

LAKE DON PEDRO COMMUNITY SERVICES DISTRICT
Policy and Procedures Manual

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POLICY TITLE: **Role of the Governing Board of Directors**
POLICY NUMBER: **4000**

- 4000.10** The most important function of a governing board of directors is the establishment of policy. The other officers and employees of the agency cannot establish policy. Therefore, it is the duty of the governing board to establish a clear policy on Lake Don Pedro Community Services District's mission, goals and operations.
- 4000.101** The District's policies, i.e., mission, goals and programs, are established by a majority of the Board of Directors at a public meeting.
- 4000.102** The Board will not direct management how to implement policy but will hold management responsible if the policy of the District is not implemented.
- 4000.103** The Manager shall recommend programs to implement District policy to the Board at public meetings unless instructed by the Board to report to a committee or individual directors.
- 4000.104** The Manager shall carry out the programs approved by the Board without modification.
- 4000.105** Individual Directors are encouraged to inquire of the Manager as to the status of programs.
- 4000.106** The Manager shall promptly provide information requested by the Directors.
- 4000.107** Directors may request information from subordinate staff only if the Managers first fail to provide the information.
- 4000.108** Directors shall not instruct staff how to perform their work.
- 4000.20** Governing boards commonly establish policy steps:
- 4000.201** **Step 1:** Defines the fundamental mission of the agency. For Lake Don Pedro Community Services District this would be to "provide sufficient water to satisfy the needs of the community at a reasonable price."

- 4000.20 Governing boards commonly establish policy steps (continued):
- 4000.202 **Step 2:** Identifies the specific actions that are necessary to accomplish the mission.
 - 4000.203 **Step 3:** Involves the formulation of programs to implement the goals. The board must review staff recommendations and decide which program should be implemented in light of the agency's mission and goals. The development of the program should occupy much of the board's attention.
- 4000.30 Once a comprehensive policy is established, the board must ensure the policy is implemented. Although the annual budget is often perceived entirely in fiscal terms, it actually starts the implementation of policy by identifying the programs that will be undertaken during the following fiscal year. Approval of the budget does not complete the process of authorizing programs. The budget is a road map for management for the fiscal year. After the budget is approved, management presents projects to carry out the programs identified in the budget. For example, if part of the budget is allocated for a capital project, the board must authorize the hiring of a contractor to perform the work.
- 4000.40 It is important to remember that the board's duty is supervising management not doing the actual managing.
- 4000.50 Occasionally, individual board members will mistakenly conclude that they should direct staff in the implementation of district's programs.
- 4000.501 A board member who attempts to direct the staff places the employees in an untenable position; the employees will believe that compliance is necessary to preserve employment.
 - 4000.502 Such a member also violates the trust of other board members who pledged to abide by the will of the **majority**.
 - 4000.503 Employees who take direction from individual board members should be disciplined by management.
 - 4000.504 A director who gives direction to employees should be sanctioned by the board of directors.
- 4000.60 It is extremely important to remember that, under the law, an individual Board member has the privilege of inspecting all records of the agency (not just public records) but has no greater rights in the day-to-day operation of the district than the public.

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POLICY TITLE:

Role of the Governing Board of Directors

POLICY NUMBER:

4000

- 4000.70** Pursuant to Government Code Section 1780, the Board of Directors of Lake Don Pedro Community Services District elects to fill any vacancy, occurring due to a resignation of any Director of the Board, by appointment. If the Board finds a suitable candidate, and appoints the candidate to the vacancy, that person shall serve the remainder of the term of the resigning director.
- 4000.80** Any changes to this policy will require a 4/5 (four-fifths) vote of the Board of Directors.

LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

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POLICY TITLE: Code of Ethics

POLICY NUMBER: 4010

4010.1 The Board of Directors of the Lake Don Pedro Community Services District is committed to providing excellence in legislative leadership that results in the provision of the highest quality services to its constituents and to comply with State laws including AB 1234 (Salinas) approved in 2006.(copy attached as reference)

In order to assist in the governance of the behavior between and among members of the Board of Directors and District staff, the following rules shall be observed.

4010.1.1 The dignity, style, values and opinions of each Director shall be respected.

4010.1.2 Responsiveness, attentive listening and communication is encouraged.

4010.1.3 The needs of the District's constituents should be the priority of the Board of Directors. When a Director believes he/she may have a conflict of interest, Legal Counsel shall be requested to make a determination if one exists or not.

4010.1.4 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

4010.1.5 Directors should commit themselves to emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.

4010.1.6 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.

4010.1.7 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 commit to supporting said action and not to create barriers to the implementation of said action.

4010.1.8 Directors should practice the following procedures:

4010.1.8.1 In seeking clarification on informational items, Directors may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

4010.1.8.2 In handling complaints from residents and property owners of the District, said complaints should be referred directly to the General Manager.

4010.1.8.3 In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District office. Emergency situations should be dealt with immediately by seeking appropriate assistance.

4010.1.8.4 In presenting items for discussion at Board meetings, see Policy #5020.

4010.1.8.5 In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager or Legal Counsel.

4010.1.9 If approached by District personnel concerning specific District policy, Directors should direct inquiries to the appropriate staff supervisor or General Manager. The chain of command should be followed.

4010.2 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.

4010.2.1 When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

4010.2.2 Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

4010.2.3 Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

4010.2.4 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

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POLICY TITLE: Voluntary Candidate Expenditure Ceiling

POLICY NUMBER: 4015

4015.1 In accordance with Government Code §85400 (Proposition 208), the voluntary expenditure ceiling for candidates for the Board of Directors of the Lake Don Pedro Community Services District, and controlled committees of such candidates, shall be one dollar (\$1) per resident for each election in which the candidate is seeking election to the Board of Directors.

4015.2 Proposition 208 establishes a two-tiered scheme of campaign contribution limitations applicable to candidates running for local office based on whether the recipient candidate accepts or rejects the voluntary expenditure ceiling established by the local jurisdiction. The decision by a candidate as to whether to accept the ceiling must be made before a candidate accepts any contributions.

4015.2.1 If a candidate for the Board of Directors elects to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to \$250.

4015.2.2 If a candidate for the Board of Directors elects not to abide by the ceiling, he/she may accept contributions from businesses, political action committees (PAC's), or individuals in an amount up to \$100.

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POLICY TITLE: Attendance at Meetings

POLICY NUMBER: 4020

4020.1 Members of the Board of Directors shall attend all regular and special meetings of the Board unless there is good cause for absence. If a Director is absent from a meeting he/she will be responsible for listening to the meeting audio recording so he/she will be informed on what happened while he/she was absent.

4020.2 A vacancy shall occur if any member ceases to discharge the duty of his/her office for the period of three consecutive months except as authorized by the Board of Directors.

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POLICY TITLE: Remuneration and Reimbursement

POLICY NUMBER: 4030

4030.1 Members of the Board of Directors shall receive a monthly "Director's Fee," the amount of which shall be annually established by the Board at its regular meeting in July.

4020.2 Members of the Board of Directors shall be reimbursed for all legitimate expenses incurred in attending any meetings or in making any trips on official business of the Board when so authorized in accordance with Policy #4090. Reimbursement for the cost of the use of a Director's vehicle shall be on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of the vehicle usage.

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POLICY TITLE: Director's Health Insurance

POLICY NUMBER: 4035

4035.1 Members of the Board of Directors of the Lake Don Pedro Community Services District may participate in the health benefits plan provided by the District on a self-pay basis. The District will pay the minimum monthly enrollment fee for each enrolled Director required of it by the Public Employees' Medical and Hospital Care Act.

4035.2 In accordance with Government Code §53208.5, the benefits provided to Directors by the health benefits plan may not be greater than the most generous schedule of benefits being received by any group of District employees. Family members of the Director are also eligible for enrollment in the health benefits plan.

4035.3 The health benefits plan for Directors will be available only to active members of the Board of Directors, and shall not be available after a Director is no longer an elected or appointed official of the District.

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POLICY TITLE: Board President

POLICY NUMBER: 4040

4040.1 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.

4040.2 In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

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POLICY TITLE: Members of the Board of Directors

POLICY NUMBER: 4050

4050.1 Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from staff or exchanged between Directors before meetings. The Brown Act must be adhered to at all times.

4050.1.1 Information exchanged before meetings shall be distributed through the General Manager, and all Directors will receive all information being distributed.

4050.1.2 Copies of information exchanged before meetings shall be available at the meeting for members of the public in attendance, and shall also be provided to anyone not present upon their request.

4050.2 Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.

4050.3 Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

4050.4 Directors may request for inclusion into minutes brief comments pertinent to an agenda item only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

4050.5 Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision-making responsibilities.

4050.6 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

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POLICY TITLE: Committees of the Board of Directors

POLICY NUMBER: 4060

4060.10 The President of the Board shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

4060.20 The following may be either standing committees or ad-hoc committees of the Board.

STANDING COMMITTEES:

4060.21	Finance Committee
4060.22	Operations Committee
4060.23	Public Relations Committee
4060.24	Personnel Committee

AD-HOC COMMITTEES:

4060.25	Long Range Benefits
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ADVISORY COMMITTEES:

4060.26	MID Committee
4060.27	South Shore Committee

4060.30 After determining to establish a committee, the Board shall decide that the committee will be either a standing or ad-hoc committee. The President of the Board shall appoint and publicly announce the members of the committee.

4060.31 The Board's committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the President of the Board, or a majority vote of the Board. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

4060.41 All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

4060.50 The Board's Planning Committee shall be concerned with the formulation of plans for arranging, realizing, and/or achieving District goals.

- 4060.60** The Board' Ordinance Committee shall be concerned with proposed ordinances, resolutions and/or District policies, except those pertaining specifically to personnel.

- 4060.70** The Board's Personnel Committee shall be concerned with the functions, activities, operations, compensation, and welfare of District staff.

- 4060.80** The Board's Finance Committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

- 4060.90** The Board's Public Information Committee shall be concerned with assuring that information regarding the affairs of the District is adequately and appropriately communicated to its constituents and the public at large.

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POLICY TITLE: Basis of Authority

POLICY NUMBER: 4070

4070.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

4070.2 Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the community as a whole.

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POLICY TITLE: Memberships in Associations

POLICY NUMBER: 4080

4080.1 The Board of Directors shall ordinarily hold membership in and attend meetings of such national, state, and local associations as may exist which have applicability to the functions of the District, and shall look upon such memberships as an opportunity for in-service training.

4080.2 The Board of Directors shall maintain membership in the California Special Districts Association and shall insure that annual dues are paid when due

4080.3 The Board of Directors shall maintain membership in the Chapter of the California Special Districts Association and shall insure that annual dues are paid when due.

4080.3.1 At the regular Board meeting in [MONTH], a member of the Board shall be selected to represent the District in accordance with said chapter's constitution/bylaws, and another member of the Board or staff member shall at the same time be selected to serve as an alternate for the representation.

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POLICY TITLE: Training, Education and Conferences

POLICY NUMBER: 4090

4090.1 Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

4090.1.1 "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

4090.2 It is the policy of the District to encourage Board development and excellence of performance by reimbursing actual expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted.

4090.2.1 The Board Secretary is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the General Manager, together with validated receipts in accordance with State law.

4090.2.2 Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.

4090.2.3 Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the Board Secretary and by:

4090.2.3.1 Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.

4090.2.3.2 Directors traveling together whenever feasible and economically beneficial.

4090.2.3.3 Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.

4090.3 A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after the District has announced his/her pending resignation, or if it occurs after an election in which it has been determined that the Director will not retain his/her seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

4090.4 Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.

LAKE DON PEDRO COMMUNITY SERVICES DISTRICT

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POLICY TITLE: Ethics Training

POLICY NUMBER: 4095

4095 All directors and designated executive staff of Lake Don Pedro Community Services District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2.

4095.1 This policy shall also apply to all staff members that the board of directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.

4095.2 All ethics training shall be provided by entities whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.

4095.3 Directors shall obtain proof of participation after completing the ethics training. Applicable costs for attending the training will be reimbursed by the District.

4095.3.1 District staff shall maintain records indicating both the dates that directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after directors receive the training, and are public records subject to disclosure under the California Public Records Act.

4095.4 District staff shall provide the board of directors with information on available training that meets the requirements of this policy at least once every year.

4095.5 Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

4095.6 Any director of the Lake Don Pedro Community Services District that serves on the board of another agency is only required to take the training once every two years.