Amendable: Debatable and amendable.
9. Motion to amend
   Purpose: To modify or change a motion that is being considered by the Board so that it will express more satisfactorily the will of the members. If the motion fails, discussion or vote on the main motion resumes. If the motion passes then the main motion should be voted on as amended.
   Debatable or Amendable: Debatable and amendable.

LOST MOTION

A lost motion fails to receive the necessary number of votes to carry. Tie votes result in a lost motion. Lost motions may be renewed at any subsequent Board meeting. To revive a lost motion at the same meeting the proper action is a motion to reconsider.

VOTING

VOTING PROCEDURE

When any motion is for the question, a vote thereon shall be taken by voice or roll call and entered in full upon the record. Motion, resolutions, and ordinances may be passed by a majority of the total membership of the Board, except when a greater number is required by law.

CHANGE OF VOTE

A member may change his vote only if he/she makes a timely request to do so immediately following the announcement of the vote and before the time that the next item in the order of business begins.

CONFLICT OF INTEREST

(Reference: California Government Code § 1090 et. seq.)

A Board member shall disqualify him/herself following the District's Conflict of Interest policy, California Government Code § 1090 et. seq., and any other applicable law. Where it is not clear whether a Board member is disqualified, the Board member shall state the facts of the matter to the District Counsel and request an opinion thereon.

Board members disqualified due to conflict of interest may not vote, nor participate in any discussion, on the subject matter.

FAILURE TO VOTE

Every member should vote unless disqualified for cause accepted by the opinion of the District Counsel. Self-disqualification, without approval, which results in a tie vote, shall be avoided as thwarting Board action, but no Board member shall be forced to vote.

RECONSIDERATION AND RESCISSION OF PRIOR ACTION

After motion and vote by the Board, such action may be reconsidered or rescinded only in the following manner:

1. Reconsideration – A motion to set aside a vote (reconsider) on a main motion shall always be in order at the same meeting. The motion to reconsider is amendable and debatable. Such a motion can be made by any Board member regardless of how he/she voted previously on the matter. If the motion to reconsider passes the effect thereof is to overrule and cancel the prior action.
2. Rescission – A motion to rescind (repeal, cancel, nullify) prior Board action on a main motion shall be in order at any meeting of the Board. The effect of rescinding prior Board action shall operate prospectively only and not retroactively to the date of the original action only, unless otherwise ordered by the Board.

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ADMINISTRATION

SIGNING OF DOCUMENTS

The Presiding Officer shall sign all documents considered at the meeting in which he/she presided.

MINUTES

(Reference: California Government Code § 61045)

The minutes shall consist of a clear and concise statement of every Board action including the motions made and the vote thereon. Reasons for making a motion or voting, Board debate, and audience reaction are generally irrelevant for purposes of the minutes. Such items may be included if considered to be particularly relevant or otherwise necessary, by the Secretary of the Board in the first instance, and by the Board in the final instance. The Secretary of the Board shall have exclusive responsibility for preparation of the minutes and any directions for changes in the minutes shall be made only by action of the Board.

Whenever the Board acts in a quasi-judicial proceeding, such as a legislative or administrative hearing, the minutes shall contain a synopsis of all evidence considered in the hearing including statements of persons addressing the Board.

CONTRACTS

(Reference: California Government Code § 61060)

All contracts shall be prepared or approved by the District General Manager or a standing committee and may be reviewed by the District Counsel before presentation to the Board.

Contracts may be adopted by motion on the date they are first presented to the Board. It is not required that contracts be read, either in full or by title only. The Board may authorize the District General Manager to execute a contract previously approved by the Board.

EXPENSE REIMBURSEMENT

(Amended Policy Adopted by the Board of Directors on February 6, 2007; Reference: California Government Code § 53232-53232.4)

The District may reimburse Board members for actual and necessary expenses incurred in the performance of official duties. A completed reimbursable expense form with receipts is required for reimbursement. See Ordinance for details.

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ASSOCIATIONS

The Board President nominates two members of the Board, primary representative and alternate, to each of the following organizations:

- ACWA/JOINT POWERS INSURANCE AUTHORITY (ACWA/JPIA)
- CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA)
- SANTA YNEZ RIVER WATER CONSERVATION DISTRICT (SYRWCD)

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PUBLIC RECORDS

PUBLIC RECORDS

(Reference: California Government Code § 7920 et. seq., § 54957.5)

Any documents distributed to all of, or a majority of, the Board members are considered public records unless specifically exempted from public disclosure.

RECORDS RETENTION

(Amended Policy Adopted by the Board of Directors on December 4, 2007; Reference: California Government Code § 60200 et. seq., § 61226.5)

The District has implemented a records retention policy that provides guidelines to District staff regarding the retention and/or disposal of the District's records, to provide for the identification, maintenance, safeguarding, and disposal of records in the normal course of business, to ensure prompt and accurate retrieval of records, and to ensure compliance with legal and regulatory requirements. See Ordinance for details.

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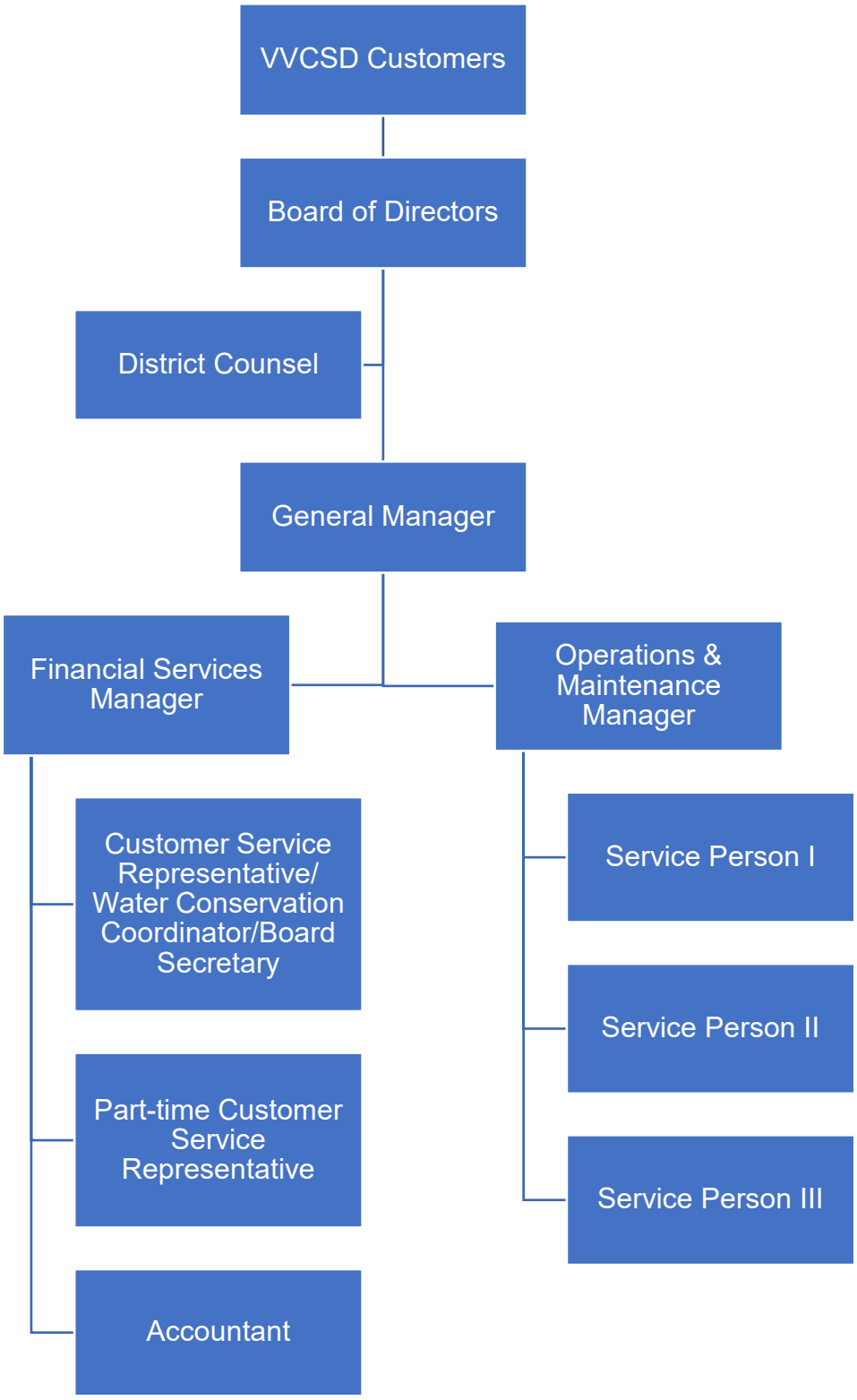
ORGANIZATIONAL CHART



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CHRONOLOGY OF DIRECTORS

Michael Garner	12/06/24 – present
Richard Gonzales	12/04/20 – present
Steven Heuring	12/02/22 – present
James Lamont	12/06/24 – present
Ronald Stassi	02/01/22 – present

Charles Blair	12/07/00 – 12/03/04 12/01/06 – 12/07/18
Leonard Brady	12/02/85 – 06/11/86
Christopher Brooks	11/05/04 – 12/06/24
Robert Bumpass	12/02/16 – 12/06/24
Leon Buttler	12/28/94 – 12/03/98
Morrie Cobb	12/03/98 – 12/06/02
Peter Ellis	12/06/96 – 12/07/00
Roger Fisher	03/11/87 – 03/07/91
Bob Flaherty	12/06/96 – 12/07/00
Anthony Fox	12/06/02 – 12/07/18
Jack Gabus	11/08/83 – 10/23/85
Howard Grantz	11/08/83 – 12/14/90
Rockwell Grey	03/27/91 – 07/11/91
Leon Manton	12/07/88 – 01/17/91
Charles McKenna III	11/08/83 – 04/08/85
Lynda Moore	12/03/98 – 12/06/02
Carol Nash	07/11/91 – 12/06/96
Steve Nosler	12/14/90 – 12/28/94
Jon Picciuolo	07/11/91 – 12/06/96
Daniel Redmon	12/03/04 – 12/01/06 12/05/08 – 12/02/16 12/07/18 – 12/02/22
Lawrence Richards	03/07/91 – 07/11/91
Donald Rowland	12/07/00 – 12/05/08
Jim Small	12/14/90 – 12/03/98
Katherine Stewart	12/07/18 – 01/31/22
John Stover	06/25/86 – 02/11/87
Jock Sutherland	11/08/83 – 12/14/90
Emil Trevino	12/06/02 – 09/01/04
John Tyler	12/02/85 – 12/07/88
Glenn Welch	11/08/83 – 12/02/85
Phyllis White	04/08/85 – 12/07/00
Robert Wyckoff	12/07/00 – 12/04/20

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REFERENCES

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A Local Official's Reference on Ethics Laws. Institute for Local Self Government, 2005.

About Special Districts. California Special Districts Association. Retrieved March 14, 2005 from http://www.csda.net/spcldist.htm.

Mizany, Kimia & April Manatt. What's So Special About Special Districts? A Citizen's Guide to Special Districts in California. Third Edition. February 2002.

Partnode, Ph.D., Darwin. Robert's Rules of Order. (Original 1876 Edition by Major Henry M. Robert),

CALIFORNIA LABOR CODE

§ 1101-1106

CALIFORNIA GOVERNMENT CODE

§ 1090
§ 1770-1782
§ 7920.000-7930.215 (California Public Records Act)
§ 53232-53232.4
§ 53234-53235.2
§ 53630-53686
§ 54354.5
§ 54950-54963 (Ralph M. Brown Act)
§ 60200-60204
§ 61000-61226.5 (Community Services District Law)
§ 66016-66018.5

CALIFORNIA PENAL CODE

§ 403

https://leginfo.legislature.ca.gov/faces/codes.xhtml