

RESOLUTION NO. 14-003 MAY 10TH, 2014

RULES AND PROCEDURES OF THE BOARD OF DIRECTORS OF THE GOLDEN WEST
COMMUNITY SERVICE DISTRICT

CHAPTER 1: PROCEDURES

Section 1. Meetings: Time, Place and Manner

(a) Time.

The time for regular meetings of the Board of Directors of the Golden West Community Service District shall be established and published by the Board on an annual basis.

(b) Place.

The place of meetings of the Board of Directors shall be designated by the Board of Directors on an annual basis.

(c) Recording.

The proceedings of all public meetings will be either written or electronically recorded.

(d) Special Meetings.

The time, place and manner of calling all other meetings of the Board of Directors shall be undertaken as prescribed in the Ralph M. Brown Act. (Government Code Sections 54950 et. seq.)

(e) Compliance with Brown Act.

All meetings of the Board of Directors shall be open and public and all persons shall be permitted to attend any public meeting of the Board of Directors; provided, however, that executive sessions may be held when permitted by law.

Section 2. Officers, Employees, Consultants, etc

(a) Officers.

An annual election of officers will take place at the regularly scheduled January meeting. The Directors shall meet and elect one of the members President of the Board and may further elect or appoint a Vice President and a Financial Director from the remaining members of the Board.

(b) Compensation.

The Board may also appoint and employ, fix the compensation of, and prescribe the duties and authorities of other officers, employees, contractors, attorneys and engineers as necessary or convenient for the business of the District.

(c) Advisory Committees.

The Board of Directors may appoint any citizens' advisory committees or advisory bodies as it deems necessary, whose members shall serve without compensation and whose meetings shall be open to the public.

Section 3. Duties of Officers and Employees

(a) Presiding Officer.

The President shall preside at all meetings of the Board. The Vice President shall preside at all meetings of the Board in the absence of the President.

(b) Duties of President.

The President of the Board shall preserve order and decorum and shall decide questions of order, subject to appeal to the Board of Directors. The President when chairing meetings may place a motion before the Board, second a motion and vote on motions, ordinances and resolutions.

(c) Duties of Secretary.

The Secretary to the Board and the General Manager shall maintain all records of the Board and District.

(d) Duties of General Manager.

The General Manager shall be responsible for the overall operations of the District in the manner set forth in his or her job description or contract of employment.

(e) Duties of the Financial Director.

Financial Director shall monitor revenues and expenditures of the District while El Dorado County Treasurer serves as the official "Treasurer" of the District.

Section 4. Agendas

(a) Distribution.

The President shall prepare an agenda for each regular meeting and shall e-mail the agenda to persons requesting notice at least three (3) days before the regular meeting. The Board may add

agenda items to future meetings with a majority vote of the Board. Agendas will be posted in a public place and on the District's webpage 3 days prior to a regular or special meeting. Agendas and the items within the Agenda shall include a description of the type of action or information included within an Agenda item.

(b)Additional Distribution.

Additional distribution will be made to any member of the media designated by the President or any person who has made a request. Distribution shall be through electronic or postal means.

(c)Request to Appear.

Any person who desires to address the Board on a matter which is not on the agenda shall make a request to do so to the President at least twenty-four (24) hours in advance of the meeting. This provision shall not prevent residents from addressing the Board at a time designated therefor on the agenda.

(d)Public Participation.

Any member of the public may address the Board during its regular meetings concerning agenda item(s). The Board may, in its discretion, exercise reasonable control as to the number and length of presentation of speakers.

- (1) A section of the agenda shall be designated as open public comment and shall be open to public comments about agenda items and non-agenda items.
- (2) Board Members pursuant to the Ralph M. Brown Act may comment on public comments but shall not take action without making an agenda item of the action at a future meeting.

(e)Correspondence to Board.

All official written correspondence addressed to the Board of Directors shall be sent to the District Post Office Box or through the General Manager, Board President and Board Vice President electronic Mail (e-mail) addresses. The General Manager may respond to correspondence to the District if the correspondence response is based on existing or proposed policy or operations of the District. Correspondence of the General Manager shall be public records open to inspection by the public as provided by Section 6.

(f)District Communication.

Official communication of the District shall be by resolution or through the District General Manager. The General Manager may make official communication on behalf of the District if the communication is based on existing or proposed policy or operations of the District. The District will not post or respond to anonymous communications.

(g) District Webpage

The General Manager or his or her designee shall maintain the District's webpage. The webpage may contain all official policies, minutes, ordinances, resolutions, Board communication or General Manager communication about district operations.

Section 5. Minutes

Minutes of the Board of Directors shall be public records open to inspection by the public as provided by Section 6.

Section 6. Records

Public records of the Golden West Community Service District shall be open to inspection upon request of the Secretary, General Manager, or Board President as provided in the California Public Records Act (Government Code §6250 et seq.) Public Records of the District shall be maintained by the General Manager and Board Secretary.

Section 7. Actions and Decisions

(a) Method of Action.

The Board shall act only by ordinance, resolution or motion.

(b) Majority – Quorum.

The majority of a five member Board shall constitute a quorum for the transaction of business in other words, an affirmative vote of three board members.

(c) Majority Vote Required.

No ordinance, resolution or motion shall be passed or shall become effective without the affirmative vote of at least a majority of the members of the Board.

(d) Recording of Vote and Exceptions.

Except for actions taken by the unanimous vote of all Directors present voting, the recorded ayes and noes shall be taken on the passage of all ordinances, resolutions or motions.

Section 8. Ordinances

(a) Enacting Clause of Ordinance.

The form of enacting clause of all ordinances passed by the Board shall be: "Be it ordained by the Board of Directors of the Golden West Community Service District as follows:"

(b)Publication.

Within 15 days after its passage, each ordinance will be published at least once in a newspaper of general circulation published and circulated in the city, or it will be posted in at least three (3) public places in the District. Ordinances shall not be published in a newspaper if the charge exceeds the customary rate charged by the newspaper for publication of private legal notices, but such ordinances shall be posted in the manner and at the time required by this section. Except as provided in Section C, an ordinance shall not take effect or be valid unless it is published or posted in substantially the manner and at the time required by this section.

(c)Effective Date.

Ordinances take effect 30 days after their final passage. An ordinance takes effect immediately, if it is an ordinance:

- 1) Relating to an election.
- 2) For the immediate preservation of the public peace, health, or safety and containing a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the five member Board.
- 3) Relating to street improvement proceedings.
- 4) Covered by particular provisions of law prescribing the manner of its passage and adoption.

(d)Time of Passage; Reading; Urgency Ordinances; Alterations.

Ordinances shall not be passed within five (5) days of their introduction, nor at other than a regular meeting. However, an urgency ordinance may be passed immediately upon introduction at a regular or special meeting. All ordinances shall be read in full either at the time of introduction or passage except when, after reading the title, further reading is waived by a motion adopted by unanimous vote of the Board present. When ordinances, other than urgency ordinances, are altered after introduction, they shall be passed only at a regular meeting held at least five (5) days after alteration. Corrections of typographical or clerical errors are not alterations within the meaning of this section.

(e)Execution of Ordinances. All ordinances shall be signed by the President and attested by the Secretary.

Section 9.Deviations

No deviation from or failure to follow the procedures set forth in this Article shall invalidate any action or decision of the Board of Directors unless such deviation or failure has substantially prejudiced the rights of an interested person.

Section 10. Vacancies

A vacancy occurring in the office of a Director, who has been elected pursuant to Section 61102.5 of the Government Code, shall be filled pursuant to Section 1780 of the Government Code.

Section 11. Reimbursable Expenses

(a) Reimbursements. Board members and District employees shall be eligible for reimbursement of all reasonable costs and expenses incurred while conducting District business. These shall include:

1. Vehicle expenses to meetings outside of the District in which District business is conducted — mileage expenses shall be reimbursed at the rate used by the Auditor of the County of El Dorado.
2. Lodging expenses -- at the reimbursement amount used by the Auditor of the County of El Dorado per night for single rooms will be the maximum allowance for reimbursement. Additional costs for more expensive accommodations for relatives shall be borne by the Director or employee.
3. Meal expenses — at the reimbursement amount used by the Auditor of the County of El Dorado for breakfast, lunch and dinner when District business is conducted during or related to a meal.
4. Telephone expenses for toll or long distance calls required in conducting District business. Telephone charges shall be limited to \$20 per month.
5. Postage expenses for correspondence related to District business in situations when District postage or electronic mail is not available.
6. Miscellaneous expenses, such as bridge tolls and parking fees. Fines for moving and stationary violations are not reimbursable.
7. Entertainment, magazines, newspapers, sightseeing tours, etc.; expenses for personal items of these types are not reimbursable.
8. Reimbursement for before or after meeting expenses will not be allowed if, in the opinion of the board, such expenses were unnecessary and could have been avoided by more timely travel at District expense.

(b) Authorization.

Requests by Directors and employees shall be submitted to the Board of Directors by the President of the District. Director's requests for travel and reimbursement expenses shall be approved by a majority vote of the Board of Directors.

Chapter 2: FINANCIAL AND BUDGET PROCEDURES

Section 1. Preliminary Budget

At least two weeks prior to the Board meeting adopting the annual or biennial budget appropriation the General Manager shall publish notice of the budget's adoption meeting date in a local newspaper. The General Manager in consultation with the Board shall propose a preliminary budget with categories required by Government Code Section 61110. The public may request at the hearing where the budget is discussed any information about the expenditures proposed within the preliminary budget.

Section 2. Budget Adoption

Prior to July 1 of each year the Board shall adopt a budget of appropriations for the upcoming Fiscal Year. The expenditures approved within the annual budget may be expended pursuant to the Purchasing and Contracting Policy and Procedures, Section 61000 et seq. Government Code, and any other applicable Board policy.

Recording Requested by:
Marc Regelbrugge

When recorded, mail copy to:

Golden West Community Services District
P.O. Box 448
El Dorado, CA 95623

(this space reserved for Recorder use only)

Resolution 2024-04

Repealing Resolution 2022-06 and adopting an amended Conflict of Interest Code

GOLDEN WEST COMMUNITY SERVICES DISTRICT

WHEREAS, The Political Reform Act, Government Code §81000 et seq., requires state and local government agencies to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the District Conflict of Interest Code adopted pursuant to Resolution 2022-06 no longer adequately represents the District's needs; and

WHEREAS, Government Code Sections 61045(f) and (g) require the District Board of Directors to adopt Rules and Procedures for the conduct of its business; and

WHEREAS, District Resolution 14-03 adopted a Board Rules and Procedures Policy; and

WHEREAS, District Resolution 2022-06 adopted Amendment 3 of said Board Rules and Procedures Policy, comprising Chapter 3 – Conflict of Interest Code;

NOW THEREFORE BE IT RESOLVED that Resolution 2022-06 be repealed; and

BE IT FURTHER RESOLVED that Attachment 1 hereto be adopted as Amendment 4 of the Board Rules and Procedures Policy, comprising Chapter 3 – Conflict of Interest Code.

PASSED AND ADOPTED this 29th day of October 2024 by a majority vote of the members of the Board, as follows:

AYES: 5

NOES: 0

ABSTAIN: 0

ABSENT: 0

By: *Marc Regelbrugge*
President, Board of Directors
Golden West Community Services District

Attest: *[Signature]*
Secretary, Board of Directors
Golden West Community Services District

Attachment 1
GWCS D Rules and Procedures Policy Amendment 4

CHAPTER 3. CONFLICT OF INTEREST CODE

Section 1. Scope

This Chapter constitutes the Conflict of Interest Code of the Golden West Community Services District.

The terms of 2 California Code of Regulations 18730 and any amendment to it duly adopted by the FPPC are hereby incorporated herein by this reference and along with the List of Designated positions and Disclosure Categories set forth below constitute the conflict of interest of the Golden West Community Services District. This conflict of interest code supersedes all prior codes, which are hereby rescinded.

Section 2. LIST OF DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES

The designated employees or others who participate in the governance of the Golden West Community Services District, who have been determined to make or participate in making decisions that may foreseeably have a material effect on an economic interest, are:

Members of the Board of Directors

General Manager

Consultants

The disclosure category for the designated positions is: all interest in real property in the district, and all investments, business positions and income (including gifts, loans and travel payments) from sources that provide goods, equipment, vehicles, machinery or services of the type utilized by the Golden West Community Services District.

Consultants are those persons defined in Title 2, California Code of Regulations 18701 (a) (2) who contract with the district to provide services. The General Manager may determine in writing that a particular consultant, although occupying a designated position, is hired to perform a range of duties that is limited in scope and this is not required to comply fully with the disclosure requirements described in this code. Such determination shall include a description of the consultant's duties and, based upon the description, a statement of the extent of disclosure requirements. The general manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. Consultant means any individual who, pursuant to a contract with a state or local government agency:

- a. Makes a governmental decision whether to:
 - i. Approve a rate, rule or regulation
 - ii. Adopt or enforce a law
 - iii. Issue, deny, suspend or revoke any permit, license, application, certificate, approval, order or similar authorization or entitlement
 - iv. Authorize the agency to enter into, modify or renew a contract provided it is the type of contract that requires agency approval
 - v. Grant agency approval to a contract that requires agency approval and to which the agency is a part, or to the specification for such a contract
 - vi. Grant agency approval to a plan, design, report, study, or similar item
 - vii. Adopt or grant agency approval of policies, standards, or guidelines for the agency or for any subdivision thereof, or
- b. Serves in a staff capacity with the agency and in that capacity participates in making a governmental decision as define in Regulation 18702.2 or performs the same of substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency’s Conflict of Interest Code under GC 87302.

Section 3. STATEMENTS OF ECONOMIC INTEREST – FILING AND INSPECTION

Designated employees shall file their original signed statements of economics interests with the Golden West Community Services District and the El Dorado County Department of Elections. These statements are public records and will be made available for public inspection and reproduction upon request and at a mutually agreed upon time and place.

Section 4. DISQUALIFICATION

Any designated person for whom an actual or apparent Conflict of Interest is identified shall recuse themselves from any and all discussion, consideration, recommendation and/or vote regarding or affecting in any way the cause or object of said Conflict of Interest unless and until the designated person requests and prevails upon an appeal to the Board by a majority vote of a quorum thereof.

Section 5. ADOPTION

The above local conflict of interest code was adopted by the Board of Directors of the Golden West Community Services District at a Meeting of the Board held on the 29th day of October, 2024.