

**INDEPENDENCE RANCH COMMUNITY SERVICES DISTRICT  
POLICY HANDBOOK**

**Table of Contents**

		<u><b>Page #</b></u>
<b>Section 1</b>	<b>Purpose</b>	<b>2</b>
<b>Section 2</b>	<b>Independence Ranch Rules and Guidelines</b>	<b>2</b>
<b>Section 3</b>	<b>Adoption/Amendment of Policies</b>	<b>3</b>
<b>Section 4</b>	<b>Conflict of Interest</b>	<b>4</b>
<b>Section 5</b>	<b>Public Complaints</b>	<b>4</b>
<b>Section 6</b>	<b>Code of Ethics</b>	<b>5</b>
<b>Section 7</b>	<b>Ethics and Sexual Harassment Prevention Training</b>	<b>6</b>
<b>Section 8</b>	<b>Rules of Order for Board and Committee Meetings</b>	<b>7</b>
<b>Section 9</b>	<b>Board Actions and Decisions</b>	<b>9</b>
<b>Section 10</b>	<b>Duties of the President</b>	<b>10</b>
<b>Section 11</b>	<b>Duties of the Board Secretary /General Manager</b>	<b>11</b>
<b>Section 12</b>	<b>Board of Directors</b>	<b>12</b>
<b>Section 13</b>	<b>Committees</b>	<b>12</b>
<b>Section 14</b>	<b>Filing a Vacancy</b>	<b>13</b>
<b>Section 15</b>	<b>President &amp; Vice President Elections</b>	<b>14</b>
<b>Section 16</b>	<b>Finances</b>	<b>15</b>

## **Section 1 Purpose**

The Independence Ranch Community Services District (IRCSD) became effective December 31, 1992, pursuant to an election and Resolution of the Board of Supervisors of the County of San Luis Obispo, under the authority of the Government Code # 611100 et seq.; and under authority of the Cortese-Hertzberg Reorganization Act of 2000 (Government Code # 56000 et seq.), and by said Resolution, the District, pursuant to Government Code # 61100 (1) is authorized to exercise the following services:

- a. Acquire, construct, improve, and maintain streets, roads, rights-of-ways, bridges, culverts, drains, curbs, gutters, sidewalks, and any incidental works. A district shall not acquire construct, improve, or maintain any work owned by another public agency unless other public agency gives written consent.

## **Section 2 Independence Ranch Rules and Guidelines**

- a. No overnight parking at the mailboxes or on the right-of-way without the owner's permission.
- b. Independence Ranch speed limit if 20 miles per hour.
- c. California Vehicles codes shall be enforced by the County Sheriff or Highway Patrol
- d. Independence Ranch roads are open to the public
- e. Parcel Owners are responsible for maintaining their property. The maintenance of driveway culverts and the vegetation in the area between their fence line and the road.

Culvert Maintenance – cleaning and repairing driveway culverts to prevent clogging, which can cause flooding and damage to public infrastructure. This also includes swales.

Vegetation Management – from trimming vegetation and trees in the area between their fence line and road, particularly to ensure it does not block traffic views or encroach on public space.

Weed Control – you are expected to keep the right-of-way and easement areas free of weeds, debris, and trash.

Rear/Side Areas – if your rear or side property abuts an alley or secondary street, you are generally responsible for maintenance of that area from your fence line to the edge of the road.

- f. The district has adopted San Luis Obispo County code section 15, Roads and Traffic as the basis for enforcement for the operation of the roads.
- g. The San Luis Obispo County Public Improvement Standards, latest edition, govern the construction, design, and installation of culverts, swales, slopes and other drainage facilities within the county. These regulations are incorporated for reference by Independence Ranch to ensure compliance in the design and operation of infrastructure.

**Section 3 Adoption/Amendment of Policies**

- a. Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director, or by the General Manager. The proposed adoption or amendment is initiated by submitting a written draft of the proposed adoption or amendment to each Director and the General Manager through the District office, and requesting that the item be included for consideration on the agenda of the appropriate regular meeting of the Board of Directors.
- b. Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors and shall require a 4/5 affirmative vote of the entire Board of Directors.
- c. Before considering adopting or amending any policy, Directors shall have the opportunity to review the proposed adoption or amendment at the regular Board meeting prior to the meeting at which consideration for adoption or amendment is to be given. Copies of the proposed policy adoption or amendment shall be included in the agenda information packet for any meeting consideration. The agenda information packets with said copies shall be made available to each Director for review at least three (3) days prior to any meeting at which the policy(is) are to be considered.
- d. The requirement to review a proposed new or amended policy prior to the meeting at which adoption is to be considered may be waived by a 4/5 affirmative vote of the entire Board, with the agenda specifying consideration of such action.

#### **Section 4 Conflict of Interest**

The Political Reform Act, Government Code 81000, et seq., requires state and local government agencies to adopt and promulgate conflict-of-interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs, 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference.

#### **Section 5 Public Complaints**

A public complaint is an allegation by a member of the public of a violation or misinterpretation of a District policy, state, or federal statute of which the individual has been adversely affected.

The method of resolving complaints shall be as follow:

- a. Upon receiving a written complaint form an individual, the General Manager is required to:

Compile Documentation – gather the individual’s written complaint, all testimonies, and all written documentation generated during the investigation.

- b. Submit to the Board  
Provide this complete package to the Board of Directors within 10 days of receiving the complaint.

- c. Board of Directors’ Action

Once the Board of Directors received the following documentation; they may take the following actions to address the matter:

Schedule Review – consider the matter at the next regular scheduled meeting.

Special Meeting: call a special meeting to discuss the complaint if immediate action is deemed necessary.

- d. The Board will expeditiously resolve the matter. In making the final decision, the Board may conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The individual filing the complaint may request a written decision from the Board.

- e. This policy is not intended to prohibit or deter a member of the community or staff member from appearing before the Board to verbally present a testimony, complaint, or statement in regard to actions of the Board, District services, or implementing considerations of the Board.

**Section 6 Code of Ethics**

The Board of Directors 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 the District staff, the following rules shall be observed.

- a. The dignity, style, values and opinions of each Director shall be respected.
- b. We shall be responsive and attentive in listening and engaged in all communication.
- c. 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 IRCSD's legal counsel and/or the Fair Political Practices Commission.
- d. Directors should commit themselves to emphasizing the positive, and avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of interaction.
- e. Directors should commit themselves to focusing on issues 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
- f. 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.

**Section 7 Ethics and Sexual Harassment Prevention Training**

All Directors and the General Manager of the Independence Ranch Community Services District shall receive two (2) hours of ethics (AB 1234) training and education within the first six (6) months of election or appointment to the Board of Directors and every two (2) years thereafter, pursuant to Government Code Sections 53234 through 53235.2.

All Directors and the General Manager of the Independence Ranch Community Services District shall receive sexual harassment prevention training and education. Each director and general manager shall receive at least two (2) hours of sexual harassment prevention training and education within the first six (6) month of taking office or commencing employment, and every two years thereafter.

- a. This policy shall also apply to all staff members that the Board of Directors designates and to members of all committee and other bodies that are subject to the Ralph M. Brown Opening Meeting Act, if required by State Law.
- b. 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.

- c. Directors shall obtain proof of participation after completing the ethics training and sexual harassment prevention training.
- d. The General Manager and/or Secretary 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 (5) years after directors receive the training, and are public records subject to disclosure under the California Public Records Act.

- e. The General Manager shall provide the Board of Directors with information on available training that meets the requirements of this policy on a periodic basis.
- f. Ethics and Sexual Harassment Prevention training may consist of either a training course or a set of self-study material with test, and may be taken at home, in person or online.
- g. Any director of Independence Ranch Community Services District that serves on the board of another agency is only required to take the training every two (2) years.

All Directors and the General Manager of the Independence Ranch Community Services District, must file their annual Form 700 Statement of Economic Interests by April 1<sup>st</sup> to comply with California Fair Political Practices Commission (FPPC) guideline

## **Section 8 Rules of Order for the Board and Committee Meetings**

### **General**

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.

- a. 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.

### **Obtaining the Floor**

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

### **Motions**

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

- A Director makes a motion; another Director seconds the motion; and the President state the motion.
- b. 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.
- 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 further debate. The motion must be made, seconded, and approved by a majority vote of the Board.

### **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.

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. Motion to Close Debate and Vote Immediately. As provided above, any Directors may move to close debate and immediately vote on a main motion.

- f. 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.

### **Decorum**

The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may reject 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.

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

### **Amendment of Rules Order**

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; c) both.

### **Section 9 Board Actions and Decisions**

- a. Actions by the Board of Directors include but are not limited to the following
  - Adoption or rejection of regulations or policies;
  - Adoption or rejection of a resolution;
  - Adoption or rejection of any contract or expenditure;
  - Approval or rejection of any proposal which commits District funds; and,
  - Approval or disapproval of matter that require or may require the district or its employees to take action and/or provide services.
- b. Action can only be taken by a majority vote of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business.
- c. A member abstaining in a vote is considered as absent for that vote.
  - Example. If three of the 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.

- 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.
  - Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, three (3) Directors must vote in favor of the appointment for it to be approved. If two (2) of the four (4) Directors present abstain, the appointment is not approved.
- d. 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.
- e. The President shall determine by consensus a Board directive and shall state it for clarification. Should any two (2) Directors challenge the statement of the President, a voice vote may be required.
- f. 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.).
- g. 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.

## **Section 10 Duties of Board President**

### **Responsibilities.**

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

- a. Sign certain instruments, and act and carry out stated requirements and the will of the Board;

- b. Appoints and disbands all committees, subject to Board ratification;
- c. Appoints Members to all internal Standing Committees of the Board, as well as External Organization with District designated appointees;
- d. Call such meeting of the Board as he/she may deem necessary, giving notice as prescribed by law;
- e. Coordinate the preparation of meeting agendas with the General Manager;
- f. Confer with the General Manager or designee on crucial matters which occur between Board of Directors meetings;
- g. Be responsible for orderly conduct of all Board meetings;
- h. Be the Spokesperson for the Board; and
- i. Perform other duties as authorized by the Board.

**Section 11 Duties of the Board Secretary/General Manager**

The position of the Secretary of the Board and/or General Manager is required by 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.

- a. Duties
  - Certify or attest to actions taken by the Board when required;
  - Sign the minutes of the Board meeting following their approval;
  - 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/General Manager; and
  - Perform any other duties assigned by the Board.
- b. Responsibilities
  - Minutes of the Board of Directors meetings are recorded, as specified;
  - Minutes of each Board meeting are prepared and maintained;
  - Board records and other documents and 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 after one hundred and eighty (180) days after the taping or the recording; and

- Board officers receive the correspondence addressed to them.
- Timely posting of all agenda, meeting minutes and other required public notifications.
- Whenever the Board acts in a quasi-judicial proceeding, the Secretary/General Manager shall create a record of a summary of the testimony of anyone who appears before or provides comments to the Board.

#### **Section 12 Board of Directors**

- a. Boards are usually comprised of 5 (or some other odd number) members. This way there is unlikely to be a tied vote.
- b. Board members are elected during General Elections (November of even numbered years) serve four-year terms unless appointed by the Board.
- c. Board members term end on December 31<sup>st</sup> and begin on January 1<sup>st</sup>.
- d. In order to be elected to the Board you must be a registered voters and reside within the district. In our case this is within Independence Ranch.
- e. Candidate (s) for election/reelection must file with the county election office before the deadline which is usually at least 10 days before the November general election.
- f. Board members terms are staggered so that there is a new group (for our Board either 2 or 3 members) that are up for election every two years.
- g. The Board elects' new officers in December each year. Designated officers for the IRCSD are a President and a Vice President.

#### **Section 13 Committees**

All committees shall meet within the boundaries of Independence Ranch Community District (IRCSD) except in emergency.

- a. Ad Hoc Committees