

RESOLUTION NO. 99-03

A RESOLUTION OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT
AMENDING AND REVISING CHAPTER 2, "RULES AND PROCEDURES OF THE
BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY SERVICES
DISTRICT", OF THE DISTRICT CODE

WHEREAS, the Board of Directors of Rancho Murieta Community Services District has heretofore adopted by resolution amendments from time to time revising the District Code; and

WHEREAS, as the result of reviewing District Code, Chapter 2, Rules and Procedures of the Board of Directors of the Rancho Murieta Community Services District, the Board hereby desires to amend the rules to conform to present operations of the District; and

NOW THEREFORE, Rancho Murieta Community Services District Board of Directors resolves to amend Chapter 2 of the District Code, as presented in the attached Exhibit A.

PASSED AND ADOPTED on April 21, 1999, by the following roll call vote:

Ayes: *Lensch, Thurston, Menicucci, Brennan, Cravens*

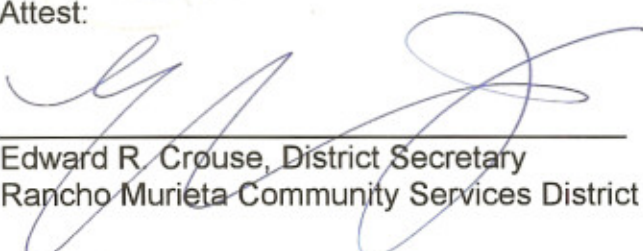
Noes: *0*

Absent: *0*

Abstain: *0*

[SEAL]

Attest:


Edward R. Crouse, District Secretary
Rancho Murieta Community Services District



James E. Lensch, President
Board of Directors

RANCHO MURIETA COMMUNITY
SERVICES DISTRICT

DISTRICT CODE

CHAPTER 2

BOARD OF DIRECTORS
RULES AND PROCEDURES

Revision date: April 21, 1999

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 4:00 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. Motion and approval by Board majority can reset the regular meeting to accommodate member travel schedules, illness, or other cause.
- (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 15160 Jackson Road, Rancho Murieta, California, unless otherwise designated by the Board of Directors.
- (c) Recording. The proceedings of all regular and special Board meetings shall be recorded by audiotape. Recordings shall be retained for a period of 30 days or until minutes of the meeting have been approved, whichever is later. At the request of the Board, tapes may be retained for 180 days. Video and audio taping of regular or special meetings shall conform to sections 54953.5§ & 54953.6§ of the Brown Act.
- (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 and Committees 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 closed sessions may be held when permitted by law.
- (f) Secret Ballots are not allowed.
- (g) All public meetings shall be conducted in compliance with the principles of "Robert's Rules of Order".

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 District Secretary. The General Manager may also act as District Secretary, but no Director shall be appointed as General Manager or District Secretary. The General Manager, District Secretary or a third party may also be appointed as 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, engineers, and other professional consultants as necessary or convenient for the business of the District.
- (d) Advisory Committees. The Board of Directors may appoint any citizens' advisory committee 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 Employee.

- (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 District Secretary shall prepare and mail, or fax to each person entitled thereto copies of agendas, minutes of the preceding meeting, and notice of meetings. The District 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.

Section 4. Agendas.

- (a) Setting of Agenda.
The General Manager, in consultation with the Board President, shall set the agenda. Committee recommendations on topics to be updated on the agenda shall be given to the General Manager. Individual Directors may request items to be placed on the agenda by notifying the General Manager of their request.
- (b) Consent Calendar. Agendas of Board meetings shall incorporate a consent calendar listing items of a routine nature not normally requiring discussion.

The following is a listing of consent calendar items, which may be amended from time to time by the direction of the Board of Directors or by the General Manager and the District Secretary, as they deem appropriate:

- Approval of minutes
- Receive and file or refer correspondence
- Receive and file General Manager's report, Field Operation reports, and Administrative reports
- Approval of warrant and manual check register
- Informational items
- Approval of payment for contracts

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

- (c) Distribution. The District Secretary shall prepare an agenda for each regular and committee meeting and shall post and mail the agenda to persons entitled thereto at least 72 hours prior to the meeting. The District Secretary shall prepare an agenda for each special meeting and post this agenda 24 hours prior to the meeting.
- (d) Additional Distribution. Agendas shall be mailed or faxed to any person who has on file a written request to receive agendas, after the District has received payment of the appropriate fees to cover either faxing or mailing of said agendas.
- (e) 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 District Secretary at least forty-eight hours in advance of the posting of the agenda (5 business days before the meeting). This provision shall not prevent any person from addressing the Board at a time designated therefor on the agenda.
- (f) Agenda Change. The Board can add an item to the agenda with a 2/3 vote of the Board (4 out of 5 members) if the body determines that the matter in question constitutes an emergency or for other cause permitted under section 54954.2(b) of the "Brown Act".
- (g) 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 President and 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.

Government 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.

- (h) 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 the Board President for review. The Secretary shall make copies available to any person who has a written request therefor as outlined in District Policy 98-02.

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. For action taken by motion without the unanimous vote of all Directors present voting, the names of the ayes and noes shall be entered in the minutes. For passage of all ordinances and resolutions, the names of the ayes and noes shall be 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 District Secretary.

Section 7. Deviations.

No deviation from or failure to follow the procedures set forth in this Code 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, and District Policy 98-02, as amended if applicable.

Section 9. Committees.

1. Standing Committees:

- a. Improvements Committee
- b. Finance Committee
- c. Personnel Committee
- d. Security Committee
- e. Parks Committee

2. General Rules Governing Committees

- a.) The President of the Board shall appoint members of the Board to serve on these standing committees. No more than two Directors may serve on any one committee. The President may appoint a chairman of each committee; if no chair is appointed, then representatives may determine their own chairman. The President may change committee assignments at any time. Committee chairs should make an effort to advise the District Secretary no later than 10 days prior to regular Board meetings of agenda items for consideration by the Board.
- b.) Committees should focus on matters, which, typically, require extensive research and review, but should not operate in such a way that they make management decisions better left to paid staff.
- c.) No more than two Directors of the Board shall serve on any one committee. Other Directors may attend committee meetings as observers in accordance with the Brown Act, but have no authority to participate in any way in committee discussions.
- d.) A Committee may take no action. Recommendations for formal action of the Board of Directors are made in the Committee reports.
- e.) 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.
- f.) Time of Meetings. The meetings of Standing Committees shall be held when called by the chair or other Director member.
- g.) Duties and Functions. At a time the President forms the Standing Committee, he/she shall give instructions of the duties for each committee. Additional duties and functions may be delegated by the President, as the needs arise.

h.) The committee shall give a report at the regular meeting of the Board of Directors and if a need to take action should arise, the committee shall bring a recommendation to the Board of Directors at any duly noticed meeting. The Committee Chairman shall notify the General Manager of items to be placed on the agenda where action is needed, if possible, one week prior to the meeting.

IMPROVEMENTS COMMITTEE

The Improvements Committee shall study, advise, and make recommendations with regard to:

- a. Plans, specifications, and bids.
- b. The initiation, scheduling, contracting, and performance of construction programs and work, capital improvements, and the equipment or materials to be used, replaced, disposed of, or salvaged.
- c. The operation, protection, and maintenance of plants and facilities, and delivery.
- d. Construction claims.
- e. Employment of engineering consultants and related consultants.
- f. Energy matters in general.
- g. Annexations; reorganizations and other matters for consideration by LAFCO.
- h. Facility expansions due to development.
- i. Other operational or engineering matters.
- j. Other matters as directed by the Board.

The Committee also shall have authority to:

1. Make inspection trips of District facilities.
2. Address any legal matters affecting the District within the Committee's area of interest.

FINANCE COMMITTEE

The Finance Committee shall study, advise, and make recommendations with regards to:

- a. Preparation of preliminary budgets and recommendations for other committees' consideration.
- b. Disposition and investment of reserve funds.
- c. Investment policy conformance.
- d. Adoption or changes of fees and rates.
- e. Insurance to be carried.
- f. Reports of auditors and financial statements.
- g. Employment of financial or insurance consultants.
- h. Form and contents of accounts, financial reports, and financial statements.
- i. Employment of auditors at any time and for general or special audits.

- j. Contents of auditors' periodic and annual reports.
- k. Audit of monthly expenditures.
- l. Other matters as directed by the Board.

PERSONNEL COMMITTEE

The Personnel Committee shall study, advise, and make recommendations with regards to:

- a. The form of the District's organization and the flow of authority and responsibility.
- b. Periodic independent reviews and studies of the organization, the classification of positions, job duties, salaries, and salary ranges; and preparation and submittal of annual recommendations for employee salaries and benefits to the Finance Committee for consideration in budget preparation.
- c. Relations between the District and its employees including all matters affecting wages, hours, pension plans and other employee benefits, and other terms and conditions of employment and matters included within the employee relations resolution.
- d. Areas of special concern to the District and its employees, including, but not limited to, equal employment opportunity, affirmative action, and the health and safety of employees.
- e. Policies and rules regarding the employment, discipline, and discharge of District officers and employees.
- f. Individuals who serve in positions requiring Board approval, (i.e. General Manager, District Engineer, District Secretary, etc.)
- g. Any legal matters affecting the District within the Committee's areas of interest.
- h. Employment of personnel consultants.
- i. Other matters as directed by the Board.

SECURITY COMMITTEE

The Security Committee shall study, advise, and make recommendations with regards to:

- a. Physical facilities, operations and policies relating to Gate and Patrol functions.
- b. Public safety and health issues affecting the community.
- c. Special events affecting public safety.
- d. Interface with the Homeowners Association representatives regarding security.
- e. Special event permits, which require Board approval.
- f. Other matters as directed by the Board.

PARKS COMMITTEE

The Parks Committee shall study, advise, and make recommendations with regards to:

- a. Representation on the Parks Committee established as a result of the Park Development Agreement.
- b. The District's involvement relating to public community parks within Rancho Murieta.
- c. Utilization of District property as it relates to parks.
- d. Other parks matters as directed by the Board.

(b) Other Committees:

1. **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 special assignments are completed, whichever comes first, but its existence may be extended for an added term or added assignments by action of the Board. Unless otherwise specified, members of an ad hoc committee shall be appointed by the President of the Board and shall serve at the President's pleasure.
2. **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. 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.
3. **Subcommittees.** Subcommittees may be created by any standing committee of the Board of Directors to undertake specific assignments on behalf of the committee. The standing committee creating a subcommittee shall establish such term as it deems desirable. Unless otherwise specified, members of a subcommittee shall be appointed by the Chairman of the subcommittee's parent committee and shall serve at the President's pleasure.

The foregoing revisions were duly passed and adopted by Resolution of the Board of Directors at the regular Board meeting held April 21, 1999.

ATTEST:



Edward R. Crouse, District Secretary
Rancho Murieta Community Services District