

RANCHO MURIETA COMMUNITY
SERVICES DISTRICT

DISTRICT CODE

CHAPTER 2

BOARD OF DIRECTORS
RULES AND PROCEDURES

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DISTRICT CODE

CHAPTER 2 RULES AND PROCEDURES OF THE BOARD OF DIRECTORS OF THE RANCHO MURIETA COMMUNITY SERVICES DISTRICT

SECTION 1.00 Board of Directors

- 1.01 Authority of the Board: The Board of Directors is the governing body of the District. The Board shall act only at its regular meetings, regular adjourned meetings, special meetings or emergency meetings.
- 1.02 Officers: At the regular meeting in December following a general election, the Directors shall elect one of their members President of the Board and another of the members Vice President of the Board. Term of office for each shall be two years. Neither the elected President nor the Vice President may succeed him or herself in office. Should the President or Vice President vacate his or her office prior to the end of the prescribed two-year term, a replacement shall be appointed by the Directors to complete the term of the replaced officer.

SECTION 2.00 Duties of the Board of Directors

- 2.01 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. If both the President and Vice President are absent, the Directors in attendance shall select a Director to preside over the meeting.
- 2.02 Duties of the 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.

The President shall act as spokesperson for the Board with respect to its actions and policies, and those of the District. This provision, however, shall not preclude any other member of the Board from making appropriate comments within the scope of his or her position.

The President, or any member of the Board or staff person so designated, shall represent the Board where it is appropriate or desirable for the District to appear, at meetings of other public agencies, private entities, before public or private groups, or on other public or private occasions. However, this provision shall not limit the attendance of any Director or authorized officer or employee of the District in conformance with the requirements of the Brown Act.

The President shall work through the General Manager, counsel or other officer of the District to obtain such information as may be necessary and appropriate to assist the Board in its deliberations, and may direct staff to implement the policies and decisions of the Board. Except as provided herein, or except as approved by the Board, individual members of the Board shall not act independently to direct staff in the performance of their duties.

2.03 Duties of the Vice President: The Vice President shall act if the President is absent or unable to act and shall exercise all of the powers of the President on such occasions.

2.04 Authority of Individual Board Members: All powers of the District shall be exercised and performed by the Board as a body. Individual Board Members, except as provided in this Code or otherwise authorized by the Board, shall have no independent power to act for the District, or the Board, or to direct staff of the District.

SECTION 3.00 Employees and Consultants

3.01 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.

3.02 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.

SECTION 4.00 Duties of Employees

4.01 Duties of General Manager: The General Manager shall be responsible for all of the following:

- a. The Implementation of the policies established by the Board of Directors for the operation of the District.
- b. The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board of Directors
- c. The supervision of the District's facilities and services.
- d. The supervision of the District's finances.

4.02 Duties of District Secretary: The District Secretary shall prepare and mail or send by electronic media 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.

SECTION 5.00 Meetings: Time, Place and Manner

- 5.01 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 with open session beginning at 5:00 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. (Amended by Resolution 2003-03)
- 5.02 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.
- 5.03 Recording: The proceedings of all regular and special Board meetings shall be recorded by audiotape and/or electronic media. Recordings shall be retained for a period of 10 years. Video and audio taping of regular or special meetings shall conform to sections 54953.5§ & 54953.6§ of the Brown Act.
- 5.04 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.)
- 5.05 Adjourned Meetings: A majority vote by the Board of Directors may terminate any 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.
- 5.06 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.
- 5.07 Secret Ballots: Secret ballots are not allowed.
- 5.08 Meetings: All public meetings shall be conducted in compliance with the provisions of this Chapter and where not otherwise addressed, in compliance with "Robert's Rules of Order".

SECTION 6.00 Agendas

6.01 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, no later than 2:00 p.m. five (5) business days prior to the meeting date.

6.02 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 Director or by the General Manager and the District Secretary, as they deem appropriate.

Approval of Minutes
Receive and File or Reference Correspondence
Receive and File:
 General Manager's Report
 Field Operations Report
 Administrative Reports
 Security Department Reports
Approval of Bills Paid Listing
Informational Items

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

6.03 Distribution: The District Secretary shall prepare an agenda for each regular and Committee meeting and shall post and mail or send by electronic media 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.

6.04 Additional Distribution: Agendas shall be mailed or sent by electronic media 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.

6.05 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 (five (5) business days before the meeting). This provision shall not prevent any person from addressing the Board at a time designated therefore on the agenda.

6.06 Agenda Change: The Board can add an item to the agenda with a 2/3 vote of the Board 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".

- 6.07 Public Comment on Agenda Items: Any member of the public may address the Board on any item on the agenda at the time that item is being considered by the Board. Speakers will be limited to three (3) minutes per agenda item as monitored by the District Secretary. Additional time may be extended by the President. Speakers shall not be allowed to "split" their time, nor shall they be permitted to "reserve" all or any portion of their allotted time. If any person fails or refuses to abide by these rules, the President, after warning the speaker, may declare that the speaker is disrupting, disturbing or impeding the orderly conduct of the meeting and order the speaker to leave the meeting room.
- 6.08 Public Comment on Items Not on the Agenda: Any member of the public may address the Board on any item of interest to the public that is within the subject matter jurisdiction of the District that is not on the agenda, subject to the time limits and restrictions for public comments on agenda items. No action shall be taken on any item not appearing on the agenda unless authorized in accordance with the procedures set forth in Section 54954.2 of the Brown Act. The Board shall not engage in debate, dialogue, or take action on any matter brought to its attention under public comment, except to refer the matter to staff or to determine that the matter should be included on a future agenda for consideration and action.
- 6.09 Manner of Addressing the Board by an Individual: A member of the public addressing the Board may give his or her name – in an audible tone of voice for the record. All remarks shall be addressed to the Board as body, not to any individual Director. No person, other than a Director, General Manager or District Counsel, and the person having the floor, shall be permitted to enter into any general discussion without the permission of the President.
- 6.10 Manner of Addressing the Board By A Group of Persons: Whenever members of the public wish to address the Board on the same subject matter, it shall be proper for the President to request that a spokesperson be chosen by the group to address the Board and, in case additional matters are to be presented at the time by any member of that group, to limit the number of persons so addressing the Board, so as to avoid repetition before the Board. The President may set a time limit for each side of an issue.
- 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.
- 6.11 Correspondence to the Board: All written or electronic correspondence addressed to the Board of Directors is to be sent to the District office. Copies of the written or electronic correspondence 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 7.00 Minutes.

7.01 Minutes: The District Secretary shall keep minutes of regular and special meetings of the Board. In addition, the Secretary shall mail or send by electronic media copies of the proposed minutes to the Board President for review. Copies of said minutes shall be made for distribution to each member of the Board with the agenda for the next regular Board meeting.

7.02 Storage: The official minutes of the regular and special meetings of the Board shall be kept in a fire-proof vault or in fire-resistant, locked cabinets.

Minutes of the Board of Director meetings shall be public records open to inspection by the public. The Secretary shall make copies available to any person who has a written request therefore as outlined in District Policy 2004-03.

SECTION 8.00 Rules of Order for Board and Committee Meetings

Action items shall be brought before and considered by the Board by a motion in accordance with this policy.

8.01 Obtaining the Floor: Any member of the Board desiring to speak should address the President and upon recognition by the President, may address the subject under discussion.

8.02 Motions: Any member of the Board, including the President, may make or second a motion. A motion shall be brought and considered when a member of the Board makes a motion and another Director seconds the motion. The motion is then open to discussion and debate. After the matter has been fully discussed and debated, the President will call for the vote.

8.03 Motion to Amend: A main motion may be amended before it is voted on, either by the consent of the members of the Board who moved and seconded, or by a new motion and second.

8.04 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 of the Board.

8.05 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.

- 8.06 Motion to Close Debate and Vote Immediately: As provided above, any member of the Board may move to close debate and immediately vote on a main motion.
- 8.07 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.
- 8.09 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 eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a request from the President, or otherwise interrupting the meeting or hearing.

SECTION 9.00 Actions and Decisions

- 9.01 Method of Action: The Board shall act only by ordinance, resolution or motion, in accordance with District Policy 2008-01, Guideline for Adopting Ordinances and Policy 2008-02, Guideline for Adopting Resolutions.
- 9.02 Majority – Quorum: The majority of the Board shall constitute a quorum for the transaction of business.
- 9.03 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.
- 9.04 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, Noes, Abstain and Absent shall be entered into the minutes of the Board.
- 9.05 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".
- 9.06 Execution of Ordinances: All ordinances shall be signed by the President and attested by the District Secretary.

SECTION 10.00 Deviations

- 10.01 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 11.00 Records

- 11.01 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 2004-03, as amended if applicable.

SECTION 12.00 Committees

12.01 Standing Committees:

1. Improvements Committee
2. Finance Committee
3. Personnel Committee
4. Security Committee
5. Parks Committee
6. Communication & Technology Committee
7. Regional Water Authority (RWA)

12.02 General Rules Governing Committees:

- a. The President of the Board of Directors shall appoint members of the Board of Directors to serve on these Standing Committees.
- b. 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.
- c. 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.
- 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 the 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:

- a. Make inspection trips of District facilities.
- b. Address any legal matters affecting the District within the Committee's area of interest.
- c. Approve purchase orders for emergency services/repairs up to \$10,000.00.

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 recommendation 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.

Communication & Technology Committee: The Communication and Technology Committee shall be concerned with:

- a. Assuring that information regarding the affairs of the District is adequately and appropriately communicated to its constituents and the public at large.
- b. Using technology to create efficient and effective uses to better serve the District and its customers.

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

Communication Focus:

- a. Developing the District's Communication Plan
- b. Defining the goal, frequency, message, audience and costs of the various communication methods used by the District.
- c. Assisting staff with planning of (to include but not limited to):
 1. Personal Appearances
 2. Pipeline
 3. Bill Stuffers
 4. Channel 5
 5. Newsprint Coverage

6. Brochures
 7. Field Trips/Open House
 8. Web Page
- d. Responding on behalf of the Board, as appropriate and timely, through staff, to requests from various District membership organizations (i.e., CSDA, ACWA, Regional Water Authority) for political and/or legislative support, either in a letter writing campaign or de minimis financial support.

Technology Focus:

- a. Research, evaluate and recommend technology improvements, both software and hardware.
- b. Recommend policies and procedures relating to technology and District's use thereof.
- c. Liaise and consult with other community organizations regarding available technology.

Regional Water Authority (RWA): The mission of the Regional Water Authority is to serve and represent the regional water supply interests, and to assist the Members of the Regional Authority in protecting and enhancing the reliability, availability, affordability and quality of water resources.

The activities of the Regional Water Authority are to:

- a. Assist, where appropriate, in the voluntary consolidation of the services provided by existing industry/trade associations and water utility support groups within the Regional Authority.
- b. Develop and provide subscription-based (i.e., that are paid for by participating Members) support services, projects and programs of mutual interest for Members, or groups of Members, and certain other subscribers.
- c. Facilitate discussion of and action on matters of regional priority and interest.
- d. Coordinate and implement regional water master planning, grant-funding acquisition, and related planning efforts.
- e. Provide a unified voice to advocate and respond to legislative, regulatory and policy matters of importance to the region's water supply.

The District shall appoint two representatives, who shall be either a representative from the Board, executive staff representatives or a combination thereof, either of whom may cast a single vote on behalf of the District. The Authority prefers that one representative be from the Member's governing body,

and that one representative be from the Member's executive staff.

- 12.03 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.
- 12.04 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.
- 12.05 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.

SECTION 13.00 Board Conduct

- 13.01 Conflict of Interest: No Director shall make, participate in or in any way attempt to use his or her official position to influence a decision on any issue when prohibited from doing so by the Political Reform Act of 1974 (Government Code Section 81000, et. Seq.), or any other law. A Director shall, when an agenda item is called, declare that he or she has a conflict of interest, state what the conflict of interest is, and shall remove himself or herself from the Board room during the discussion. The Director's removal shall be noted on the record by the District Secretary, who shall also note the Director's return when the item is completed.
- 13.02 Ethics: Directors shall at all times comply with the District's Ethics Policy for Board of Directors (Policy 2005-06). Directors shall comply with the requirements of Government Code Section 53235 by receiving at least two hours of training in general ethics principles and ethics laws relevant to District service every two years and shall file with the District Secretary a copy of the certificate verifying the completion of such training.
- 13.03 Decorum:
- a. Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

- b. 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.
- c. 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 not create barriers to the implementation of said action.
- d. In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.
- e. 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.
- f. When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through the General Manager.