

# **BOARD BYLAWS**

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# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

POLICY TITLE: Legislative Advocacy Policy  
POLICY NUMBER: 1055

### 1055 Purpose

The purpose of the policy is to guide Templeton Community Services District (TCSD) officials and staff in considering legislative or regulatory proposals that are likely to have an impact on TCSD, and to allow for a timely response to important legislative issues. Although the expenditure of public funds for the purpose of supporting or opposing a ballot measure or candidate is prohibited,<sup>1</sup> the expenditure of public funds is allowed to advocate for or against proposed legislation or regulatory actions which will affect the public agency expending the funds.<sup>2</sup>

The purpose for identifying Legislative Advocacy Procedures is to provide clear direction to TCSD staff with regard to monitoring and acting upon bills during state and federal legislative sessions. Adherence to Legislative Advocacy Procedures will ensure that legislative inquiries and responses will be administered consistently with “one voice” as to the identified Advocacy Priorities adopted by the Board of Directors. The Legislative Advocacy Procedures and Advocacy Priorities will provide the TCSD General Manager, or other designee, discretion to advocate in TCSD best interests in a manner consistent with the goals and priorities adopted by the Board of Directors. This policy is intended to be manageable, consistent, and tailored to the specific needs and culture of TCSD.

### 1055.1 Policy Goals

- Advocate the TCSD legislative interests at the State, County, and Federal levels.
- Inform and provide information to the Board of Directors, district staff and district residents on the legislative process and key issues and legislation that could have a potential impact on the district.
- Serve as an active participant with other local governments, the California Special Districts Association, and local government associations on legislative and regulatory issues that are important to the District and the region.
- Seek grant and funding assistance for TCSD projects, services, and programs to enhance services for the community.
- Provide the General Manager with appropriate latitude to respond to short-term requests for legislative advocacy communications when time constraints do not allow for consideration at a regularly scheduled Board meeting.

### 1055.2 Policy Principles

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<sup>1</sup> Cal. Gov. Code § 54964.

<sup>2</sup> Cal. Gov. Code § 53060.5; *Stanson v. Mott* (1976) 17 Cal. 3d 206.

The Board of Directors recognizes the need to protect TCSD interests and local control, and to identify various avenues to implement its strategic and long-term goals. It is the policy of TCSD to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board of Directors.

This policy provides TCSD General Manager, or other designee, the flexibility to adopt positions on legislation in a timely manner, while allowing the Board of Directors to set Advocacy Priorities to provide policy guidance. The Board of Directors shall establish various Advocacy Priorities and, so long as the position fits within the Advocacy Priorities, when time does not allow for consideration at a regularly scheduled board meeting, the General Manager is authorized to take a position without board approval, in alignment with previously established board policy direction

Whenever an applicable Advocacy Priority does not exist pertaining to legislation affecting the TCSD, the matter shall be brought before the Board of Directors at a regularly scheduled board meeting for formal direction from the Board of Directors.

Generally, the TCSD will not address matters that are not pertinent to the district's local government services, such as social issues or international relations issues.

### 1055.3 **Legislative Advocacy Procedures**

It is the policy of TCSD to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board of Directors. This process involves interaction with local, state, and federal government entities both in regard to specific items of legislation and to promote positive intergovernmental relationships. Accordingly, involvement and participation in regional, state, and national organizations is encouraged and supported by the TCSD.

Monitoring legislation is a shared function of the Board of Directors and General Manager or designated staff. The Legislative Advocacy Procedures are the process by which staff will track and respond to legislative issues in a timely and consistent manner. The General Manager, or other designee, will act on legislation utilizing the following procedures:

1. The General Manager or other designee shall review requests that the TCSD take a position on legislative issues to determine if the legislation aligns with the district's current approved Advocacy Priorities.
2. The General Manager or other designee will conduct a review of positions and analysis completed by the California Special Districts Association and other local government associations when formulating positions.
3. If the matter aligns with the approved priorities, TCSD response shall be supplied in the form of a letter to the legislative body reviewing the bill or measure. Advocacy methods utilized on behalf of the district, including but not limited to letters, phone calls, emails, and prepared forms, will be communicated through the General Manager or designee. The General Manager or designee shall advise staff to administer the form of advocacy, typically via letters signed by the Board President or next available Board Members starting with the Vice-President, or in the event of Board Members being unavailable, the General Manager or his designee on behalf of the District.

4. All draft legislative position letters initiated by the General Manager or designee shall state whether the district is requesting “support”, “support if amended”, “oppose”, or “oppose unless amended” action on the issue, and shall include adequate justification for the recommended action. If possible, the letter should include examples of how a bill would specifically affect the district, e.g. “the funding the district will lose due to this bill could pay for X capital improvements.”
  - a. Support – legislation in this area advances the district’s goals and priorities.
  - b. Oppose – legislation in this area could potentially harm, negatively impact or undo positive momentum for the district, or does not advance the district’s goals and priorities.
  
5. The General Manager, on his or her own initiative, may provide communications, including a letter of concern or interest regarding a legislative issue without taking a formal position on a piece of legislation. Letters of concern or interest should be consistent with board legislative advocacy policy and are to be administered through the General Manager or designee.
  
6. When a letter is sent to a state or federal legislative body, the appropriate federal or state legislators representing TCSD shall be included as a copy or “cc” on the letter. The appropriate contacts at the California Special Districts Association and other local government associations, if applicable, shall be included as a cc on legislative letters.
  
7. A position may be adopted by the General Manager or designee if any of the following criteria is met:
  - a. The position is consistent with the adopted Advocacy Priorities;
  - b. The position is consistent with that of organizations to which the district is a member, such as the California Special Districts Association; or
  - c. The position is approved by the Board of Directors.
  
8. All legislative positions adopted via a process outside of a regularly scheduled Board Meeting shall be communicated to the Board of Directors at the next regularly scheduled Board Meeting. When appropriate, the General Manager or other designee will submit a copy of activity on legislative measures to the Board of Directors in the next Board packet.

#### 1055.4 **Advocacy Priorities**

##### ***Revenue, Finances, and Taxation***

Ensure adequate funding for special districts’ safe and reliable core local service delivery. Protect special districts’ resources from the shift or diversion of revenues without the consent of the affected districts. Promote the financial independence of special districts and afford them access to revenue opportunities equal to that of other types of local agencies. Protect and preserve special districts’ property tax allocations and local flexibility with revenue and diversify local revenue sources.

Support opportunities that allow the district to compete for its fair share of regional, state, and federal funding, and that maintain funding streams. Opportunities may include competitive grant and funding programs. Opportunities may also include dedicated funding streams at the regional, state, or federal levels that allow the district to maximize local revenues, offset and leverage capital expenditures, and maintain district goals and standards.

##### ***Governance and Accountability***

Enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner. Encourage best practices that avoid burdensome, costly, redundant or one-size-fits all approaches. Protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities, and preferences of each community.

Oppose additional public meeting and records requirements that unnecessarily increase the burden on public resources without effectively fostering public engagement and enhancing accountability of government agencies.

Promote local-level solutions, decision-making, and management concerning service delivery and governance structures while upholding voter control and maintaining LAFCO authority over local government jurisdictional reorganizations and/or consolidations.

### ***Human Resources and Personnel***

Promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance the ability to recruit and retain highly qualified, career-minded employees to public service. As public agency employers, support policies that foster productive relationships between management and employees.

Maintain special districts' ability to exercise local flexibility by minimizing state mandated contract requirements. Oppose any measure that would hinder the ability of special districts to maximize local resources and efficiencies through the use of contracted services.

### ***Infrastructure, Innovation, and Investment***

Encourage prudent planning for investment and maintenance of innovative long-term infrastructure. Support the contracting flexibility and fiscal tools and incentives needed to help special districts meet California's changing demands. Promote the efficient, effective, and sustainable delivery of core local services.

Prevent restrictive one-size-fits-all public works requirements that increase costs to taxpayers and reduce local flexibility.

# Templeton Community Services District

## POLICY HANDBOOK

**POLICY TITLE:** Use/Rental of District Facility

**POLICY NUMBER:** 3400

**3400.1** The District owns and operates various facilities to carry out its mission. The District has determined that the public or other entities may be considered to rent or use facilities that have been identified as appropriate for such use. The Board of Directors of the District reserve the right to limit or prohibit use of facilities as may be necessary from time to time. The District's procedure for use of facilities is as follows:

**3400.1.1** It is suggested that organizations or individuals submit their requests to the General Manager's designee in advance (preferably thirty calendar days or more) for use of one or more facilities. The request shall include the date(s), times and proposed uses including information deemed pertinent by the General Manager or General Manager's designee in order to verify that the use is acceptable. The General Manager's designee will notify the applicant of approval or denial of the request within 05 days unless more information is required for a decision.

**3400.1.2** Organizations or individuals whose request is denied by the General Manager may request a hearing with the District Board of Directors for reconsideration of their request. A hearing shall be held within thirty (30) days of receipt of such a request in writing outlining the reasons for the request and any explanation of the factors appealed by the applicant.

**3400.2** The Board of Directors may establish a user fee and deposit fee schedule for various facilities by resolution using criteria and costs borne by the district for operation and maintenance of such facilities. The user fee may be adjusted from time to time to reflect changes in costs of use and maintenance of the facility.

**3400.2.1** District staff shall collect a deposit and estimated use fee in advance of reserving a facility. The deposit shall include a reasonable estimate of the clean-up. The deposit shall be refunded in full only if the rented facilities are left in the same condition in which they were issued to the applicant.

**3400.3** A priority and fee schedule for use of facilities shall be established using the following general criteria:

- A. Governmental or district affiliated organizations. (See Section B, 01)
- B. Serves a Public Purpose:
  - i. Community activities which would have a direct benefit to the District and customers
  - ii. Public or non-profit organizations for non-political or non-commercial uses.
- C. Commercial or private uses to the extent that other users have not expressed an interest in use of the facility for that date.

**3400.4** Any organization or individual requesting use of District facilities shall be required to provide special liability insurance coverage, on a form acceptable to the District, or compensate the District for special use insurance coverage if deemed necessary by the District. Any organization or individual requesting use

of District facilities shall name the District as additional insured for each event in advance of final approval of the use of the facility.

**3400.5** All requesting organizations will be required to comply with federal, state and local laws in the use of District facilities. If special permits such as large gathering permits, fire or building code or use of alcohol permits are required, any preliminary approval of a use will be contingent upon satisfactory proof of compliance with all permit requirements before a final approval will be issued. Failure to complete final permits requirements may be grounds for rejection or revocation of use approval and grounds for denial of future use requests.

**3400.6** All rental fees are due fourteen (14) days prior to the event. A reservation fee not to exceed \$40 shall be applied to the rental fee. The reservation fee will be forfeited if the event is cancelled. The reservation fee must be turned in with the application to reserve the date(s) requested. The security deposit is due within five days of the event.

**3400.7** To be entitled to a refund of rental fees and charges, applicant must cancel the application at least fourteen (14) days prior to the listed event. In case of cancellation, the District will return the applicant's rental fees and security deposit, less \$40 processing fee, unless the rental fees are less than the \$40 processing fee.

#### **3400.8 ALCOHOL POLICY**

Templeton Community Services District requires a signed copy of its alcohol policy on file prior to an applicant's event. It is understood and agreed that Templeton Community Services District bears no responsibility for the purchase, distribution or effects of alcoholic beverages served or consumed at private parties, receptions or gatherings of other kinds held on District premises.

While Templeton Community Services District does not encourage the use of alcohol at private functions involving the District's facilities, it will grant permission for the reasonable and lawful consumption of such beverages if the sponsoring party agrees to assume full responsibility in accordance with the laws of the State of California. Consequently, the sponsoring party must take reasonable care to prohibit the consumption of any alcoholic beverages by minors or other persons who might injure themselves or others as a result of such consumption. This may include, but is not limited to, the following steps:

Authorized security personnel must be present when alcohol is served. The applicant may use any licensed, bonded, and insured security guard company of their choice within San Luis Obispo County. The applicant must notify the District of the name of the security company and their contact information within 48 hours of the event.

The applicant must hire one security guard for every 50 persons in attendance. If the above ratio is not maintained the event may be immediately terminated. Security personnel shall be present during the entire event and shall remain present until the applicant has cleaned the facility and is ready to vacate the premises.

01. Beer, wine and champagne are allowed. No hard liquor may be served.
02. Alcohol may not be served at functions where the honoree is under the age of 21 (i.e. birthday parties, sweet sixteen parties, quinceanera parties, baptisms, etc.).
03. Alcoholic beverages must be served and consumed inside the facility, only.
04. Applicant shall place alcoholic beverages in secure and controllable areas.
05. Applicant shall secure the services of a designated non-drinking bartender to responsibly dispense beverages, as well as, being in charge of picking-up empty cans and glasses.

06. Applicant should refuse service to anyone who is, or appears to be, intoxicated.
07. Applicant should take steps (such as: calling a cab, arranging a ride, notifying the Highway Patrol, etc.) to prevent intoxicated persons from operating motor vehicles.
08. Providing non-alcoholic beverages to guests at all times.
09. Ending the distribution of alcohol one hour before the conclusion of the event.
10. TCSD staff and/or the security personnel on the premises have the right to close the building at any time, if any federal laws, state laws or TCSD policies are violated. The function will be terminated immediately if any damage to the property occurs.
11. Informing all appropriate personnel and participants of these measures and rules.
12. Alcohol is not permitted at the Templeton Recreation Department/Youth Center.

**TEMPLETON COMMUNITY SERVICES DISTRICT -  
REGULATIONS GOVERNING THE USE OF DISTRICT FACILITIES**

**A. TEMPLETON CSD FACILITY RENTAL GENERAL CONDITIONS**

01. Filing of facility use applications and related paperwork and payment of fees and security deposits for use of District Board Room and Community Center must be made at the District Office, 420 Crocker Street, Templeton, California 93465. Filing of facility use applications and related paperwork and payment of fees and security deposits for the Templeton Recreation Department and/or Park Rentals must be made at the Templeton Recreation Department located at 599 S. Main Street, Templeton, California 93465. For information please call (805) 434-4900. No event may be held until a completed application is reviewed and approved by the District General Manager or his/her designee.
02. A facilities use application must be submitted in advance of the planned event. The District may disapprove any facilities use application that is not timely filed. Approval of all applications will be subject to availability of the requested facility or facilities. For recurring events such as monthly meetings, the Applicant may apply to reserve recurring times for a maximum of one year.
03. The District will not approve any event unless the Applicant files all required paperwork and provides the required proof of insurance. No person under 18 years of age may file a Facility Use Application. The person signing a facilities use application on behalf of a group or organization will be deemed the Applicant's representative for all purposes.
04. Reservations by non-sponsored Applicants will be taken up to one year in advance on a first-come, first-served basis, subject to availability of the requested facility. Applicants co-sponsoring an event with the District will be given scheduling priority in case of any conflict.
05. The minimum rental for the Community Center Facilities will be four hours for private parties/for-profit groups. The minimum rental for public purpose groups for all available District facilities will be one hour. Applicants are reminded that rental time must include the time for set up and clean up.
06. The Applicant and its directors, officers, members, volunteers, agents, independent contractors, guests and invitees must comply with all federal, state, local and District laws, ordinances, rules, and regulations. The Applicant must obtain all required permits and approvals for the event and provide copies of any required permits to the District at least five days in advance of the scheduled event.

07. If the Applicant exceeds the posted maximum number of attendees for the facility rented, if a disturbance arises, if any illegal conduct occurs, or if the Applicant falsifies any information on this Facility Use Application, the District General Manager, the General Manager’s designee, or staff person supervising the event has the authority to immediately terminate the scheduled event. In such cases, the rental fee or any portion of the fee will not be refunded. The Applicant’s security deposit will be refunded in accordance with these regulations. The District reserves the right to refuse a Facilities Use Application from any person or group that previously was terminated or otherwise has violated these regulations.
08. At all times during the event listed on this application, District staff will have a right of access to the rented facility to supervise the event and ensure the Applicant’s compliance with these regulations and any required permits or approvals. Applicant, however, retains full responsibility for ensuring that all event attendees comply with these regulations and all applicable federal, state, local, and District laws, regulations and ordinances.
09. The District rents its facilities on a non-discriminatory basis to any person or entity that desires to use District facilities for a lawful, non-hazardous event, executes a Facilities Use Application, provides the required permits and insurance, and pays the appropriate fee. The District, however, is prohibited from directly sponsoring any religious or partisan political activities and the District’s name may not be used in promoting any religious or partisan political organization. At no time will any illegal, dangerous or obscene activities, behavior, language or gestures be permitted at any District facility.

**B. SECURITY DEPOSITS & FEES**

01. The District may require that all Applicants make a security deposit according to the type of event, number of persons attending, whether alcohol is served, and facility rented. Security deposits and fees are as follows:

<b>Board Room</b>	<b>Community Ctr.–Main Room</b>	<b>Community Ctr. - Kitchen</b>
<p><b>During Office Hours:</b> 8:30 a.m. - 4:30 p.m. Monday – Friday, only</p> <p><b>Public Purpose or Private/For Profit Groups</b></p> <p><b>RATE:</b> \$12 per hour</p>	<p><b>Hours of Operation:</b> 5 a.m. to Midnight</p> <p><b>Public Purpose Groups</b></p> <p><b>RATE:</b> \$18 per hour, \$30 inspection fee. May be waived for subsequent uses.</p> <p><b>Private/For Profit Groups</b></p> <p><b>RATE:</b> \$175 – initial four hours and \$35 per hour for each additional hour</p>	<p>+Additional \$15 per hour for food preparation &amp; use of kitchen appliances</p>
<p><b>After Hours:</b> 4:30 p.m. – Midnight Monday – Friday Weekends: 5:00 a.m.-Midnight</p> <p><b>RATE:</b> \$15 per hr. – <b>Public Purpose</b> \$20 per hour – <b>Private/Profit</b></p>	<p><b>Security Deposit Info.</b> \$200 – NO FOOD \$300 - FOOD &amp; DRINK \$500 - FOOD &amp; ALCOHOL</p>	

<b>Security Deposit Info.</b> \$0 – During Office Hours/NO FOOD \$200 – Non-Office Hours/NO FOOD		
Liability Insurance- 1 Million Aggregate	Liability Insurance – 1 Million Aggregate	
Projector Fee: \$10 per day	Projector Fee: \$10 per day	
NO WI-FI SERVICE	NO WI-FI SERVICE	

No fees or deposits shall be charged to the following governmental agencies that serve Templeton or district affiliated organizations, including but not limited to:

- a) Templeton Women’s Club (per existing agreement)
- b) Templeton Area Advisory Group – Board Room/Conference Room only.
- c) Integrated Regional Water
- d) Nacimiento Project Commission and Technical Support Group
- e) SLO County Supervisors
- f) Templeton REC Foundation
- g) Other County meetings that provide Templeton Residents access to their elected officials.

<b>TEMPLETON RECREATION DEPARTMENT – YOUTH CENTER RENTAL FEE SCHEDULE</b>		
Reservations include access to the Main Room and the attached Craft Room. Kitchen access is on a limited, as need basis, only. Subject to Templeton Rec. Department approval.		
<b>Community Class Rate</b>	\$20 per hour	
Non-Profit Youth Org. (<30 people)	\$20 per hour	
Non-Profit Youth Org. (>30 people)	\$30 per hour	
<b>Private Rentals</b>		
Public Purpose or Private/Profit	\$150 (4 hour minimum and \$30 per each additional hour)	Security Deposit \$200
<b>Tutoring Room</b>	(Includes use of table & chairs)	
1-2 Children	\$10 per hour/1 hour minimum	
3-6 Children	\$15 per hour/1 hour minimum	
7-30 Children	\$20 per hour/ 1 hour minimum	
NO WI-FI SERVICE		
<b>Main Meeting Room</b>		

Templeton Library Book Room	\$5.50 per hour	Hours of Operation to be determined by the District
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<b>Tom Jermin, Sr. Park (formerly Bethel Road Park)</b>		<b>Evers Sports Park</b> Fees are per field	
Playground Area/Upper Play Field	\$25 per hour –All Parties	Sports Field (No lights) All Parties	\$25 per hour
Sports Field	\$25 per hour – Per Field. All Parties	Sports Field (with Lights) All Parties	\$60 per hour

02. Monthly or weekly users may receive a 10% discount on the rental fee, if they make a onetime advanced payment for a six month to one year period. All prepayments are non-refundable.
03. Applicant’s security deposit will be returned in full only when rented facilities are left in the same condition in which they were issued to the applicant. Any portion or all of the Applicant’s security deposit may be withheld by the District for the following reasons: (a) damage to buildings, furnishings, equipment, and/or grounds; (b) missing equipment, furnishings or keys; (c) facility left in an unclean condition; and/or (d) staying beyond the reserved time.
04. An Applicant that has reserved a series of dates in accordance with section A.2 above is required to make an initial security deposit in the amount specified in paragraph 1 of this section. Such security deposit will remain on deposit with the District until the last event in the series of reserved, recurring events has been held. If during the term of the reservation, the District draws on the security deposit, the Applicant will immediately replenish the security deposit or the District may cancel any further events in the series.
05. A \$15 additional fee will be charged for private rentals when the renter resides outside of the Templeton Community Services District Boundaries.

C. HOURS OF USE

01. The Templeton CSD Board Room may be rented from 5:00 a.m. and Midnight.
02. The Templeton Community Center and Recreation Center may be rented from 5:00 a.m. to Midnight.
03. Templeton Parks may be rented from 7:00 a.m. to dusk. If fees have been paid for lighting accommodations at Evers Sports Park the event must conclude at 10 p.m.
04. Rental hours must include time for set up and clean-up of the rented facilities for private/for-profit groups and/or public purpose groups that are using facilities for fundraising purposes.

05. A request to add additional time to the reserved time must be made at least 24 hours before the scheduled event, subject to availability of the facility for the additional time.

D. USE OF FACILITIES

01. District tables & chairs must remain inside of facilities. The District is not responsible for furnishings or personal belongings supplied by the Applicant. The Applicant may not bring or have delivered any goods or property to the event facilities until the time of rental. Applicant must immediately remove all goods and property from the facility at the conclusion of the event.
02. The Applicant may not use masking or scotch tape, thumbtacks, staples or similar materials to attach decorations to any surface. Decorating materials must be fire proof or of fire-retardant material, and no candles or open flame lamps may be used with the exception of chaffing dishes. At no time should exits be covered or obstructed nor may decorations be hung from light fixtures. The Applicant shall not remove existing District decorations, fixtures or furniture from any location.
03. The Applicant is responsible for leaving all rented facilities in an undamaged, clean and orderly condition. The District will provide trash receptacles. In cases of property damage and/or failure to clean the rented facilities the District may retain all or a portion of the security deposit to pay the costs to repair or replace any damaged property and/or to clean the facilities. In the event that damages exceed the security deposit, the District reserves the right to repair the damages at the sole expense of the applicant. The Applicant is liable for all damages.
04. Where access to a rented facility requires a key, the Applicant shall obtain the necessary key(s) from the District's Administrative Office located at 420 Crocker Street, Templeton, within 72-hours of the event. The Applicant is responsible for the key(s) to the rented facility and must return all keys provided by the District by no later than the next business day after the event. In cases where keys are lost, the District may deduct any charges to duplicate lost keys and/or rekey locks from the Applicant's security deposit.
05. Other than certified disabled assistance animals, no animal is allowed on District property or in District facilities unless first approved by the General Manager or his/her designee.
06. Cooking of meals will NOT be allowed in the meeting room, but warming of food in chafing dishes or similar devices will be allowed. The Applicant must clean all kitchen equipment and surfaces after use and bag all garbage and trash. All trash must be removed from the building and disposed of in the dumpsters. The Applicant must properly dispose of recyclables by placing them in recycling bins or taking all recyclables to a recycling center.
07. ALCOHOLIC BEVERAGES: See Alcohol Policy.
08. SMOKING IS NOT ALLOWED ANYWHERE ON DISTRICT PROPERTIES OR IN DISTRICT FACILITIES.
09. Any proposed outdoor cooking or other outdoor uses (excluding parks) must be approved by the General Manager or his/her designee.
10. Exterior signs are limited to the day of the event. Signs cannot block ADA access points or pose a safety hazard.

11. The District reserves the right to cancel any event due to a District event.

# TEMPLETON COMMUNITY SERVICES DISTRICT

## POLICY HANDBOOK / BYLAWS

POLICY TITLE: Operating Principles of the Board (Norms)

POLICY NUMBER: 4005

### 1. IMPLEMENTATION

- The Templeton Community Services District, hereinafter referred to as TCSD, is committed to practice these norms, whereupon we will evaluate, learn, and adjust according to what we learn.
- Upon the occasion of the occurrence of what appears to be a breach of these norms, we are committed to addressing this perception first to the individual(s) involved, before raising the issue with the Board itself. As an example, the Board President may call a break during the meeting for the purpose of privately discussing an apparent breach with another member of the Board. Because we value learning and improvement, we are committed to debriefing each of these at each of our Board meetings.
- Revisit and display these norms at each Board meeting.

### 2. COMMUNICATION NORMS

- All communication will be accurate and to the point.
- Listen respectfully and actively when communicated with.
- Always Check Your Assumptions.
- Articulate thoughts professionally and respectfully.
- The Board President will be the spokesperson for the Board's official position when responding to inquiries from the media.
- All communication between Board Members during the Board or Committee Meetings (except during closed session) shall be public and transparent. Board Members shall not text or e-mail one another, pass notes, or communicate privately during such meetings.

#### 4005.3 PROCESS NORMS

- The Board shall address and resolve policy issues and set priorities by building consensus through orderly conduct.
- The Board and Staff are committed to TCSD's mission and to work as a team.
- The Board and Staff need to be responsive to the community.
- Staff needs to make available all information and analysis of alternatives so that the Board can make "reasoned decisions."
- The Board is committed to a high level of public engagement, public participation, and transparency.
- The Board will promote educational opportunities for continued learning, new technologies

and best practices for the Board and Staff.

- All requests from the Board for information/agenda items will be directed to the General Manager and provided to all Board members.

#### **4005.4 RELATIONSHIP NORMS**

- Create an environment that promotes trust, respect and appreciation between the Board, Staff, Consultants, and citizens.
- Fundamental agreement that the focus of TCSD's mission is its accomplishments and future vision that meets the needs of its customers.
- Establish, accept and support common purpose and vision, and not undermine the authority of the Board after decisions are made.

#### **4005.5 CAPACITY NORMS**

- Encourage creative decision-making.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Code of Ethics

**POLICY NUMBER:** 4010

**4010.1** The Board of Directors of TCSD is committed to providing excellence in legislative leadership resulting in the provision of the highest quality services to its constituents and to comply with State laws.

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** We shall be responsive and attentive in listening and engaged in all communication.

**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, he/she shall consult with the General Manager to determine if a conflict of interest exists. The General Manager may solicit the assistance of TCSD's legal counsel and/or the Fair Political Practices Commission.

**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 contact the General Manager to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making. In the General Manager's absence such requests should be directed to his/her designee.

**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 seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns shall be discussed directly with the General Manager.

**4010.1.9** If approached by District personnel concerning specific District policy, Directors should direct inquiries to the 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. If a Director has a meeting or discussion with person (ie. developer) concerning an issue/request that later comes before the Board for a decision, the Director shall disclose that he/she met with the person making such request prior to casting a vote on the matter.

**4010.2.4** Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission. The Board, at least annually, shall review its adopted goals and progress thereto, as an agenda item at a Board Meeting.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

POLICY TITLE: "RESERVE"  
POLICY NUMBER: 4015

4015.1

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

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.

# Templeton Community Services District

## POLICY HANDBOOK

**POLICY TITLE:** Expenditure Reimbursement

**POLICY NUMBER:** 4025

**4025.1** Purpose. The purpose of this policy is to prescribe the manner in which District employees and members of the Board of Directors may be reimbursed for expenditures related to District business.

**4025.2** Scope. This policy applies to all employees and members of the Board of Directors (board members) and is intended to result in no personal gain or loss to an employee or board member. All expenses must be reasonable and necessary, and employees and board members are encouraged to exercise prudence in all expenditures.

**4025.3** Implementation. Whenever District employees or board members desire to be reimbursed for out-of-pocket expenses for item(s) or service(s) appropriately relating to District business, they shall submit their requests on a reimbursement form approved by the department supervisor and/or the General Manager. Included on the reimbursement form will be an explanation of the District-related purpose for the expenditure(s), and receipts evidencing each expense shall be attached.

**4025.4** Guidelines. It is encouraged that employees and board members make purchases by using vendors that the District has an established account with, by District issued check or District credit card before using their own resources. Whenever feasible, online training and webinars is encouraged over attending out of the area classes.

**4025.5** Meals. The following are the Per Diem amounts for meals. Breakfast- \$10.00; Lunch- \$15.00; Dinner- \$25.00. No supporting receipts are needed.

**4025.5.1** District employees and board members are eligible for breakfast per diem if they are required to leave Templeton prior to 7:30 a.m. (provided it is prior to the beginning of their regularly assigned work day), in order to reach their destination on time and dinner per diem if they arrive back in Templeton after 6:30 p.m. A dinner per diem may be authorized by the General Manager if required to leave Templeton the evening prior to conference, meeting or class.

**4025.5.2** An employee or board member shall not receive a per diem for a meal when the meal is included in the registration cost of a conference or class. Conversely, if a meal is included as part of the conference, but the cost is additional, the employee or director may be reimbursed the additional out-of-pocket expenses for the meal provided receipts are turned in. No reimbursements will be made for alcoholic beverages.

**4025.6 Transportation.** The most economical means of transportation will be used unless unusual circumstances require other alternatives.

**4025.6.1** A District vehicle, if available and appropriate, must be used when driving to an event.

**4025.6.2** If a District vehicle is unavailable, mileage reimbursement will be at a rate equal to the rate prescribed by the IRS. Mileage computed will be the distance from the employees or board member's residence or normal designated work place to the destination, and return. The driver must carry liability insurance. The driver must possess a valid driver's license. No reimbursement will be made on the insurance premium for the vehicle used. No reimbursement will be made for the repair of a private vehicle for any repairs during the trip.

**4025.6.2** When there are several locations where a conference, seminar or training program is being held, the least expensive location is encouraged. If an employee or board member prefers to attend the event at a different location for personal reasons, only the time and cost for the cheapest location will be reimbursed.

**4025.6.3** Employees and board members shall use government and group rates offered by a provider of transportation when available.

**4025.6.4** Air travel will be based on the lowest airline rates available. Reimbursement will be based on travel by economy class.

**4025.7 Lodging.** District employees and board members shall exercise prudence in selecting lodging accommodations. The cost should be compared to and weighed against other lodging accommodations that are within ten minutes of the venue where the expected benefits of a same venue lodging are simply minimal or non-existent. The claim for reimbursement must be accompanied by receipts and/or other supporting documentation.

**4025.7.1** If lodging is provided in connection with a conference or organized education activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that the lodging at the group rate is available at the time of booking. If the group rate is not available, employees and board members shall use lodging that is comparable to the group rate.

**4025.7.2** Where the room is shared with other employees or board members who are participants in the event, only one employee/board member will pay the lodging cost and thereon be entitled to reimbursement.

**4025.7.3** Only basic accommodation expenses, taxes, fees, parking, etc. shall be paid by the District. Other miscellaneous expenses, including, but not limited to in room movies, room service, or other incidentals shall not be subject to reimbursement.

**4025.8** Registration Fees. Payment for registration fees for classes and seminars are normally paid for by check after submitting a request to pay and registration form authorized by department supervisor and/or General Manager to accounts payable. If the timing is such that payment by check will not make it in time by the due date, one of the District credit cards may be used.

**4025.9** Other Expenses. Expenses that are directly related to the meeting or class are reimbursable. Examples are printed materials used during the event. CD's or other training materials that can be used for subsequent training of other staff may also be reimbursable if the total cost will not exceed \$100.00. Any purchase of materials beyond this amount has to be approved by the employee's supervisor after consideration of the benefits that will accrue.

**4025.10** Expenses Paid by District. It is encouraged that District resources be used by all employees and board members to pay costs in advance for travel, lodging and registration expenses. After presentation of an authorized Request to Pay form to Accounts Payable, either a District check or District credit card may be used to pay for travel expenses and classes. Travel advances or per diems that have been paid in advance and not utilized due to changes in schedules or cancelled classes are to be reimbursed back to the District.

**4025.11** Each special district, as defined by subdivision (a) of Section 56036, shall, at least annually, disclose any reimbursement paid by the district within the immediately preceding fiscal year of at least one hundred dollars (\$100) for each individual charge for services or product received. "Individual charge" includes, but is not limited to, one meal, lodging for one day, transportation, or a registration fee paid to any employee or member of the governing body of the district. The disclosure requirement shall be fulfilled by including the reimbursement information in a document published or printed at least annually by a date determined by that District and shall be made available for public inspection.

# **Templeton Community Services District**

## **POLICY HANDBOOK / BYLAWS**

POLICY TITLE: Remuneration  
POLICY NUMBER: 4030

RESERVED

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE: Duties of 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.

**4040.3** **DUTIES** Regarding Meetings of the Board

The President shall preside over and conduct all meetings of the Board of Directors, and shall carry out the resolutions and orders of the Board of Directors. The President shall exercise such other powers and perform other duties as prescribed by the Board of Directors including the following:

1. Call the meeting to order at the appointed time;
2. Announce the business to come before the Board in its proper order;
3. Enforce the Board's policies in relation to the order of business and the conduct of meetings;
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
5. Explain what the effect of a motion would be if it is not clear to every member;
6. Restrict discussion to the question when a motion is before the Board;
7. Rule on parliamentary procedure; and
8. Put motions to a vote, and state clearly the results of the vote.

**4040.4** **RESPONSIBILITIES**

The President shall have all the rights to discuss and vote on any issues before the Board. Responsibilities of the President include:

1. Sign certain instruments, and act and carry out stated requirements and the will of the Board;
2. Appoints and disbands all committees, subject to Board ratification;
3. Appoints Members to all Internal Standing Committees of the Board, as well as External Organizations with District designated appointees.
4. Call such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law;
5. Coordinate the preparation of meeting agendas with the General Manager;
6. Confer with the General Manager or designee on crucial matters which may occur between Board of Directors meetings;

7. Be the recipient of complaints brought against the General Manager. The President may counsel the General Manager on complaints, and in complex cases, solicit the assistance of District Counsel in determining options for investigating a complaint. In these complex cases, the President shall keep the Board informed and through the use of a properly noticed closed session meeting and shall seek the Board's authority prior to expending funds for investigation or legal assistance beyond the initial inquiry and advice on how to proceed.
8. Be responsible for coordinating and delivering the Board's annual performance evaluation of the General Manager.
9. Be responsible for the orderly conduct of all Board meetings;
10. Be the Spokesperson for the Board; and
11. Perform other duties as authorized by the Board.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Board Secretary  
**POLICY NUMBER:** 4045

**4045** The position of Secretary of the Board of Directors is required by state law. The Secretary performs duties including recording of minutes and actions of the Board of Directors and certifying all actions and resolutions of the Board.

### **4045.1** DUTIES of the Secretary

The secretary of the Governing Board shall have the following duties:

1. Certify or attest to actions taken by the Board when required;
2. Sign the minutes of the Board meeting following their approval;
3. Sign the documents as directed by the Board on behalf of the District, and sign all other items which require the signature of the Secretary; and
4. Perform any other duties assigned by the Board.

### **4045.2** RESPONSIBILITIES of the Secretary

It is the responsibility of the Secretary with assistance of the General Manager to ensure:

1. Minutes of the Board of Directors meetings are recorded, as specified under Policy 5060.
2. Minutes of each Board meeting are prepared and maintained;
3. Board records and other documents & reports are maintained, as required by law. Any tape, disk, electronic media storage, or film record of a District meeting made for whatever purpose at the direction of the District shall be subject to inspection pursuant to the California Public Records Act. District tape, disk, electronic media storage, and film records may be erased thirty (30) days after the taping or the recording; and
4. Board officers receive the correspondence addressed to them.
5. Timely posting of all agendas, meeting minutes and other required public notifications.
6. Whenever the Board acts in a quasi-judicial proceeding, the Board Secretary shall create a record of a summary of the testimony of anyone who appears before or provides comments to the Board.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Clerk of the Board

**POLICY NUMBER:** 4047

**4047.1** The Clerk of the Board, who shall also be the Board Secretary, shall be responsible for performing the duties imposed by law or District Resolution. Additionally, the duties of the Clerk of the Board include:

1. May provide input in formulating the budget of the office of the Board and have the authority to expend funds in accordance with the annual budget of the Board subject to the approval of the General Manager.
2. Manage the office of the Board and responsibility for maintaining confidential information and files; prepare the Board agenda, minutes, resolutions, ordinances, notices and other related matters.
3. Attend Regular, Special, Emergency, and Adjourned Board meetings and other meetings as required, taking non-verbatim notes of business transacted and prepare minutes; post/publish all notices and agendas required by law.
4. Prepare reports, memoranda and other documents; act as custodian of the District seal; serve as filing officer or filing official.
5. Be responsible for receiving, forwarding or retaining statements of economic interest or campaign statements in accordance with California Code of Regulations, Title 2, Section 18227;.
6. Maintain resolutions, ordinances, Board approved policies and District agreements; attest to ordinances and resolutions, and accept correspondence on behalf of the Board.

**4047.2** The General Manager appoints the Clerk of the Board and may appoint one or more Assistant to the Clerk of the Board to perform the duties of the Clerk of the Board in the absence of the Clerk.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Legal Counsel and Auditor

**POLICY NUMBER:** 4048

**4048** The Board of Directors shall appoint a Legal Counsel to assist the Board and District in all applicable issues and activities.

**4048.1** Legal Counsel shall be the legal adviser of the District and shall perform such duties as may be prescribed by the Board of Directors or General Manager. At the request of the Board or General Manager Legal Counsel shall review and approve as to form District legal documents, i.e. contracts, agreements, etc. The Legal Counsel shall present and report on all legal issues and Closed Session items before the Board. The Legal Counsel shall serve at the pleasure of the Board, and shall be compensated for services as determined by agreement of the parties.

**4048.1.2** The Legal Counsel reports to the Board as a whole but is available to each director for consultation regarding legal matters particular to that Board members participation. No Board member may request a legal opinion of legal counsel without concurrence by the Board except as such requests relate to questions regarding that member's participation. The Legal Counsel shall be available to the District General Manager for consultation on applicable issues and activities.

**4048.2** The District Auditor shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Auditor. The Auditor shall serve at the pleasure of the Board.

Selection of the Auditor shall be done in a noticed public meeting and at least every five years.

**4048.2.1** The Finance Officer/General Manager will install and maintain an accounting system that will completely and at all times show the financial condition of the District.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**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.

**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** Subject to confidential attorney/client privileged communications, copies of information distributed in Board packets for Board meetings or discussed at Board 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 succinct 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 as required by law. Unless such a conflict of interest exists, 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.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Committees  
**POLICY NUMBER:** 4060

**4060.1** The Board President 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, the Board President's term has expired, or as directed by the Board President.

**4060.2** The following shall be internal standing committees of the District:

**4060.2.1** Administration/Finance Committee;

**4060.2.3** Parks, Recreation and Refuse Committee;

**4060.2.4** Fire and Emergency Management Committee; and

**4060.2.5** Facilities Committee

**4060.2.6** Each internal standing committee shall be comprised of two Board Members and up to three members of the public, who shall be age 16 or older, and residents of Templeton Community Services District. Qualified residents shall be solicited by the District annually. The Board of Directors will consider appointing members of the public to standing committees each January for the calendar year, and may consider additional appointments throughout the year.

**4060.3** The following shall be external organizations with District designated appointees

**4060.3.1** Nacimiento Commission;

**4060.3.2** Templeton REC Foundation; and

**4060.3.3** Templeton Area Advisory Group (TAAG); and

**4060.3.4** Water Resources Advisory Committee (WRAC); and

**4060.3.5** Atascadero Groundwater Sustainability Agency (GSA) Executive Committee

**4060.4** The Board President shall appoint and publicly announce the appointment of Board Members to the standing committees and external organizations for the ensuing year no later than the Board's second regular meeting in January.

**4060.5** The standing 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 Board President or by a majority vote of the Board. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

**4060.5.1** 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.

**4060.5.2** At the first meeting of the calendar year following the appointment of Committee Members, each Committee shall select a Board Member as Chairperson and Vice-Chairperson.

**4060.6** The Board's Parks, Recreation and Refuse Committee shall be concerned with 1) the oversight of recreation policies, programs and projects and parks and 2) overseeing the franchise agreement for Solid Waste and Recycling services to ensure the provision of excellent service to the residents and businesses within the Templeton CSD boundaries. If the Committee determines that policies, programs and/or projects need to be addressed, a recommendation shall be made to the Board of Directors.

**4060.7** The Board's Administration/Finance Committee shall be concerned with the financial management of the District, including the preparation of an annual budget, major expenditures and the annual audit. If the Committee determines that policies, programs and/or projects need to be addressed, a recommendation shall be made to the Board of Directors.

**4060.8** The Board's Fire and Emergency Management Committee shall be concerned with 1) the Fire department's effectiveness, efficiency, incident response, property preservation, and the health, safety, and wellness of the community; and 2) formulation of an emergency team comprised of District staff, the analysis of the District's capabilities and hazards, and development of a plan/s to achieve the District's emergency response goals. If the Committee determines that policies, programs and/or projects need to be addressed, a recommendation shall be made to the Board of Directors.

**4060.9** The Board's Facilities Committee shall be concerned with the maintenance and operation of all land, buildings, and facilities. If the Committee determines that policies, programs and/or projects need to be addressed, a recommendation shall be made to the Board of Directors.

**4060.10** A representative from the Board of Directors will be named to the Nacimiento Commission to ensure the needs and issues of the District are fully represented as a major participant in the Nacimiento Water Pipeline Project. The Commissioner will work with the other agency participants to provide project oversight and equitable policies for all member agencies. A written or verbal report will be provided at the Board's regularly scheduled meeting regarding any Nacimiento Commission meeting attended concerning issues discussed and actions taken.

**4060.11** A Board Member shall be appointed to serve as a liaison to the Templeton REC Foundation in order to stay apprised of the REC Foundation's fundraising activities and utilization of future funds to develop and/or supplement recreation programs and facilities within the Templeton Community. A written or

verbal report will be provided at the Board's regularly scheduled meeting regarding any TRF meeting attended concerning issues discussed and actions taken.

**4060.12** A Board Member shall be appointed to serve as a liaison to the Templeton Area Advisory Group (TAAG) in order to stay apprised of feedback and recommendations to the SLO County Board of Supervisors, the Planning Commission, the Planning Department, and other agencies that request community input on land use and planning matters that affect the activities and services of the Templeton Community Services District. A written or verbal report will be provided at the Board's regularly scheduled meeting regarding any TAAG meeting attended concerning the issues discussed and actions taken.

**4060.13** A Board Member shall be appointed to the Water Resources Advisory Committee (WRAC) and attend meetings on behalf of the District. WRAC advises the SLO County Board of Supervisors on issues and policies related to water resources. A written or verbal report will be provided at the Board's regularly scheduled meeting regarding any WRAC meeting attended concerning issues discussed and actions taken.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**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.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE: Membership 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 such associations as approved and funded in the Annual Budget.

# **Templeton Community Services District**

## **POLICY HANDBOOK / BYLAWS**

**POLICY TITLE:** Training, Education and Conferences

**POLICY NUMBER:** 4090

**RESERVED**

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Ethics and Sexual Harassment Prevention Training

**POLICY NUMBER:** 4095

**4095** All directors and designated executive staff of TCSD 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.

All directors and designated executive staff of TCSD shall receive sexual harassment prevention training and education. Each director and designated executive employee shall receive at least two hours of sexual harassment prevention training and education within the first six months of taking office or commencing employment, and every two years thereafter.

**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, if required by State law.

**4095.2** All ethics training shall be provided by entities whose curricula have been approved by the California Attorney General, Fair Political Practices Commission or otherwise conforms with Government Code Sections 53234 through 53255.2.

All sexual harassment prevention training shall follow Assembly Bill No. 1661 requirements.

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

**4095.3.1** The Clerk of the Board 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 on a periodic basis.

**4095.5** Ethics and Sexual Harassment Prevention 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 TCSD that serves on the board of another agency is only required to take the training once every two years.

# TEMPLETON COMMUNITY SERVICES DISTRICT

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Filling of Vacancy(s) on Board of Directors

**POLICY NUMBER:** 4097

**4097.1** The District Board of Directors are elected in accordance with Government Code Section 61000, et. sec. From time to time a vacancy may occur on the Board for a variety of reasons. This policy is established to provide general guidelines and procedures for filling a vacancy on the Board. Under state law, the District has a total of sixty (60) days in which to take action.

**4097.2** The Board of Directors shall be informed immediately of the resignation or death of a member of the Board of Directors. The Board of Directors shall consider whether to act to fill the vacancy, either by appointment or by calling a special election.

**4097.3** The District shall notify the county elections official of the vacancy no later than fifteen (15) days after the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later.

**4097.4** In cases where the Board determines to appoint a replacement to the Board, the District may publish a public notice of a vacancy and the process for considering candidates in a local newspaper of general circulation. The Board may establish an application and interview process including requiring a resume or application form detailing qualifications and experience of the candidates.

**4097.4.1** The District shall post a notice of vacancy in at least three conspicuous places in the District at least fifteen (15) days before the Board makes an appointment. If the Board makes an appointment, the District shall notify the county elections official within fifteen (15) days of making the appointment.

**4097.5** The Board may review and invite those candidates that a majority of the Board determine are the most qualified or all of the candidates for an interview before the Board at a public noticed meeting. The Board may then consider the interviewed candidates and vote to determine if a majority of the Board can agree on a selected replacement candidate.

**4097.6** If the Board of Directors chooses to call an election, the Board must do so within sixty (60) days of notification of the vacancy or the effective date of the vacancy, whichever is later.

**4097.7** All costs for any election shall be identified for consideration by the Board for the decision of appointment or election.

**4097.8** A selected replacement Director shall serve out the balance of the term of the position and be subject to reelection in accordance with State Law.

**4097.9** If the Board fails to take action in the sixty (60) day period, state law provides that the Board of Supervisors may appoint a successor to fill the vacancy.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Board Meetings  
**POLICY NUMBER:** 5010

**5010.1** Regular meetings of the Board of Directors shall be held on the day, time and place as approved by resolution of the Board in the TCSD Board Room located at 206 5<sup>th</sup> Street. The date, time and place of regular Board meetings may be reconsidered by the Board at any regular board meeting.

**5010.2** Special meetings of the Board of Directors may be called by the Board President or by a majority of the Board.

**5010.2.1** All Directors shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, received by them in as far in advance as possible but no later than at least 24 hours prior to the meeting.

**5010.2.2** Notification of special meetings shall be in accordance with California Government Code §54950 through §54926.

**5010.2.3** An agenda shall be prepared as specified for regular Board meetings in Policy #5020 and shall be delivered with the notice of the special meeting to those specified above.

**5010.2.4** Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

**5010.3** Emergency Meetings. In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an emergency special meeting without complying with the 24-hour notice required in 5010.2.1, above. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the Board.

**5010.3.1** Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by at least one hour prior to the emergency meeting. In the event that telephone services are not functioning, the notice requirement of one hour is waived, but the Board, or its designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible.

**5010.3.2** No closed session may be held during an emergency meeting, and all other rules governing special meetings shall be observed with the exception of the 24-hour notice. The minutes of the emer-

gency meeting, a list of persons the Board or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten days in the District office as soon after the meeting as possible.

**5010.4** Adjourned Meetings. A majority vote by the Board of Directors may terminate any Board 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, and he/she shall cause a written notice of adjournment to be given to those specified in 5010.2.2 above.

**5010.5** Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will elect a President and Vice President from among its members to serve during the coming calendar year. Standing Committee assignments will be made by the President at a regular meeting in January, no later than the Board's second regular meeting in January.

The election process of the President will be as follows:

1. The Board Secretary shall declare nominations open for the Office of President.
2. The Secretary accepts nomination from Board members.
  - a. A Board member may nominate more than one person,
  - b. A Board member may nominate themselves.
3. Allow Opportunity for nominees to make statements.
4. Allow opportunity for other Board members to ask questions of the nominee(s) and discuss qualifications.
5. Allow for public comments prior to Board vote.
6. When there are no further nomination(s), the Board Secretary will close nominations.
7. If there is more than one nomination, a vote will be taken in alphabetical order of the last name.
8. A Board member may vote for more than one person for the position.
9. The President is elected by a majority vote (3-votes).
10. If a tie occurs, a run-off will be held.
11. Following the vote the Board Secretary declares the President elected.

The election of the Vice-President will follow same process except the newly elected President will conduct the election.

**5010.6** The Chairperson of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

**5010.7** The Chairperson and the General Manager shall ensure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

**5010.8** If for any reason the President and Vice President resign or are absent or disabled, the remaining Board members present shall select one of themselves to act as chairperson of the meeting.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Board Meeting Agenda

**POLICY NUMBER:** 5020

**5020.1** The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors in accordance with the Ralph M. Brown Act (California Government Code Section 54950). Any Director may contact the General Manager and request any item to be placed on the agenda no later than 5:00 P.M. on the day that is at least 72 hours prior to the closing of the agenda for the next meeting date (per Section 5020.4).

**5020.2** Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

**5020.2.1** The request must be in writing and be submitted to the General Manager or Board Secretary together with supporting documents and information, if any, at least seven business days prior to the date of the meeting;

**5020.2.2** The General Manager shall be the sole judge of whether the public request is or is not a "matter directly related to District business." The public member requesting the agenda item may appeal the General Manager's decision at the next regular meeting of the Board of Directors. Any Director may request that the item be placed on the agenda of the Board's next regular meeting.

**5020.2.3** No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy;

**5020.2.4** The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

**5020.3** This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

**5020.4** At least 72 hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted in a place that is freely accessible to members of the public (California Government Code 54954.2 (a)(1)). The agenda shall be posted on the website for public information at the same time. All information made available to the Board of Directors (except confidential information allowed by State law per legal counsel authority) shall be available for public review prior to the board meeting.

**5020.4.1** The agenda for a special meeting shall be posted at least 24 hours before the meeting in the same location as for Regular Meeting agendas (California Government Code Section 54956).

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Board Meeting Conduct  
**POLICY NUMBER:** 5030

**5030.1** Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. Policy No. 5070, "Rules of Order for Board and Committee Meetings," shall be used as a general guideline for meeting protocol.

**5030.2** All Board meetings shall commence at the time stated on the agenda or as reasonably thereafter as possible.

**5030.3** The conduct of meetings shall, to the fullest possible extent, enable Directors to:

**5030.3.1** Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

**5030.3.2** Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

**5030.4** Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors or an item on the regular meeting agenda, shall be as followed:

**5030.4.1** Three minutes may be allotted to each speaker for each subject matter.

**5030.4.2** No disruptive conduct shall be permitted at any Board meeting. Persistence in disruptive conduct shall be grounds for summary termination, by the President, of that person's privilege of address.

**5030.5** Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is in fact willful disruption of any meeting of the Board, he/she may order the disrupting parties out of the room and subsequently conduct the Board's business without them present.

**5030.5.1** After clearing the room of disruptive individuals, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to remain in the meeting room.

**5030.5.2** Representatives of the news media, whom the President finds not to have participated in the disruption, shall be permitted to remain in the meeting.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Board Actions and Decisions

**POLICY NUMBER:** 5040

**5040.1** Actions by the Board of Directors include but are not limited to the following:

**5040.1.1** Adoption or rejection of regulations or policies;

**5040.1.2** Adoption or rejection of a resolution;

**5040.1.3** Adoption or rejection of an ordinance;

**5040.1.4** Approval or rejection of any contract or expenditure;

**5040.1.5** Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

**5040.1.6** Approval or disapproval of matters that require or may require the District or its employees to take action and/or provide services.

**5040.2** Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business.

**5040.2.1** A member abstaining in a vote is considered as absent for that vote. A member abstaining due to a conflict of interest does not count towards a quorum.

**5040.2.1.1** Example. If three of five Directors are present at a meeting, a quorum exists and business can be conducted unless the abstention is due to a conflict of interest. However, if one Director abstains on a particular action and the other two cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

**5040.2.1.2** Example. If an action is proposed requiring a two-thirds vote and two Directors abstain, the proposed action cannot be approved because four of the five Directors would have to vote in favor of the action.

**5040.2.1.3** Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three Directors must vote in favor of the appointment for it to be approved. If two of the four Directors present abstain, the appointment is not approved.

**5040.3** The Board may give directions that are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the General Manager.

**5040.3.1** The President shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the President, a voice vote may be requested.

**5040.3.2** A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as refer the matter to the General Manager for review and recommendation, etc.).

**5040.3.3** Informal action by the Board is still Board action and shall only occur regarding matters that appear on the agenda for the Board meeting during which said informal action is taken.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Review of Administrative Decisions  
**POLICY NUMBER:** 5050

**5050.1** The provisions of §1094.6 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 pursuant to the provisions of §1094.5 of said code. The provisions of §1094.6 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.

**5050.2** 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.

**5050.3** The purpose of this policy is to ensure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE: Minutes of Board Meetings**  
**POLICY NUMBER: 5060**

**5060.1** The Secretary of the Board of Directors shall keep minutes of all regular, special, adjourned and emergency meetings of the Board.

**5060.1.1** Copies of a meeting's minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board or as soon thereafter as possible, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept by the Board Secretary.

**5060.1.2** Unless directed otherwise, a recording of regular, special, adjourned and emergency meetings of the Board of Directors will be made. These recordings shall be made publicly available.

**5060.1.3** The Board Secretary shall make a record only of such business that required a vote or action by the Board, except as otherwise required by law, and shall not be required to record any remarks of Board members or any other persons except as noted below in 5060.1.4 and 5060.1.5.

**5060.1.4** Any Board member may request for inclusion into the minutes brief comments pertinent to an agenda item, only at the meeting in which the item is discussed.

**5060.1.5** Items submitted from the public and provided to the Board that are related to an item on the agenda, but not contained in the Board Agenda Packet for review by the Board prior to the meeting, shall be maintained as a part of the public record.

**5060.1.6** Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed, and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively, starting new at the beginning of each year. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included 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 Directors;  
Time and name of early departing Directors;  
Names of Directors absent during any agenda item upon which action was taken;  
Record of staff reports;

Summary record of public comment regarding matters not on the agenda, including names of commentators;  
Approval of the minutes or modified minutes of preceding meetings;  
Approval of financial reports;  
Complete information as to each subject of the Board's deliberation;  
Record of the vote of each Director on every action item for which the vote was not unanimous;  
Resolutions and ordinances described as to their substantive content and sequential numbering;  
Record of all contracts and agreements, and their amendment, approved by the Board;  
Approval of the annual budget;  
Approval of all policies, rules and/or regulations;  
Approval of all dispositions of District assets;  
Approval of all purchases of District assets; and,  
Time of meeting's adjournment.  
Public comments: Names and places of residence, if provided, of person(s) addressing the Board and the title of the subject matter to which their remarks related.

# Templeton Community Services District

## POLICY HANDBOOK / BYLAWS

**POLICY TITLE:** Rules of Order for Board and Committee Meetings  
**POLICY NUMBER:** 5070

### 5070.1 General.

**5070.1.1** Action items shall be brought before and considered by the Board by motion in accordance with this policy. These rules of order are intended to be informal and applied flexibly. The Board prefers a flexible form of meeting and, therefore, does not conduct its meetings under formalized rules - Robert's Rules of Order.

**5070.1.1.1** If a Director believes order is not being maintained or procedures are not adequate, then he/she should raise a point of order - not requiring a second - to the President. If the ruling of the President is not satisfactory to the Director, then it may be appealed to the Board. A majority of the Board will govern and determine the point of order.

### 5070.2 Obtaining the Floor.

**5070.2.1** Any Director desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.

### 5070.3 Motions.

**5070.3.1** Any Director, including the President, may make or second a motion. A motion shall be brought and considered as follows:

**5070.3.1.1** A Director makes a motion; another Director seconds the motion; and the President states the motion.

**5070.3.2** Once the motion has been stated by the President, it is open to discussion and debate. After the matter has been fully debated, and after the public in attendance has had an opportunity to comment, the President will call for the vote.

**5070.3.2.1** If the public in attendance has had an opportunity to comment on the proposed action, any Director may move to immediately bring the question being debated to a vote, suspending any further debate. The motion must be made, seconded, and approved by a majority vote of the Board.

**5070.4** Secondary Motions. Ordinarily, only 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 a 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.

**5070.4.1** Motion to Amend. A main motion may be amended before it is voted on, either by the consent of the Directors who moved and seconded, or by a new motion and second.

**5070.4.2** Motion to Table. A main motion may be indefinitely tabled before it is voted on by motion made to table, which is then seconded and approved by a majority vote of the Board.

**5070.4.3** Motion to Postpone. 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.

**5070.4.4** 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 committee, which is then seconded and approved by a majority vote of the Board.

**5070.4.5** Motion to Close Debate and Vote Immediately. As provided above, any Director may move to close debate and immediately vote on a main motion.

**5070.4.6** 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.

**5070.5** Decorum.

**5070.5.1** The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may eject any person or persons making personal, impertinent or slanderous remarks, refusing to abide by a request from the President, or otherwise disrupting the meeting or hearing.

**5070.5.2** The President may also declare a short recess during any meeting.

**5070.6** Amendment of Rules of Order.

**5070.6.1** By motion made, seconded and approved by a majority vote, the Board may, at its discretion and at any meeting: a) temporarily suspend these rules in whole or in part; b) amend these rules in whole or in part; or, c) both.