

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 91-22

RESOLUTION AMENDING RULES AND PROCEDURES FOR THE  
BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY  
SERVICES DISTRICT

WHEREAS, the Board of Directors of Rancho Murieta Community Services District has heretofore adopted Resolution No. 82-1, amended by Resolution 83-1, 87-15, 88-19 and 89-20 establishing certain rules and procedures of the Board of Directors.

WHEREAS, as a result of review of the said Rules and Procedures the Board of Directors of Rancho Murieta Community Services District desires to amend the rules to conform to present operations of the District.

NOW, THEREFORE, the Board of Directors of Rancho Murieta Community Services District resolves that the attached Exhibit A entitled Rules and Procedures of the Board of Directors of Rancho Murieta Community Services District shall amend in total the rules adopted by previous board action.


PASSED AND ADOPTED this 21st day of August, 1991 by the following roll call vote;

AYES: Directors: Trench, Twitchell, Sevier, Reese, Sullivan


NOES: None

ABSENT: None

ABSTAIN: None

  
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President, Board of Directors  
Rancho Murieta Community Services  
District

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors  
Rancho Murieta Community Services District

## DISTRICT CODE

### CHAPTER 2

#### RULES AND PROCEDURES OF THE BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT

##### Section 1. Meetings: Time, Place and Manner.

- (a) Time. The time for regular meetings of the Board of Directors of the Rancho Murieta Community Services District shall be the third Wednesday of each month at 6:15 p.m.; provided however, if such meeting date shall fall upon a legal holiday, the regular meeting shall be held on the next ensuing full business day or to a specified date.
- (b) Place. The place of meetings of the Board of Directors shall be in the Board Room of the Rancho Murieta Community Services District Administration Building, located at 14670 Cantova Way, Rancho Murieta, California, unless otherwise designated by the Board of Directors.
- (c) Recording. The proceedings of all public meetings will be recorded by tape. Special Meetings or other special events covering a major topic may be video taped for viewing on the Community Information Channel as directed by the President of the Board of Directors.
- (d) Special Meetings. The time, place and manner of calling all other meetings of the Board of Directors shall be undertaken as prescribed in the Ralph M. Brown Act. (Government Code Sections 54950 et. seq.)
- (e) Compliance With Brown Act. All meetings of the Board of Directors shall be open and public and all persons shall be permitted to attend any public meeting of the Board of Directors except as provided by law: provided however, that executive sessions may be held when permitted by law.

##### Section 2. Officers, Employees, Consultants, etc.

- (a) Officers. At the first regular meeting in December following a general District election the Directors shall meet and elect one of their members President of the Board and may further elect or appoint a Vice President and a Finance Officer.
- (b) Principal Employees. The Board shall, as necessary, appoint a General Manager and a Secretary. The General Manager may also act as Secretary, but no Director shall be

appointed as General Manager or Secretary. The General Manager or Secretary or a third party may also be appointed the Finance Officer.

- (c) Compensation. The Board may also appoint and employ, fix the compensation of, and prescribe the duties and authorities of other officers, employees, attorneys and engineers as necessary or convenient for the business of the District.
- (d) Advisory Committees. the Board of Directors may appoint any citizen's advisory committees or advisory bodies as it deems necessary, whose members shall serve without compensation, unless otherwise provided and whose meetings shall be open to the public.

### Section 3. Duties of Officers and Employees.

- (a) Presiding Officer. The President shall preside at all meetings of the Board. The Vice President shall preside at all meetings of the Board in the absence of the President.
- (b) Duties of President. The President of the Board shall preserve order and decorum and shall decide questions of order, subject to appeal to the Board of Directors. The President from the chair may place a motion before the Board, second a motion and vote irrespective of the existence of an otherwise tie vote.
- (c) Duties of Secretary. The Secretary of the Board shall prepare and mail to each person entitled thereto copies of agendas, minutes of the preceding meeting, and notice of meetings. The Secretary shall prepare minutes for adoption by the board of Directors setting forth all actions taken by the Board and shall preserve minutes and other records of actions of the governing Board. Upon Board action a recording secretary may be appointed to record and transcribe the minutes of meetings.
- (d) Duties of General Manager. The General Manager shall be responsible for the overall operations of the District in the manner set forth in the applicable job description and/or contract of employment.
- (e) Duties of Finance Officer. The duties of the Financial Officer shall be as set forth in the Community Services District Act.

### Section 4. Agendas.

- (a) Consent Calendar. The Board of Directors hereby adopts the practice of adding a consent calendar to their regular, adjourned regular, and special meetings to be placed at an early time in the Board meeting and shall contain routine items which are not controversial in nature and which need no discussion.

The following is a list of the order of the consent calendar and may be amended from time to time by the direction of the Board of Directors or by the District Manager and

the Secretary as they deem fit:

- Approval of minutes
- Receive and file or refer correspondence
- Receive and file administrative, financial and status reports
- Approval of warrant and manual check register
- Informational items
- Set dates for hearings
- Approval of payment for contracts
- Approval of ordinance for adoption (final presentation)
- Approval of resolution for adoption (final presentation)

Approval of the consent calendar shall take place by a motion and second of the Board and passed by a roll call vote indicating a majority vote.

Any item of the consent calendar that requires discussion must be removed from the consent calendar by motion and a majority vote of the Board of Directors.

- (b) Distribution. The Secretary shall prepare an agenda for each regular meeting and shall post and mail the agenda to persons entitled thereto at least 72 hours prior to the meeting. The Secretary shall prepare an agenda for each special meeting and post this agenda 24 hours prior to the meeting.
- (c) Additional Distribution. Agendas shall be mailed to any person who is entitled to receive agendas or any members of the media designed by the President and who has on file with the Secretary a written request therefor accompanied by self-addressed envelopes and sufficient postage to cover mailings.
- (d) Request to Appear. Any person who desires to address the Board at length on a matter which is not on the agenda shall make a request to do so to the Secretary at least forty-eight hours in advance of the posting of the agenda (5 business day before the meeting). This provision shall not prevent any person from addressing the Board at a time designated therefor on the agenda.
- (e) Agenda Changes. The Board can add an item to the agenda with a 2/3 vote of the Board (4 out of 5 members). This would only be with the understanding and following statement that "the need to take action arose after the posting of the agenda" (this is 72 hours prior to the meeting).
- (f) Public Participation. Any member of the public may address the Board during its regular meetings concerning agenda item(s). The Board may, in its discretion, exercise reasonable control as to the number and length of presentation of speakers.

The following format will be utilized at the discretion of the Board for Public Hearings

or other items of community interest for which the public may wish to address the Board:

1. Speakers presenting individual opinions: 3 minutes per speaker.
2. Speakers presenting opinions of groups, organizations, etc.: 5 minutes per group.
3. Every speaker will use the floor microphone, for public address and recording inputs.
4. Only one speaker may speak at a time.
5. All speakers will identify themselves, and state whether or not they are registered voters residing in the District (as required by State Code 61016).

State Code 54957.9 permits the legislative body to clear the room if the meeting is willfully interrupted so as to render further conduct of the meeting unfeasible.

- (g) Correspondence to the Board. Copies of all written correspondence addressed to the Board of Directors and written responses in reply thereto, if any, shall be distributed to each member of the Board together with the next regular agenda or at the next regular meeting of the Board, depending on date of receipt or response.

#### Section 5. Minutes.

Minutes of the Board of Directors shall be public records open to inspection by the public. In addition, the Secretary shall mail copies of the proposed minutes to each member of the Board of Directors. After the minutes have been approved by the Board of Directors the Secretary shall make copies available to any person who has a written request therefor accompanied by a fee of \$60.00 per year. Any other request shall be at the established charge approved by the Board.

#### Section 6. Actions and Decisions.

- (a) Method of Action. The Board shall act only by ordinance, resolution or motion.
- (b) Majority - Quorum. The majority of the board shall constitute a quorum for the transaction of business.
- (c) Majority Vote Required. No ordinance, resolution or motion shall be passed or shall become effective without the affirmative vote of at least a majority of the members of the Board.
- (d) Recordation of Vote; Exceptions. Except for action as taken by the unanimous vote of all Directors present voting, the ayes and noes shall be taken for the passage of all

ordinances, resolutions or motions and entered into the minutes of the Board.

- (e) Enacting Clause of Ordinances. The form of enacting clause of all ordinances passed by the Board shall be: "Be it ordained by the Board of Directors of the Rancho Murieta Community Services District as follows:".
- (f) Execution of Ordinances. All ordinances shall be signed by the President and attested by the Secretary.

#### Section 7. Deviations.

No deviation from or failure to follow the procedures set forth in this Article shall invalidate any action or decision of the Board of Directors unless such deviation or failure has substantially prejudiced the rights of an interested person.

#### Section 8. Records.

Public records of the Rancho Murieta Community Services District shall be open to inspection as provided in the California Public Records Act.

#### Section 9. Committees.

##### A. Standing Committees:

1. Identification of Standing Committees. Officers (Point Person) and members of of Standing Committees are appointed by the President on the basis of each Director serving on at least two committees. No standing committee shall have more than two directors. A list of the standing committees shall be kept on file at the District and updated by the District Secretary.
2. Time of Meetings. The meetings of Standing Committees shall be held when called by the Chairman (Point Person) or other Director member.
3. Duties and Functions. At the time the President forms the Standing Committee he shall give instructions of the duties for each committee. Additional duties and functions may be delegated by the President, as the needs arise.

The committee shall give a report at the regular meeting of the Board of Directors and if a need to take action should arise then the committee shall bring a recommendation to the Board of Directors at any duly noticed meeting. The Chairman (Point Person) shall notify the President of the Board of items to be placed on the agenda where action is needed, if

possible, one week prior to the meeting.

**B. Other Committees:**

1. **Special Committees.** Special committees may be created by the Board of Directors to undertake special assignments on behalf of the Board. A special committee shall continue in existence indefinitely or until they have completed their scope and function and are dissolved at the direction of the President and/or action of the Board. Unless otherwise specified, members of a special committee shall be appointed by the President of the Board and shall serve at the President's pleasure. No more than two board members shall serve on a special committee.
2. **Ad Hoc Committees.** Ad hoc committees may be created by the Board of Directors to undertake special assignments on behalf of the Board. An ad hoc committee shall exist for a specified term or until its assignments are completed, whichever comes first, but its existence may be extended for an added term or added assignments by action of the Board or direction of the President. Unless otherwise specified, members of an ad hoc committee shall be appointed by the President of the Board and shall serve at his pleasure.

**C. Rules Governing Committees:**

1. No more than two Directors of the Board shall serve on any one committee.
2. No action, as defined under section 54952.6 of the Brown Act, may be taken by a committee unless the authority has been delegated by formal action of the Board of Directors.
3. Any committee that is appointed by action of the Board of Directors and/or has members of the public serving on the committee shall then come under the posting requirements of the Brown Act and shall be open to the public.