

SPECIAL DISTRICT MANAGEMENT SEMINARS

27 & 28 Sept, 1985

Submitted Oct. 16, 1985

The Seminar was attended by over 200 representatives from a variety of Service Districts. Water Districts predominated, followed by Sanitation, Cemetery, Community Services, Park, and Recreation. Ours was the only Road Maintenance Group identified. There are 5244 Districts in Cal.

The Seminar started with a lecture by Jack Harris on Special District Government. Special Districts are established for the purpose of carrying on specific activities within definite bounds and are independent of upper levels of government. Districts have power to perform as follows:

1. Have autonomy and corporate life
2. Right to own property
3. Power of eminent domain
4. Employ
5. Contract
6. Tax

Exhibit a. in the notebook lists the various types of District. The existence of Special Districts dates back over 100 years, but was not organized until the Enabling Act tied it all together. The notebook contains a list of the 202 applicable statutes.

Stan Mills continued with a discussion of Special District Administration Law and he kept referring to the Enabling Act. He expanded on the powers listed above and also noted that the Board of Directors is a legislative body and has the right to sue and can be sued. In addition the Board:

1. Can borrow money
2. May lease or rent vehicles or equipment
3. Must provide compensation insurance
4. May provide accidental death and injury insurance
5. May provide group insurance
6. May authorize attendance at professional meetings
7. May make and enforce rules
8. May compensate board members for related expenses
9. Must keep a record of all of its acts and all money received and disbursed. Books must be open to the public.
10. May delegate specific powers to a certain member(s).
11. Must establish a time and place and agenda for meetings which are open to the public. (A member of the public must submit a request to address the Board, must identify his topic, and then will be given a time limit to speak.)
12. Can act only at legal meetings; regular, adjourned, or special.
13. Must not hold secret meetings in violation of the Ralph M. Brown Act. (copy in notebook)
14. May enact ordinances and resolutions by a quorum (quorum must be defined in the Bylaws to be a majority of the Board or a majority of a quorum present).
15. Pay and compensation must comply with U.S. Fair Labor Standards Act, i.e. minimum wage, overtime pay, etc. (copy in notebook)

The lectures on "District Board Procedures, Policies, and Practices" outlined the duties and functions of the Board and the Secretary. The Board duties were noted above and the Secretary's duties include (as applicable to our District):

1. Maintain custody of records, ordinances, resolutions, financials, personnel, etc
2. Publish and post notices
3. Record and maintain proceedings of the Board meetings
4. Receive documents addressed to the Board
5. Prepare the Board meeting room
6. Issue permits and collect fees
7. Assumes Chair in absence of the President and the Vice President until they arrive or to close the meeting.

A sample format of a meeting agenda is in the notebook. For a large district this would be prepared by the Secretary as informed by the President, a Director, the V. P. , or by a request from the public. The public shall be notified of each meeting, preferably thru the newspaper.

Each District shall file with the Secretary of State and the County Clerk the following:

1. Full and legal name of the District
2. Mailing address of District
3. Names and addresses of the members of the Board
4. Any changes to the above

A detailed sample of the "Order of Business" is contained in the notebook; a lot of which is "too much" for our small operation.

A session on record keeping discussed what material should be kept for how long. Permanent records shall be kept of the following:

1. Ordinances and resolutions
2. Financial reports, salaries, IRS, State compensation
3. Insurance claims
4. Legal actions
5. Minutes of Board meetings

This is a very brief summary of the topics discussed. The notebook contains more notes and topic outlines and is available for perusal and further discussion.

Respectfully submitted.

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