

**RUBIDOUX COMMUNITY
SERVICES DISTRICT**

**BOARD POLICIES AND
PROCEDURES**

APPROVED BY THE BOARD OF DIRECTORS 4/20/17

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Section 1. Purpose of Board Policies

It is the intent of the Board of Directors of the Rubidoux Community Services District (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.

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 the District, said rules, regulations or legislation shall prevail.

Section 2. Role of the Board of Directors

- The Board employs the General Manager of the District (*Government Code Section 61050*).
- The Board appoints the Secretary of the District (*Government Code Section 61060*).
- The Board defines the responsibilities of the General Manager and delegates authority. The Board monitors progress and redirects the General Manager, if necessary (*Government Code Section 61051*).
- The Board provides the General Manager the resources and staff needed to carry out the policies and programs of the Board.
- The Board adopts the District's budget (*Government Code Section 61110*).
- The Board approves the District's organizational structure and employment positions (*Government Code Section 61060*).
- The Board hires the District's legal counsel and auditor (*Government Code Section 61060*).
- The Board approves the check register and are authorized signers on the District's operational accounts.
- The Board approves acquisition and/or purchase of real property (*Government Code Section 61060*).

Section 3. Adoption/Amendment of Policies

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

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 vote of the entire Board of Directors.

Before considering adopting or amending any policy, Directors shall have the opportunity to review the proposed adoption or amendment at the regular Board meeting prior to the meeting at which consideration for adoption or amendment is to be given. Copies of the proposed policy adoption or amendment shall be included in the agenda information packet for any meeting consideration. The agenda information packets with said copies 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.

Section 4. Conflict of Interest

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 can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs, 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference.

Designated employees shall file statements of economic interests with the Clerk of the County of Riverside.

Section 5. Public Complaints

The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and the method for resolution of complaints be logical and systematic.

A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state, or federal statute of which the individual has been adversely affected.

The method of resolving complaints shall be as follows:

- The individual with a complaint shall first discuss the matter with the General Manager with the objective of resolving the matter informally.
- Within a reasonable time, the General Manager shall meet with the person filing the complaint to resolve the matter. At the option of the General Manager, he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The individual filing the complaint may request a written decision from the General Manager.
- If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager, a written appeal may be filed with the Board of Directors within fifteen (15) calendar days of receiving the General Manager's

decision. The Board may consider the matter at the next regular meeting, or call a special meeting. The Board will expeditiously resolve the matter. In making the final decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The individual filing the complaint may request a written decision from the Board.

This policy is not intended to prohibit or deter a member of the community or staff member from appearing before the Board to verbally present a testimony, complaint, or statement in regard to actions of the Board, District programs and services, or implementing considerations of the Board.

Section 6. Claims Against the District

The purpose of this policy is to provide direction to District staff for processing and resolving (if possible) account adjustment requests and property damage claims against the District. Inherent in this policy is the recognition that every adjustment request or claim will be unique, and that guidelines cannot be written to accommodate every case. Therefore, staff must use discretion and good sense in handling each claim.

Property (Land and Improvements) Damage Claims

In the course of District's operations, damage to land and improvements thereon occasionally occur due to the proximity of the District's facilities to the private property. When District employees are aware that property has been damaged in the course of their work, restorative measures are to be taken to return the property as close to its original condition as possible.

When a property owner informs a District employee of damage to their property (by telephone, email or in person), the employee receiving the claim will document in writing the time and date, and a description of the stated circumstances and allegations. Employees should respond to questions, be cordial and respectful, but refrain from commenting on liability questions.

As soon as possible after information about the damage has been received, it shall be given to the General Manager. The General Manager or his/her designee shall investigate the property owner's allegations. If the owner of damaged property informs a member of the Board of Directors, the information will be given to the General Manager. Directors should not independently investigate claims, but may go with staff to observe.

Claims in excess of the District's insurance deductible shall be forwarded to the District's insurance company, and the claimant shall be advised of this action.

Claims for personal injury/wrongful death shall not be investigated by District staff or Directors but shall be immediately forwarded to the District's insurance company and appropriate public agencies.

Property (Vehicles and Unsecured Property) Damage Claims

All claims of damage to vehicles or other unsecured property shall be submitted to the General Manager. He/she shall review the damage claim and the requested restitution. If he/she determines that the damage is the District's responsibility, he/she may authorize repairs or reimbursement of expenses to an amount not to exceed \$500.

Claims in excess of \$500 shall be forwarded to the insurance company.

Property Damage Claims on District Form

All damage claims must be submitted in writing. A District claim form is available. This will ensure that a claim is valid and protect important rights of the District.

If an individual does not wish to file a claim on the District form, he/she may present the claim by letter if it conforms to Section 910 and Section 910.2, California Government Code. Section 910 specifies that a claim needs to show all of the following:

- The name and post office address of the claimant.
- The post office address to which the person presenting the claim desires notices to be sent.
- The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted.
- A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known as the time of presentation of the claim.
- The name or names of the public employee or employees causing the injury, damage, or loss, if known.
- The amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of presentation of the claim, together with the basis of computation of the amount claimed.

Section 910.2 of the California Government Code specifies the following: "the claim shall be signed by the claimant or by some person on his behalf. Claims against local public entities for supplies, materials, equipment or services need not be signed by the claimant or on his behalf if presented on a billhead or invoice regularly used in the conduct of the business of the claimant."

If the filed letter/claim does not meet the requirements of the California Government Code 910 and 910.2, then a letter shall be sent to the claimant informing him of this fact.

District staff shall provide no assistance to the claimant in filling out the claim form. Claimant must fill out the claim form in its entirety and submit it via mail, email, FAX, or personal delivery to the District office. Upon receipt, office staff shall date-stamp the document.

Section 7. Code of Ethics

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

- The dignity, style, values and opinions of each Director shall be respected.
- Responsiveness and attentive listening in communication is encouraged.

- The Directors priority is to economically provide products and services to our constituents and the general public that meet or exceed current health and safety standards.
- 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.
- Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.
- 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.
- 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.

Directors should practice the following procedures:

- In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
- In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.
- In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.
- In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager.
- When approached by District personnel concerning specific District policy, Directors should direct inquiries to the General Manager. The chain of command should be followed.

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.

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.

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

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.

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

Section 8. Board Meetings

Regular Meetings of the Board of Directors shall be held on the first and third Thursday of each calendar month at 4:00 p.m. in the Board Room at 3590 Rubidoux Blvd, Jurupa Valley, CA.

Special Meetings (non-emergency) of the Board of Directors may be called by the Board President or General Manager.

All Directors, the General Manager, and District Counsel 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 72 hours prior to the meeting.

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 shall be notified by at least 72 hours prior to the meeting.

An agenda shall be prepared and shall be delivered to those specified above.

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 72-hour notice required, above. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by the General Manager, Board President or Vice President in the President's absence.

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 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 General Manager, 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. 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 72-hour notice. The minutes of the emergency special meeting, a list of persons the General Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten days in the District office as soon after the meeting as possible.

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 General Manager 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 above.

Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will elect a President and Vice President from among its members to serve during this coming calendar year. At this meeting the new President may also appoint members to the Standing Committees (see Section 16).

Section 9. Use of Confidential Information and Closed Sessions

A Board Member is not authorized to disclose information that qualifies as confidential information under applicable provisions of law to a person not authorized to receive it, that (1) has been received for, or during, a closed session meeting of the Board, (2) is protected from disclosure under the attorney/client or other evidentiary privilege, (3) is not required to be disclosed under California Public Record Act or (4) approved for disclosure by the Board as an appropriate response under the circumstances of a particular case (*Government Code Section 54963*).

This section does not prohibit any of the following: (1) making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury that are necessary to establish the alleged illegality of an action taken by the District, an elected official or employee, (2) expressing an opinion concerning the propriety or legality of actions taken by the Board in closed session, including disclosure of the nature and extent of the allegedly illegal action, or (3) disclosing information acquired by being present in a closed session that is not confidential information.

A Board Member who intends to disclose confidential information from closed session may be subject to a court injunction to prevent such disclosure, and a willful disclosure of such information without Board approval may be referred to the Riverside County Grand Jury (*Government Code Section 54963*).

Furthermore, a Board Member who willfully and knowingly discloses for pecuniary gain confidential information received by him or her in the course of his or her official duties may be guilty of a misdemeanor (*Government Code Section 1098*).

Section 10. Attendance at Meetings

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

A vacancy shall occur if any Board Member ceases to discharge the duty of his/her office for the period of three consecutive months, except as authorized by the Board of Directors.

Section 11. Board President

The President of the Board of Directors shall serve as President 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.

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

Section 12. Members of the Board of Directors

Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Supplementary information may be requested from staff by Directors before meetings in accordance with the Ralph M. Brown Act.

Supplementary information provided by staff shall be distributed through the General Manager to all Directors and added to the meeting packets provided to the public in accordance with the Ralph M. Brown Act.

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

Directors shall defer to the President 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.

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).

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.

Directors shall refrain from having unprofessional, unkind, attacking, or accusatory communications with Directors, vendors, contractors, community members in his or her board email communication. Email communications should be kept brief and to the point.

Section 13. Board Meeting Conduct

Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. Section 15 "Rules of Order for Board and Committee Meetings", shall be used as a general guideline for meeting protocol. All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

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

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

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

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

- Five minutes may be allotted to each speaker.
- No boisterous conduct shall be permitted at any Board meeting. Persistence in boisterous conduct shall be grounds for summary termination, by the President, of that person's right to address.
- No oral presentation shall include charges or complaints against any named employee or by another other reference which tends to identify. All charges or complaints against employees shall be submitted to the Board of Directors.

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

- In such an event, only matters appearing on the agenda may be considered in such a session.
- After clearing the room, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to re-enter the meeting room.
- Duly accredited representatives of the news media, whom the President finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.
- The Board of Directors will not allow the posted Fire capacity of a meeting room to be exceeded. In the event that more persons wish to attend a Board meeting than the room has capacity, the Board shall recess the meeting for no more than fifteen minutes. When the meeting reconvenes, the Board may select a different onsite space or table items to be considered during a regular meeting held at an alternative venue in accordance with the Ralph M. Brown Act.

Section 14. Board Actions and Decisions

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

- Adoption or rejection of regulations or policies.
- Adoption or rejection of a resolution.
- Adoption or rejection of an ordinance.

- Approval or rejection of expenses, transfers and salaries.
- Approval or rejection of any contract or expenditure.
- Approval or rejection of any proposal which commits District funds or facilities.

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.

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

- 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.
- 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.
- 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.

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 General Manager.

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

A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

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.

Section 15. Rules of Order for Board and Committee Meetings

General

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.

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 President. If the

ruling of the President 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.

Obtaining the Floor

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

Motions

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

- A Director makes a motion; another Director seconds the motion; and the President states the motion.

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

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.

Secondary Motions

Ordinarily, only one motion can be considered at a time and a motion must be disposed of before any other motions or business is 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.

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.

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.

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.

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.

Motion to Close Debate and Vote Immediately

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

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.

Decorum

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

The President may also declare a short recess during any meeting.

Amendment of Rules of Order

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.

Section 16. Committees of the Board of Directors

The President shall appoint such ad hoc committees as may be deemed necessary or advisable by the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

The following shall be standing committees of the Board:

- Finance/Budget Committee
- Personnel
- Regional Advisory Board Elected Representative
- Street Lighting
- Trash Disposal
- Wastewater
- Water
- Weed Abatement

The President shall appoint and list the members of the standing committee for the ensuing year no later than the Board's regular meeting in January.

Generally, standing committee meetings are called on an "as needed basis" by the General Manager or President of the Board.

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 President, a majority vote of the Board, or on their own initiative. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

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

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

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

The Board's standing Regional Advisory Board Elected Representative shall be concerned with the functions, activities, and operations, of the Regional Advisory Committee.

The Board's standing Street Lighting Committee shall be concerned with the management of the street lights and the issues/concerns with the City of Jurupa Valley.

The Board's standing Trash Disposal Committee shall be concerned with the management of the trash collection and issues/concerns with the contracting agency's (Burrtec Waste Industries) agreement and charges.

The Board's standing Wastewater Committee shall be concerned with management of the collection system and issues/concerns with the City of Riverside agreement and charges.

The Board's standing Water Committee shall be concerned with management of the water facilities, water system, charges and issues/concerns with the City of Jurupa Valley.

The Board's standing Weed Abatement Committee shall be concerned with management of the weed abatement properties, vendor contracts and issues/concerns with the County of Riverside.

Section 17. Board Meeting Agenda

The General Manager shall prepare an agenda for each regular and special meeting of the Board of Directors. Any Director may contact the General Manager and request any item to be placed on the agenda at least five days prior to the date of the meeting.

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:

- The request must be in writing and be submitted to the General Manager together with supporting documents and information, if any, at least five business days prior to the date of the meeting.
- The General Manager shall be the sole judge of whether the public request is or is not a "matter directly related to District business."
- No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy.

- 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.

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.

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 at the District office.

The agenda for a special meeting shall be posted at least 72 hours before the meeting in the same location.

Section 18. Minutes of the Board Meetings

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

Copies of a meeting's minutes shall be distributed to Directors as a 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 secure container located on the District office premises.

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 locked drawer until the Board has approved corresponding minutes. Upon approval, staff shall erase the tapes for reuse after 30 days pursuant to the Ralph M. Brown Act. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available by the District.

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.
- Summarial record of staff reports.
- Summarial record of public comments regarding matters not on the agenda, including names of commentators.
- Approval of minutes or modified minutes of preceding meetings.

- Record by number of all warrants approved for payment.
- Complete information as to each subject of the Board's deliberation.
- 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 and mid year budget adjustments.
- Approval of all policies, rules and/or regulations.
- Approval of all dispositions of District assets.
- Approval of all purchases of District assets.
- Time of meeting adjournment.

Section 19. Basis of Authority

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.

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.

Section 20. Membership in Associations

The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District, and shall look upon such membership as an opportunity for in-service training.

The Board of Directors shall maintain membership in the California Special Districts Association and shall insure that annual dues are paid when due.

Section 21. Incompatible Offices

A Board Member shall not hold a public office, the duties of which may require action contradictory or inconsistent with his or her duties as a Board Member, as determined under applicable law (*Government Code Section 1099*).

Section 22. Board Stipend, Travel Expenses, Ethics Training

Purpose

It is recognized that the District's Directors are required to attend meetings and render various services in connection with the performance of their duties as Board members. Government Code Section 61047 of the Community Services District Law (the "CSD Law") provides that, unless an increase is authorized pursuant to Section 20200 et seq. of the Water Code, the compensation for Directors shall not exceed \$100.00 for each day of service, not to exceed six (6) days of service in a month. This Article sets forth the compensation and expense policies of the District relative to such services. No compensation or expenses for meetings or services shall be paid without the express authorization of the Board, except as provided below. The Board may deviate from these policies on a case-by-case basis to address specific circumstances as may be

determined by the Board, subject to the limitations of the CSD Law and other applicable provisions of law.

Board and Committee Meetings

Board Members shall adhere to the District's Resolution No. 2014-813 or successor resolution(s) regarding Board Member Stipends.

Expenses

The District shall pay expenses incident to any meeting or other services for which (i) compensation is payable to the Director, as provided above, or (ii) compensation is not payable to the Director, but the payment of expenses has been approved by express authorization of the Board. The payment of expenses shall not be limited to the number of meetings attended in a calendar month.

Travel Expenses – Purpose

It shall be the policy of the District to reimburse Directors for travel expenses that are necessary, reasonable, ordinary, legitimate, permissible, and actually incurred when traveling on authorized District business, provided the expenses are authorized pursuant to above, are fully documented by receipts or other records, and are itemized on an approved Expense Reimbursement Report. It shall be the responsibility of each Director, within two (2) weeks after travel is completed, to submit a properly completed Expense Reimbursement Report together with supporting documentation in accordance with this Article. All documents related to reimbursable expenditures are public records subject to disclosure under the California Public Records Act.

Conferences/Seminars/Workshops

Members of the Board of Directors are encouraged to attend educational training, conferences and seminars, and serve as a representative of the District at professional meetings that clearly benefit the District and are directly related to improving the operation of the District. Subject to budgetary constraints and prior board authorization, there is no limit as to the number of Director's attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

Report to Board

Any and all Board members who attend a conference/seminar/etc. for which the District has expended funds shall briefly report orally or in writing at the following District governing body regular meeting. If multiple officials attended, a joint report may be made.

Registration

Registration fees for approved conferences, seminars, workshops and meetings shall be a District expense and shall be paid in advance directly by the District.

Transportation

Transportation costs for approved travel shall be a District expense. If travel is to be completed by use of a personal vehicle, the vehicle owner shall submit to the District proof of adequate insurance prior to travel. When a personal vehicle is used, the owner will be compensated for mileage at the rates provided in Internal Revenue Service Publication 463 or any successor publication. When available, Directors shall use government and group rates offered by transportation providers. In the case of air

travel, under no circumstances will the reimbursement for airfare exceed the cost of the lowest available round trip airfare from Ontario to the meeting site.

Lodging

Lodging costs for approved travel shall be an expense of the District. Where an overnight stay is required, Directors may arrange to have the District billed in advance for lodging expenses. If advance payment by the District is not possible, the Director may advance the payment for lodging costs. If lodging is in connection with a conference or organized educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available at the time of booking. If the group rate is not available, Directors shall use government rates, if available, or shall use comparable lodging that is consistent with the requirements of this policy. Under no circumstances will the reimbursement for lodging exceed the cost of the lowest available single occupancy rate, plus tax. In addition, no reimbursement will be made for extra services or entertainment purchased by a Director.

Meals

Meal costs while on approved travel shall be an expense of the District. The maximum amount authorized for meal expenses for each day a Director is traveling to or from and/or is in attendance at a meeting, conference, or other activity authorized by the District shall be the current per diem amount for meals as provided in Internal Revenue Service Publication 463 or any successor publication. Under no circumstances will the District pay for or reimburse any expenses for consumption of alcoholic beverages.

Method of Payment for Travel Expenses

Payment for travel and other expenses incurred in connection with authorized District related business is to be made in accordance with the following procedure:

(a) Advance Payments

Where travel has been authorized by the Board, the District may pay per diem meal expenses to a Director in advance and may prepay the costs of transportation, lodging and registration directly to the vendor. Requests for prepayment should be made to the District's General Manager.

(b) Use of District Credit Cards

The District's credit cards shall not be used, directly or indirectly, by Directors.

(c) Cash Reimbursement

The District shall reimburse Directors for expenses incurred in connection with travel previously authorized by the Board, provided the expenses are fully documented by receipts or other records, and are itemized on an approved Expense Reimbursement Report. The Expense Reimbursement Report and related documentation shall show detailed information regarding the date, nature and amount of the expense for all travel items except for per diem expenses. Lodging statements and other

receipts pertinent to travel expenses shall be attached to the Expense Reimbursement Report so that any personal expenses can be identified and charged to the Director. A properly completed Expense Reimbursement Report together with supporting documentation shall be submitted to the General Manager within two (2) weeks following the completion of the authorized travel.

Reports

Directors shall provide brief reports on meetings attended at the expense of the District at the next regular board meeting.

Limitations

All expenses that do not fall within the travel reimbursement policies of this Article or within the reimbursable rates provided in Internal Revenue Service Publication 463, if applicable, shall be approved by the Board, in a public meeting before the expense is incurred. Expenses associated with spouses, relatives, guests, friends, and/or any person other than the Director, shall not be paid by the District, nor shall such expenses be passed through the District's accounting system.

Ethics Training – Purpose

The purpose of this Article is to set forth the ethics training requirements of the District, which are adopted in accordance with Assembly Bill 1234 (Government Code Section 53234 et seq.).

Designated Officials

The provisions pertaining to ethics training shall apply to all "Designated Officials" of the District, which term is defined to include: (i) all Directors of the District, and (ii) the District's General Manager, who are hereby designated by the Board to receive the training specified under this Article. All designated officials shall receive training in ethics pursuant to this Article.

Definition of Ethics Laws

The term "Ethics Laws" includes, but is not limited to, the following:

- (a) Laws relating to personal financial gain by public servants, including, but not limited to, laws prohibiting bribery and conflict-of-interest laws.
- (b) Laws relating to claiming prerequisites of office, including, but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies.
- (c) Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws.
- (d) Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.

Training Requirements

Each designated official shall receive at least two (2) hours of training in general ethics principles and ethics laws relevant to his or her public service at least once every two years. Each designated official who commences service with the District on or after January 1, 2006, shall receive the training required by subdivision of this Article no later than one (1) year from the first day of service with the District.

District Obligations

The District may provide information on training available to meet the requirements of this Article to its designated officials at least once annually. The District shall also maintain records indicating (i) the dates that designated officials satisfied the requirements of this Article, and (ii) the entity that provided the training. Said records shall be maintained for at least five (5) years after a designated official receives the training and are public records subject to disclose under the California Public Records Act.

Section 23. Internet, Email and Electronics Communication Conduct

Board Member access to and use of District email, internet, and other electronic communications resources is a benefit to the District and its constituents.

Board Members shall not use the internet or District email in an inappropriate manner. Inappropriate use of the internet and email includes, but is not limited to:

- Accessing internet sites that contain pornography, exploits children, or sites that would generally be regarded in the community as offensive, or for which there is no official business purpose to access.
- Participating in any profane, defamatory, harassing, illegal, discriminatory, or offensive activity or any activity that is inconsistent in any way with the District's policies.
- Exploiting security weaknesses of the District's computing resources and/or other networks or computers outside the District.
- Internet access is to be used for District purposes only. Board Members do not have any right to privacy in any District computer resources, including email messages produced, sent or received by District computers or transmitted via the District's servers and network. The District may monitor the contents of all email messages to promote the administration of the District, its business, and policies.
- Email, once transmitted, can be printed, forwarded, and disclosed by the receiving party without the consent of the sender. Use caution in addressing messages to ensure that messages are not inadvertently sent to the wrong person.
- Board Members should take the necessary steps to prevent unauthorized disclosure of confidential or privileged information.
- Board Members should be advised, communication via email is considered a public document subject to California Public Records Act (CPRA) disclosures.

Any local, State or Federal laws or statute that may be in conflict with this policy shall be deemed invalid.

Section 24. Violation of this Policy

A perceived violation of this policy should be referred to the President of the Board or to the full board for investigation, as appropriate. If the conduct is found to be a violation of the District's policy by a vote of the Board at a Board meeting, the violation may be addressed by the use of such remedies as are available by law to the District, including but not limited to (a) adoption of a resolution expressing disapproval of the conduct of the Board Member who has violated this policy, (b) injunctive relief, (c) referral of the violation to the District Attorney and/or the Grand Jury, or (d) in any other manner provided by law.

The Board is to review annually and approve this policy.