



**TOWN OF DISCOVERY BAY  
COMMUNITY SERVICES DISTRICT**

**RESOLUTION 2015-03**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE TOWN OF DISCOVERY BAY,  
A CALIFORNIA COMMUNITY SERVICES DISTRICT,  
AMENDING THE BOARD POLICY NO. 004 OF THE TOWN OF DISCOVERY BAY**

WHEREAS, Town of Discovery Bay Community Services District (CSD) is a public agency and complies with a number of federal and state statutes, and local laws and regulations, Bylaws, and Policies of the Town of Discovery Bay; and

WHEREAS, it is in the public's interest that Board of Directors adopts and from time to time reviews the policies of the Town of Discovery Bay; and

WHEREAS, The Board Policy No. 004 of the Town of Discovery Bay, is established to identify the powers and responsibilities of Board Members and to represent the residents within its boundaries in any and all matters covered under the California Government Code relating to a Community Services District.

WHEREAS, the Board Policy No. 004 of the Town of Discovery Bay was originally adopted at the June 19, 2002 Board of Directors meeting by a motion that passed with the vote of 5 AYES, 0 NOES, 0 ABSTAINS; and

WHEREAS, it is now necessary to make certain changes and amend the Town of Discovery Bay Board Policy.

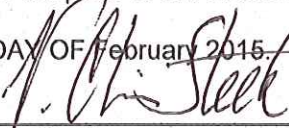
NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That Board Policy No. 004 of the Town of Discovery Bay is hereby amended as set forth in Attachment A which is incorporated by this reference as though fully set forth herein.

SECTION 2. That this Policy shall become effective immediately upon adoption of this Resolution.

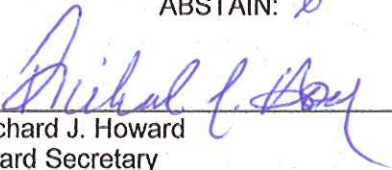
SECTION 3. The Board Secretary shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 18<sup>th</sup> DAY OF February 2015.

  
Chris Steele  
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on February 18, 2015 by the following vote of the Board:

AYES: 5  
NOES: 0  
ABSENT: 0  
ABSTAIN: 0

  
Richard J. Howard  
Board Secretary



## Town of Discovery Bay

<b>Program Area:</b> Board	<b>Policy Name:</b> Board Policy	<b>Policy Number:</b> 004
<b>Date Established:</b> June 19, 2002	<b>Date Amended:</b> February 18, 2015	<b>Resolution:</b> 2015-03

### PURPOSE

The purpose of the elected Board of Directors of the Town of Discovery Bay, a multipurpose independent special district, is to represent the residents within its boundaries in any and all matters covered under the California Government Code relating to a Community Services District.

In addition to the purposes listed in the Government Code, the District has been ordered by LAFCO and the Board of Supervisors to perform an advisory role for the residents of Discovery Bay. This role includes, but is not limited to, advising the County in matters of land use planning, zoning, compliance, roads and streets, lighting, landscaping, parks and public safety services.

### I. BOARD OF DIRECTORS

The governing body of the Town of Discovery Bay is a Board of Directors comprised of five (5) Board members elected by the registered voters of the District to serve four (4) year staggered terms. During the elections every two (2) years, either two (2) or three (3) Directors are elected to serve the District for the next four (4) years.

Yearly the Board of Directors elects a President, Vice-President and President Pro-Tempore. The President of the Board chairs the meeting, performs such duties as prescribed by State or Federal law and such other duties as prescribed by Board Policy or the established Bylaws of the Town of Discovery Bay. In the event of the President's absence, the Vice-President performs said duties. In the event of the President and Vice-President's absence, the President Pro-Tempore performs said duties.

The appointment of Board officers shall be established based upon the following schedule:

#### **Board President**

In order to be considered to serve as President of the Board, the Board member must have served on the Board for a minimum 24 months prior to being considered for rotation into the Board President position. The Board Presidency shall be assigned to the Board member who has not served as President and who has met the 24 month requirement.

If more than one Board member has met the 24 month requirement and not served as President, the member with the longest tenure on the Board of Directors shall be the first person appointed to the position of President.

In the event each member of the Board has previously served as President at one point in their respective office, the Board member to serve as Board President shall be the member who has not served as President for the longest period time.

In the event seniority cannot be determined due to the date of assumption of office, the Board member with the highest vote count in their most recent election shall prevail as the senior member for purposes of this selection procedure.

### **Vice President**

The Vice President shall be the Director next in line to be President based on the then current service time. In order for a Board member to be considered for the position of Vice President, the Board member must have served on the Board for a minimum of 12 months prior to being considered for rotation into the Board Vice President position. The Board Vice President shall be assigned to the Board member who has not served as Vice President and who has met the minimum 12 month service requirement.

In the event seniority cannot be determined due to the date of assumption of office, the Board member with the highest vote count in their most recent election shall prevail as the senior member for purposes of this selection procedure.

### **President Pro-Tempore**

The President Pro-Tempore shall be the Director next in line to be Vice President based on the then current service time. In order for a Board member to be considered for the position of President Pro Tempore, the Board member must have served on the Board for a minimum of 12 months prior to being considered for rotation into the Board President Pro Tempore position. The Board President Pro Tempore shall be assigned to the Board member who has not served as President Pro Tempore and who has met the minimum 12 month service requirement.

In the event seniority cannot be determined due to the date of assumption of office, the Board member with the highest vote count in their most recent election shall prevail as the senior member for purposes of this selection procedure.

## **II. POWER OF THE BOARD**

The Board of Directors recognizes its duty to formulate and approve the policy program for the operation, control, administration and planning of the District's facilities and activities of the District.

Board meetings shall be noticed and shall take place pursuant to the Ralph M Brown Act of 1953, as amended (hereafter, Brown Act).

The parliamentary procedure for conducting all meetings will be Rosenberg's Rules of Order.

The Board meets its obligations to the electorate by performing as a legislative, administrative and control body.

The Board may have standing committees and may appoint ad hoc committees as the need arises. The District's General Manager or Designee may serve as staff support to those committees.

In the discharge of their duties, Directors shall comply with all applicable local, state and federal laws, including ethics trainings as required by AB1234.

### **III. RESPONSIBILITIES**

#### **A. Responsibilities of the Board of Directors:**

1. To select a General Manager as the Board's chief administrative officer and professional advisor and properly delegate to him or her the authority and responsibility to execute its' policies, enforce its rules and regulations, and administer the facilities, programs, and services of the District. Provide the General Manager with the necessary personnel and resources to carry out his or her responsibilities.
2. To adopt a District budget that provides the best possible facilities, programs, and services, within the limits of fiscal responsibility, to the people of the District.
3. To adopt a comprehensive set of Board policies and administrative procedures to govern the operation of the District. These policies and procedures shall be amended and revised as appropriate and shall be compiled and published in a Board Policies Manual. The District shall keep at its offices a master copy of such manual, which shall be kept for all purposes the official record of the Board policies of the District.
4. By motion, resolution, or ordinance conduct the business of the District, taking those actions that ensure that satisfactory services are provided throughout the community.
5. Keep informed on agenda items and on-going business of the Board.
6. Be well informed on the provisions of laws, ordinances and resolutions as they affect conduct of the District and the Board.
7. Attend meetings with promptness and regularity.
8. Elect officers and confirm standing and ad hoc committee members and District representatives to external agencies.
9. Initiate, review and approve plans that will satisfy future requirements, including a long-range plan (five (5) to ten (10) years).
10. Review and act upon plans and recommendations submitted by the Board committees and the General Manager. This action includes adoption, rejection, amendment or return to committee.

11. Single Board members will not represent the whole of the Board in other open or closed meetings without prior sanction by the majority direction of the Board.

**B. GENERAL CONDUCT OF BOARD OF DIRECTORS AND OFFICERS**

**1. No member of the Board or Officers of the District shall:**

- a. Represent his or her position as that of the Board unless the Board has acted upon that position.
- b. Make unsolicited statements to anyone other than the Board during Board deliberations.
- c. Issue any writings or statements to the press or public without clearly distinguishing which statements are his or her own and which are established Board positions.

**2. Preparation and Commitment:**

- a. Shall respect the Board's commitment to work through the General Manager by requesting desired information about the District's programs/activities directly from him/her, by referring to him/her suggestions for new policies, for his/her professional advice, by refraining from acting on any complaint until after the General Manager has had an opportunity to investigate fully and report to the Board, and by wholeheartedly supporting Board approved actions of the General Manager and his/her staff.
- b. Accept the principle of Board unity or consensus by supporting majority decisions of the Board.
- c. Shall make decisions involving the welfare of the District based on factual information and evidence recognizing that personal feelings, opinions and other such factors are not conducive to sound decision making.
- d. Come prepared, ready to ask questions and make decisions.
- e. Do what is agreed upon.
- f. Respect confidentiality of Closed Session agenda items.
- g. Contact the General Manager prior to meeting for more information, if needed.

**C. ADDITIONAL RESPONSIBILITIES OF THE BOARD MEMBERS**

**1. Orientation of Board Members**

- a. The Board of Directors recognizes its responsibility in helping and assisting a newly elected or appointed Board member to understand the operation of the District as well as the roles and responsibilities of a member of the Board. The Board and General Manager shall assist each new member-elect to understand the Board functions, policies, procedures, roles, duties and responsibilities of members of the Board. The following methods shall be employed:



- b. The new member shall be given selected material on the duties and responsibilities associated with Board membership. These materials shall include, but are not limited to: The Government Code dealing with Community Services Districts, the Ralph M. Brown Act, the California Public Records Act, Board Policies, and any pertinent publications issued by the California Special Districts Association, the California Parks and Recreation Society and other agencies, as needed.
- c. As soon as practical after the new Board member assumes office, an orientation meeting with General Manager will be held prior to the first Board meeting to acquaint the new member with details of District operations.
- d. The incoming member may meet with the General Manager and members of his staff to discuss services they perform for the Board and the District.

## **2. Policy Violations**

- a. Board Members who intentionally or repeatedly do not comply with this Policy may be reprimanded or formally censured by the Board of Directors.

## **D. Responsibilities of a Committee Chairperson**

- 1. Undertake the specific tasks or assignments as established by the Board or Board President together with the participation of the other members of the committee.
- 2. Plan and schedule the necessary activities and obtain commitments for the necessary resources to complete the assignment.
- 3. Present a report on status and progress to the Board at appropriate times as designated by the President.
- 4. Prepare recommendations and justification for any proposed action and submit to the Board for decision and implementation when approved.
- 5. Provide overall leadership of the committee.
- 6. Perform the duties of a Board member if appropriate.