

Hornbrook Community Services District

Regular Meeting of March 28th, 2017

AGENDA SUPPORTING DATA

5. DISCUSSION AND ACTION ITEMS

- a. Discussion and potential action regarding the requirement and appropriate procedure for amendment of District bylaws

Recommended Motion

Staff recommends the following motion:

This is provided as an informational item only, however the Board may give related direction to staff and/or place certain actions related to the District bylaws on a future agenda.

Background

The actions of the District Board of Directors are clearly and simply described in California Government Code Section 61045 as follows:

- (a) A majority of the total membership of the board of directors shall constitute a quorum for the transaction of business.
- (b) The board of directors shall act only by ordinance, resolution, or motion.
- (c) Except as otherwise specifically provided by law, a majority vote of the total membership of the board of directors is required for the board of directors to take action.
- (d) The minutes of the board of directors shall record the aye and no votes taken by the members of the board of directors for the passage of all ordinances, resolutions, or motions.
- (e) The board of directors shall keep a record of all its actions, including financial transactions.
- (f) The board of directors shall adopt rules or bylaws for its proceedings.
- (g) The board of directors shall adopt policies for the operation of the district, including, but not limited to, administrative policies, fiscal policies, personnel policies, and the purchasing policies required by this division.

As stated in law, the Board's rules or bylaws are intended to govern the administration of Board business, such as meetings, meeting decorum, agendas, board member conduct, actions and decisions, and similar matters. The most recent revision to the District bylaws were approved on June 25, 2014. Many Districts schedule review and update of the Bylaws on an annual basis with the appointment of officers. Calling the Board policies "bylaws" is for the most part semantics, however it is recommended that the Board consider adoption of an amended series of policies to govern its actions, and term them "Board Bylaws".

During this meeting, we will discuss the procedure for update and future amendment of the bylaws.