

McCLOUD COMMUNITY SERVICES DISTRICT **Policy and Procedure Manual**

POLICY TITLE: Meetings of the Board of Directors
POLICY NUMBER: 5020
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5020.10 It is the authority and responsibility of the Board of Directors as the designated legislative body, elected at large, to provide oversight and guidance for the business of the District. This policy addresses the subjects of the Board's meeting schedules, agendas, conduct, rules of order, decisions and minutes.

5020.20 Meetings of the Board: The Board of Directors may hold regular, special, emergency and/or organizational meetings. Each type of meeting has its own agenda and posting requirements pursuant to the Ralph M. Brown Act.

5020.21 Regular meetings are scheduled to be held on the second and fourth Monday of each calendar month at 6:00 p.m. in the Scout Hall, 405 E. Colombero Drive in McCloud. In the event that a regular meeting falls on a District holiday, the meeting will be held at the same time and location on the first workday following the holiday. The Board of Directors may take action to change the date, time and/or location of any regular meeting as needed.

5020.22 Special meetings (non-emergency) may be called by the Board President or the General Manager at which time all directors will be notified by phone call and/or e-mail of the meeting and the purpose(s) for which it is called.

5020.23 Special meetings (emergency) may be called in the event of an emergency situation involving matters for which prompt action is necessary due to the disruption or threatened disruption of public facilities. An emergency situation means a crippling disaster which severely impairs public health, safety or both, as determined by the General Manager, President of the Board or Vice-President in the absence of the President. Emergency meetings may not be held in Closed Session. The Board of Directors will be notified by phone call and/or in person.

5020.24 An annual organizational meeting is held during the first regular meeting of the Board of Directors in December to elect a President and Vice-President from among its members to serve during the coming calendar year. The Board of Directors will appoint a Secretary of the Board and a Treasurer to serve during the coming calendar year. Unless circumstances necessitate cause for change, the District Secretary will be appointed Secretary of the Board and the General Manager will be appointed Treasurer to serve during the coming calendar year. Note: The Secretary of the Board and Treasurer, by California codes, cannot be members of the Board of Directors. The newly elected President will establish committee meeting schedules and assign directors to each committee to serve during the coming calendar year.

5020.30 Committee meetings: Standing committees are those that have continuing subject matter jurisdiction, regularly established meeting schedules and two directors assigned as members. Ad-hoc or advisory committees are those that have temporary subject matter jurisdiction. Committees are not voting bodies. It is the responsibility of a committee to provide recommendations for the review and deliberation of the Board of Directors.

5020.40 Agendas: It is the responsibility of the General Manager, with cooperation from the President of the Board to prepare the agenda for each regular and standing special meeting of the Board of Directors. It is the responsibility of the Chairperson of each committee with cooperation from the General Manager to prepare the agenda for the standing committee meetings.

5020.41 Agenda Requests and Deadline: The agenda request deadline for regular meetings of the Board of Directors is 5:00 p.m. on the Tuesday prior to the date of the meeting. Any member of the public, district staff, or the Board of Directors may request a matter directly related to District business be placed on an agenda by written request and submittal to the General Manager, with supporting documents, if applicable- Any director may call the General Manager and/or the President of the Board and request an item be placed on an agenda.

5020.412 If an agenda request is denied, the General Manager will inform the requesting party of the reason(s) for denial.

5020.42 Agenda Posting: Agendas will be posted at the District Office, MCSD, the Mercantile and McCloud Post Office to meet legal compliance. Postings will be made on the District website.

5020.421 Regular and Standing Committee meeting agendas will be posted, at minimum, 72 hours prior to the time of the meeting. Special meeting agendas will be posted, at minimum, 24 hours prior to the time of the meeting.

5020.50 Agenda Categories: Regular meeting agendas will include the following categories:

5020.51 Call to Order

5020.52 Approval of Minutes

5020.53 Public Comment: This time is provided to receive information from the public regarding issues that do not appear on the agenda and is limited to three minutes per person. Brief responses or questions may be made, but no discussion will be conducted, or action taken on items not listed on the agenda; however, staff may be directed to place the item on a future agenda.

5020.54 Announcements of Events Relative to District Business:

5020.55 Communications: Written communications of general interest and relative to District

business. No action will be taken on these items; however, staff may be directed to place the item on a future agenda for consideration of action.

5020.56 Reports: No action will be taken on reports or issues associated with reports; however, staff may be directed to place the item on a future agenda for consideration of action.

5020.57 Consent Agenda: Non-controversial items such as, but not limited to proclamations, procedural resolutions required by other agencies, resolutions of appreciation, final action to create, revise or rescind policies that were previously introduced at a prior meeting may be considered and approved with a single motion. A director may request any item on the Consent Agenda be removed for separate consideration.

5020.58 Old Business

5020.59 New Business

5020.60 Conduct: Meetings of the Board of Directors will be conducted by the President of the Board, Vice-President in the absence of the President or a director selected by consensus of the quorum in the absence of both officers. Committee meetings will be conducted by the Chairperson, or the second director assigned to the committee in the absence of the Chairperson. Meetings will be called to order at the time stated on the agenda and conducted in a professional, orderly, and civil manner. A meeting of the Board of Directors can only be called to order when a majority of the Board is present. Three (3) directors constitute a quorum.

5020.61 The President of the Board, at his/her discretion, may limit the time allocated to an individual speaker and a maximum of 20 minutes to each subject matter.

5020.62 Disruptive actions will be curtailed by the presiding official as necessary to preserve order including termination of an individual's privilege to speak or remain in attendance.

5020.70 Rules of Order are informally based on parliamentary procedures and applied flexibly to establish a process of orderly conduct to facilitate active participation in discussions.

5020.71 If a director believes order is not being maintained or procedures are not adequate, he or she should raise a point of order, which does not require a second, to the officiating party. If the ruling of the officiating party is not satisfactory to the director, it may be appealed to the Board for a majority ruling.

5020.80 Actions: Action can only be taken by vote of the majority of the full Board of Directors. 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.

5020.80.01 Abstaining – in the event of an abstention for reasons other than a conflict of interest, the abstention is counted as an Aye vote.

5020.80.02 Quorum – In the event of a conflict of interest the party abstaining will not be counted as a member of the Quorum (item only being discussed).

5020.81 One motion can be considered at a time and a motion must be disposed of before any other motions or business are considered. There are 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.

5020.82 The Board may give directions to staff by consensus rather than taking formal action. The presiding official shall determine consensus of a directive and state it for clarification and inclusion in minutes of the meeting. Such informal action is still action by the board and shall only occur regarding matters that appear on the agenda. If any two directors challenge the statement of consensus, a voice vote may be requested.

5020.90 Minutes: The Secretary of the Board will keep minutes of all regular and special meetings. Approved minutes will be maintained electronically and in hardcopy form available for public review. Recordings of regular and special meetings will be made to facilitate the accurate development of minutes and recordings will be maintained for one year. Meeting tapes and recording equipment will be available first to the Secretary of the Board for preparation of draft minutes. Recordings will then be available to members of the public without charge on a playback machine at the District Office during regular business hours.

5020.91 Board action will be included in minutes as having passed or failed and individual votes and summary of discussion (from board and public) will be documented unless an action was unanimous. Included in the minutes will have a summary of the public comments during public comment period. In addition to other information the Board; will include 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 or early departing directors.
- Approval of minutes or modified minutes of preceding meetings.
- Record of all claims reviewed and/or approved for payment.
- Resolutions and ordinances described as to their substantive content.
- Record of all contracts and agreements, and their amendment, approved by the board.
- Approval of an annual budget.
- Approval of all policies, rule and/or regulations.
- Time of meeting adjournment.

5020.100 Review of Administrative Decisions: The provisions of §1094.5 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors. These provisions shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District affecting the subject matter of an appeal. This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

