

# DIRECTORS

3000

## 3000.00--Definitions

**A Local Agency:** A District or any board, or any other local public agency (GC 54951).

**A Legislative Body:** The governing body of a local agency or any other local body created by state, federal statute and the *Special District Book*.

## 3010.00—Authorities

Plumas County Board of Supervisors Resolution No. 1515: "... the Board of Directors of the District shall have and are hereby granted all of the powers given in the Resort Improvement District Law, Division 11 of the Public resources Code, to the Board of Supervisors, and consent is hereby granted the Board to conduct all of the proceedings provided in said Law for financing the costs of acquiring, constructing, financing, extending, improving, repairing, maintaining, operating and regulating any of the public improvements provided in Paragraph 8 hereof, and to exercise any of the other powers in said Law provided in relation to the district."

The Board is responsible to the Owner/Rate-Payers of the District, who voted for them, the Brown Act and other Federal, State and County statutes and regulations. All members of the Board have equal authority. The Chair of the Board may not make motions, second motions or vote on measures except to break a tie vote. *This is in Roberts Rules of Order.*

## 3020.00—Elections for the Board of Directors (GC 54952.1, Ordinance 92-11)

Elections will be held every two years on the odd-numbered year. Three members will be elected at the first election and two members will be elected on the following odd year. Each member shall serve for four years. *Unless a four-year term had been vacated by the elected member, then in an election year someone will be elected to complete the remainder of the term.*

## 3030.00—Responsibilities of the Board of Directors (GC 54952.1)

1. Any person elected to serve as a member of a legislative body [board] who has not yet assumed the duties of office shall conform his or her conduct to the requirements of this board as if he or she had already assumed office.
2. A *Chairman* and a *Vice-Chairman* shall be elected at the December meeting of each year. The term of office shall commence on January 1 of the year immediately following their election. (Ordinance 92-11, Item 3.)
3. The Chairman's duty shall be to conduct the meetings, but may not make motions, second motions or vote on motions except to break a tie vote. *This is in the book, Roberts Rules of Order.*
4. The Vice-Chairman's duty shall be to conduct the meetings in the absence of the chairman.
5. The Board will establish all rules for governing the structure of the District and Board meetings: *Ordinance 96-4A item # 7*
  - a. *By selecting officers of the board (i.e.) electing a Chairman and Vice-Chairman*

can, in an emergency, call the attorney at their own discretion. All conversations with said attorney must be taped and a transcript provided for the other board members and the public when indicated. (Ordinance 96-4a, item 8c)

14. When issues that come before the Board for Resolution, where those issues are controversial, should be researched by two Board members independently, from two opposing points of view, to insure that both sides of any issue are given equal consideration. (Ordinance 96-4A, item 8i).

15. The Board is responsible for the finances of the District, and must:

- a. Produce an annual budget
- b. Monitor the progress of this budget throughout the year.
- c. Establish and regulate user fees
- d. Select the District auditor (Ordinance 96-4A, item 4).

16. The Board makes long-ranges planning:

- a. By calling meeting(s) to discuss where the District will be in (1) one year, (5) five years, (10) ten years by installing a long-range operational plan
- b. By reviewing and implementing this plan every year. (Ordinance 96-4A, item 5).

#### **3040.00—Access**

Board Member's access to files will be through the office secretary only, and at the office secretary's convenience. (Ordinance 96-4A, item 8a).

#### **3040.10—Duties of the Board of Directors**

1. The Board will act (i.e. make decisions) at legal meetings only. (Ordinance 96-4A, item 1).
2. The Board will establish, in writing, all policies of the District (Ordinance 96-4A, item 2)
  - a. These policies should be reviewed, where needed, on a yearly basis.
3. The Board will establish staffing policies and an organizational chart.
  - a. The Directors will hire all employees. (Ordinance 96-4A, item 3)
4. The Board shall receive all incoming letters and approve and sign all outgoing letters except where authority has been delegated to either staff or Board members sign for the Board.
5. The Board shall hire all consultants for the District, i.e.
  - a. Engineers, insurance agents, financial consultants, and grant writers (Ordinance 96-4A, item 6).
6. Each Board will appoint a standing legal committee composed of at least two Board Members (any contact with the District's attorney will be only through this committee), which can, in an emergency, call the attorney at their own discretion. All conversations with said attorney must be taped and a transcript provided for other Board Members and the public when indicated. (Ordinance 96-4A, item 8c).
7. A Board member may vacate his/her position by written resignation or formal recall.

#### **3040.20—Directors' Personal Conduct**

1. Directors shall act in an ethical, fiscally responsible manner at all times.
2. No Board Member may use District stationary, or represent himself or herself as a representative of the Board, whether gathering information or soliciting opinions or expressing a personal opinion, either by phone or by mail or through the newspaper,



- b. *By creating standing and/or temporary committees*
- c. *By establish who will serve on these committees*
- d. *By establishing how the Board members will vote. (Roll call, ballot or collective).*
- e. *By establishing where regular, special, emergency, and committee meetings will be held within the District's physical boundaries using the guidelines of the Brown Act.*
- f. *By establishing the rules whereby the public may participate at regular or special meeting (i.e. the three minute time limit on discussion and request that they state their name for the purpose of typing the minutes or listening of the tapes at a later date for clarification).*
- g. *By establishing or amend by-laws, which are consistent with District policy.*

6. The Board shall delegate specific authorities in writing to employees and committees as appropriate. *This should only be extra from their regular job authorities.*

7. Board Members shall attend all meetings. *Any Board member who misses three consecutive regular meeting, or 50% of the meetings, except where absences are the result of illness, accident, or family emergencies (this decision at the discretion of a quorum of the board) will be asked to resign. Additionally, Board members must notify in writing or by phone the District Secretary or another Board member if they are going to be away from the area for any length of time, or if they are going to be absent from a particular meeting. Failure to notice the above two items will constitute a failure to attend, and the above rules will apply. Finally no Director may leave a meeting once it has been called to order unless an emergency arises or there is threat of physical harm. Ordinance 96-4A, item 8b*

8. Board members are expected to attend emergency meetings when contacted. Contacts may be made by an employee or any Director who is calling all other Directors. An emergency meeting shall be called only by a quorum of the Board (Ordinance 96-4A, item 8d & e).

9. Board Members shall be free to research and secure information regarding District business, as they deem appropriate. Any information presented to the Board for a decision must be in the form of a document containing all information regarding who, what, when, where and if appropriate, how. Undocumented information should be recorded on a tape or other formal transcript. (Ordinance 96-4A, item 8g).

10. *No Board Member should put an item on the agenda for discussion or resolution unless he or she plans to be present to conduct the discussion. (Ordinance 96-4A, item 8j).*

11. All new Board members are to be taken on a tour of the District conducted by the Operations Supervisor for the purpose of enlightenment. This is to be done once per year. (Ordinance 96-4-A, Item 8k.)

12. *The Board should evaluate its performance by: Meeting yearly with staff to determine if there are problems or conflicts. The Board should evaluate its performance by: conducting at least one meeting per year where the public is encouraged to offer its opinions regarding Board performance. (Ordinance 96-4-A, Item 9a and b.)*

13. *Each board will appoint a standing Legal committee composed of at least two Board members (any contact with the District's attorney will be only through this committee), which*

*unless previously authorized to do so by a majority vote of the other Directors.*  
(Ordinance 96-4A, item 8f).

3. *Board Members should indulge in constructive and objective criticism only. Negativity, in the form of name calling, rumor spreading, or other forms of denigration by Board Members is discouraged and will, if necessary, be referred to the Board for disciplinary action or expulsion.*
4. Every director shall have a copy of the Brown Act and be familiar with it. It will be kept up to date by *the Board Secretary*.
5. Directors shall be receptive to new ideas and seek ways to gain input from the public.
6. If an Owner/Rate-Payer or a member of the public comes to a Director with a problem, that Director should direct them to the appropriate employee and/or bring the problem to the Board meeting for the consideration of the entire Board. *The information for consideration should be given to the Board Members in advance of the Board meeting.*
7. Outside of Board meetings, it is the responsibility of each Board member to:
  - a. *Void using their Board position to gain favors*
  - b. *Abide by the confidentially requirements of closed sessions*
  - c. *Provide information and assistance to the public* (Ordinance 96-4A, item 10).