

HORNBROOK COMMUNITY SERVICES DISTRICT
Board of Directors
Policy and Procedure Manual

POLICY TITLE: Board of Directors – Authority of the Board and Officers

POLICY NUMBER: 4000

ADOPTED:

AMENDED:

4000.01 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.

4000.02 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 (2) years. The elected President or the Vice President may succeed him or herself in office once, for two (2) terms or four (4) years 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.

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POLICY TITLE: Duties of the Board and Officers

POLICY NUMBER: 4010

ADOPTED:

AMENDED:

4010.01 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.

4010.02 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.

4010.03 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.

4010.04 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 these bylaws 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.

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POLICY TITLE: Employees and Consultants

POLICY NUMBER: 4020

ADOPTED:

AMENDED:

4020.01 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. The General Manager, District Secretary or a third party may also be appointed as the Finance Officer/Treasurer. No Director shall be appointed as the Finance Officer/Treasurer.

4020.02 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.

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POLICY TITLE: Duties of Employees

POLICY NUMBER: 4030

ADOPTED:

AMENDED:

4030.01 Duties of General Manager

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

- 4030.01.1** The Implementation of the policies established by the Board of Directors for the operation of the District.
- 4030.01.2** The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board of Directors.
- 4030.01.3** The supervision of the District's facilities and services.
- 4030.01.4** The supervision of the District's finances.

4030.02 Duties of the 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.

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POLICY TITLE: Meeting Time and Place

POLICY NUMBER: 4040

ADOPTED:

AMENDED:

4040.01 Time

The time for regular meetings of the Board of Directors of the Hornbrook Community Services District shall be set by Resolution of the Board annually in December for the ensuing year. The regular meeting date, once established, can be reset to accommodate member travel schedules, illness, or other cause. The Board shall diligently attempt to hold the regular meeting on the established schedule.

4040.02 Place

The place of meetings of the Board of Directors shall be at the Hornbrook Community Hall located at 220 Main Street, Hornbrook, CA 96044, unless otherwise designated by the Board of Directors.

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POLICY TITLE: Meeting Manner

POLICY NUMBER: 4050

ADOPTED:

AMENDED:

4050.01 Recording

The proceedings of all regular and special Board meetings shall be recorded by audiotape and/or electronic media. Meeting recordings shall be retained for a period of one (1) year. Video and audio taping of regular or special meetings shall conform to sections 54953.5§ & 54953.6§ of the Brown Act.

4050.02 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.)

4050.03 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.

4050.04 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; provided, however, that closed sessions may be held when permitted by law.

4050.05 Secret Ballots

Secret Ballots are not allowed.

4050.06 Meetings

All public meetings shall be conducted in compliance with the provisions of this Chapter and where not otherwise addressed, in compliance with Policy 4080, Rules of Order.

4050.07 Deviations

No deviation from or failure to follow the procedures set forth in the Board Bylaws shall invalidate any action or decision by the Board of Directors unless said decision is subsequently invalidated by court order or action of the District Board.

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POLICY TITLE: Rules of Order for Board and Committee Meetings

POLICY NUMBER: 4080

ADOPTED:

AMENDED:

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

4080.01 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.

4080.02 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.

4080.03 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.

4080.04 Motion to Postpone or Table

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.

4080.05 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 a committee, which is then seconded and approved by a majority vote of the Board.

4080.06 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.

4080.07 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.

4080.08 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 adjourn the meeting to temporary recess to gain order in the meeting, or may eject any person or persons making improper personal, impertinent or slanderous remarks, refusing to abide by a request from the President, or otherwise interrupting the meeting or hearing.

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POLICY TITLE: Actions and Decisions

POLICY NUMBER: 4090

ADOPTED:

AMENDED:

4090.01 Method of Action

The Board shall act only by ordinance, resolution or motion.

4090.02 Majority - Quorum

The majority of the Board shall constitute a quorum for the transaction of business.

4090.03 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.

4090.04 Recordation of Vote Exceptions

For action taken by motion without the unanimous vote of all Directors present voting, the name 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

4090.05 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 Hornbrook Community Services District as follows."

4090.06 Executions of Ordinances

All ordinances shall be signed by the President and attested by the District Secretary.

4090.07 Approval of Agreements

All agreements of the District shall be approved by Board Resolution and signed by the President and attested by the District Secretary. The Board may authorize the General Manager to sign agreements on behalf of the District for convenience or timeliness.

4090.08 Approval of Policies and Bylaws

All adopted and amended policies and bylaws of the District shall be approved by Board Resolution and shall contain an official approval and each amendment date, attested by the Secretary.

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POLICY TITLE: Board Conduct

POLICY NUMBER: 4100

ADOPTED:

AMENDED:

4100.01 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 him 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 time is completed. The District shall adopt a separate Conflict of Interest Policy as required by law.

4100.02 Ethics

Directors shall at all times comply with the District's Ethics Policy for Board of Directors. 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 within 30 days of assuming office and every two years thereafter, and shall file with the District Secretary a copy of the certificate verifying the completion of such training.

4100.02 Other Training

Directors shall complete Sexual Harassment training for Supervisors as soon as possible upon the assumption of office, and every two years thereafter, and shall file with the District Secretary a copy of the certificate verifying the completion of such training. Board members shall avail themselves of available governance and Board leadership training when and if such can be supported in the District budget.

4100.03 Decorum

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 not create barriers to the implementation of said action.

In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

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 the General Manager.

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POLICY TITLE: Committees

POLICY NUMBER: 4110

ADOPTED:

AMENDED:

4110.01 General Rules Governing Committees

The President of the Board of Directors may appoint members of the Board of Directors to serve on a Committee.

No more than two Directors of the Board shall serve on any one Standing or Ad-Hoc Committee as further detailed below. Other Directors may attend Standing Committee meetings as observers in accordance with the Brown Act, but have no authority to participate in any way in Committee discussions.

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.

A Committee may take no action. Recommendations for formal action of the Board of Directors are made in the Committee reports.

Any Standing Committee or Ad-Hoc 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.

Standing Committees may be formed to take on matters of ongoing interest such as budgets, operations and policies. The meetings of Standing Committees shall be held when called by the Chair or other Director member.

Duties and Functions: At the time the President forms the Standing Committee, s/he shall give instructions of the duties for each Committee. Additional duties and functions may be delegated by the President, as the needs arise.

The Committee shall give a report at the regular meeting of the Board of Directors and if a need to take action should arise, 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 the items to be placed on the agenda where action is needed, if possible, one week prior to the meeting.

4110.02 Ad Hoc Committees

Ad Hoc Committees may be created by the Board President to undertake special research assignments on behalf of the Board. An ad hoc Committee shall consist of two or less members of the Board, and exist for a specified term or until its special assignments are completed, which comes first, but its existence may be extended for an added term or added assignments by action of the Board. Unless otherwise specified, Ad-Hoc Committees are not subject to Brown Act requirements and members of an Ad Hoc Committee shall be appointed by the President of the Board and shall serve at the President's pleasure.