

**INDEPENDENCE RANCH COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 5-1  
A RESOLUTION OF THE BOARD OF DIRECTORS OF  
INDEPENDENCE RANCH COMMUNITY SERVICES DISTRICT  
ADOPTING BOARD BY-LAWS**

WHEREAS, The Board of Directors of the Independence Ranch Community Services District (Board of Directors) is committed to providing excellence in legislative leadership that results in the provision of the highest quality of services to its constituents.

WHEREAS, in order to assist in the government of the behavior between and among the members of the Board of Directors, the following rules shall be observed.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Independence Ranch Community Services District as follows:

**INDEPENDENCE RANCH COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS BY-LAWS**

**1. OFFICERS OF THE BOARD OF DIRECTORS**

1.1 The officers of the Board of Directors are the President and the Vice President

1.2 The President of the Board of Directors shall serve as chairperson at all Board meetings. The President 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.

1.3 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 are both absent, the remaining members shall select one among themselves to act as chairperson for the meeting.

1.4 The President and Vice President of the Board shall be elected annually at the first regular meeting following an election and the term of office shall commence immediately upon election. The election will be in the following January for years that no election is held.

1.5 The Board President shall appoint such standing and ad-hoc committees as may be deemed necessary or advisable by himself/herself and /or the Board. The duties of

the committees shall be outlined at the time of appointment.

1.6 Only Ranch Residents may apply.

## **2. MEETINGS**

2.1 Regular meetings of the Board of Directors shall be held monthly (January-December) at a reasonable time and place to be determined by the Board of Directors.

2.2 Members of the Board of Directors should attend all regular and special meetings of the Board. If a Board member misses 4 board meeting in a calendar year, automatic termination may take effect immediately. State law allows for termination if a Board member misses three consecutive meetings. The board will vote if one member deems appropriate that a missing member is impacting the operation of the board and should be removed. A super majority is required to remove a sitting board member.

2.3 No Board action may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act.

2.4 Pursuant to the Brown Act:

- (a) Board Members may briefly respond to statements or questions from the public; and
- (b) Board Members may, on their own initiative or in response to public questions, ask questions for clarification, references to staff or other resources for factual information, or request staff to report back at a subsequent meeting; and
- (c) The President of the Board or a Board member in open session may take action to direct staff to place a matter on a future agenda.

2.5 The General Manager in cooperation with the Board President shall prepare an agenda for each regular and special meeting of the Board. Any Director may request an item to be placed on the agenda.

2.6 The President shall conduct all meetings in a manner consistent with the policies of the District. All comments shall be directed to the President. The President shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board and shall announce the Board's

decision on all subjects. The President shall vote on all motions except in the case of a conflict of interest. On roll call the maker of the motion shall be called first, the Board member seconding the motion shall be called second, and the remainder are polled with the President voting last, unless the President made the motion or seconded the motion.

2.7 A majority of the Board shall constitute a quorum (3) for the transaction of business. A majority of the Board is sufficient to do business, however motions must be passed unanimously if only three members attend. When there is no quorum for a special meeting the President, Vice President, or any Board member shall adjourn such meeting, or if no Board member is present, The General Manager shall adjourn the meeting.

2.8 A roll call vote if required by law or contract shall be taken upon votes on ordinances and resolutions, and shall be entered in the minutes of the Board showing those Board members voting aye, voting no, and those abstaining or absent. Unless a Board member states that he/she is not voting because of a conflict of interest, his or her silence shall be recorded as an abstaining vote.

2.9 Any person attending a public meeting of the Board of Directors may record the proceedings with an audio or video recorder or motion picture camera.

2.10 All video tape recorders and/or motion picture cameras shall remain stationary and be located and operated in an unobtrusive manner when the meeting begins.

2.11 Public comment and public testimony shall be directed to the President and be limited to three minutes unless extended or shortened by the President at his/her discretion.

2.12 Zoom Meetings have been conducted in the past. Currently none are conducted as the wireless communications are unavailable.

### **3. PREPARATION OF MINUTES AND MAINTENANCE OF TAPES**

3.1 The minutes of the Board shall be kept by the General Manager or Secretary of the Board and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted in paragraphs with proper subheadings.

3.2 The General Manager shall be required to make a record only of such business as was actually passed upon by a vote of the Board and, except as provided in Section 3.3 below, shall not be required to record any remarks of Board Members or any other person.

3.3 Any Director may request for inclusion into the minutes brief comments pertinent to an agenda item, but only at the meeting in which the item is discussed, or the one that includes a review of the minutes for approval by the Board of Directors.

3.4 Written materials delivered to the Board at the meeting that were not contained in the Board Agenda Packet for review by the Board prior to the meeting shall be included in the meeting minutes.

3.5 The General Manager shall attempt to record the names and the general place of residence of persons addressing the Board, the title of the subject matter to which their remarks relate, and whether they spoke in support or opposition to such matter.

3.6 Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the General Manager shall compile a summary of testimony of the witnesses.

3.7 Any electronic media 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 and film records may be erased (180) days after the taping or the recording.

#### **4. Agendas and information availability**

4.0 The normal means of communication for the district is the District web site, [iranchns.org](http://iranchns.org). Agenda packet will be posted at the entrance to the Ranch near Hog Canyon road 72 hours before a regular Board meeting or if a special meeting is called 24 hours prior to the meeting in compliance with the Ralph M Brown act.

4.1 Directors and residents shall prepare themselves to discuss agenda items at meetings of The Board of Directors. Information may be requested from staff or exchanged between Directors before the meetings. All information will be posted on the web site. Residents and interested parties as Limited packets will be available encouraged to visit the website prior to each scheduled meeting to download the agenda packet. Limited packets will be available meeting to reduce paper waste and district expense.

4.2 Information that is exchanged before meetings shall be distributed through attachments to the agenda packets prepared by the President or General Manager The General Manager, and all Directors and the public will receive all information being distributed as required by the Brown Act. Residents who provide their e-mail address will receive the packets from the district. Please send their address to [ircsd2020@gmail.com](mailto:ircsd2020@gmail.com)

#### **5. AUTHORITY OF DIRECTORS**

5.1 The Board of Directors is the unit of authority within the District. Apart from their 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 unless authorized at a District meeting.

5.2 Directors do not represent any fractional segment of the community, But are, rather, a part of the body, which represents and acts for the community as a whole.

5.3 When the District must contract with others to perform work for the district, the Board will prepare a request for proposal (RFP). The RFP must include a scope of work, anticipated start date and payment terms. A minimum of three bidders are to be requested by the General Manager from Qualified Contractors. The bids must be evaluated by the Board at an open meeting. The results should be posted on the website. The general manager is required to advise the successful bidder, issue a contract with standard terms for conducting the project and payment. The board will designate a member to monitor the work and accept completion and perform quality control for the project.

## **6. DIRECTOR GUIDELINES**

6.1 Board Members by making a request to the General Manager, shall have access to all the information relative to the operation of the District, including but not limited to statistical information, information serving as the basis for certain actions of Staff, justification for Staff recommendations, etc. If the General Manager cannot provide the requested information in a timely manner by reason of information deficiency, or major interruption in work schedules, work load, or priorities, then the General Manager shall inform the individual Board Member why the information is not or cannot be made available.

6.2 In handling complaints from residents, property owners within the District, or to members of the public, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the General Manager.

6.3 Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, should confer directly with the General Manager.

6.4 Directors and General Manager should develop a working relationship so that current issues, concerns and District projects can be discussed comfortably and openly.

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

6.6 Differing viewpoints are healthy towards deciding consensus. Individuals have a right to disagree with ideas and opinions without being disagreeable. Once the Board of Directors votes to take an action, Directors should not interfere with the actions as approved.

6.7 When responding to constituent request and concerns the Directors should respond to individuals in a positive manner and route their questions to the General Manager.

6.8 Directors are responsible for monitoring the District's progress, finances and road conditions to attain the District Goals and Objectives.

## **7. DIRECTOR COMPENSATION**

7.1 Directors of Independence Ranch Community District offer their services on a voluntary basis. Directors waive compensation for attendance at each regular, adjourned or special meeting of the Board.

7.2 Each Board Member is entitled to reimbursement for their reasonable expenses incurred in the performance of the duties required or authorized by the Board. Reimbursement will require an expense statement with receipts and approval at a regular Board meeting

## **8. BOARD BY-LAWS REVIEW POLICY**

Subject to 2.5 the Board By-Laws Policy shall be reviewed annually at the first regular meeting in February or as needed. The review shall be provided by the General Manager and ratified by Board action.

## **9. RESTRICTIONS ON RULES**

The rules contained herein are guidelines only and shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with County, State or Federal Laws.

## **10. Rules and Guidelines**

1. No overnight parking at the mailboxes or on the right-of-way without the owner's permission.
2. The Ranch speed limit is 20 miles per hour.
3. California Vehicle codes shall be enforced by the County Sheriff or Highway Patrol.
4. Independence Ranch roads are open to the public.
5. Parcel Owners are responsible for maintaining their property.
6. No dumping or depositing of any items at the mailboxes at the entrance to the Ranch or on the roads or easements within Independence Ranch is acceptable. The only exception is trash receptacles from the approved trash hauling company authorized to operate in the district.

7. 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.

8. The San Luis Obispo County standards for construction of Culverts, Swales, Slopes and other drainage facilities, latest edition, are incorporated by the district for reference in the design and operation of drainage in the ranch.

9. Individual property owners are responsible for drainage control on their property. They are responsible for keeping the roads and drains clear by removing vegetation, impairments and obstructions that impede the flow of rain water in the areas adjacent to their property and the roads.

On motion of Director Hamson seconded by Board Member Costello and on the following roll call vote, to wit:

Ayes Tracy, Hamson, Mulcahy, Costello

Noes None

Absent

Abstain

The foregoing resolution is hereby adopted this January 8, 2025.