



**SBVWCD  
BOARD OF DIRECTORS  
POLICY MANUAL  
FOR THE CONDUCT  
OF BUSINESS OF THE  
BOARD**

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# San Bernardino Valley Water Conservation District



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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Purpose of Board Policies

**POLICY NUMBER:** 1000

**1000.1** It is the intent of the Board of Directors of the San Bernardino Valley Water Conservation District to maintain a Manual of Policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Manual of Policies will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

**1000.2** If any policy or portion of a policy contained within the Manual of Policies is in conflict with rules, regulations or legislation having authority over San Bernardino Valley Water Conservation District said rules, regulations or legislation shall prevail.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Adoption/Amendment of Policies

**POLICY NUMBER:** 1010

**1010.1** Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director or the General Manager. The proposed adoption or amendment shall be initiated by a Director or the General Manager submitting a written draft of the proposed new or amended policy to the Board President and the General Manager by way of the District office, and requesting that the item be included for consideration on the agenda of the next appropriate regular meeting of the Board of Directors.

**1010.2** Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors in accordance with the District's state statutes regarding the constitution of a majority vote.

**1010.3** Copies of the proposed new or amended policy shall be included in the agenda-information packet for any meeting in which they are scheduled for consideration (listed on the agenda). A copy of the proposed new or amended policy(ies) shall be made available to each Director for review at least 72 hours in advance, and in accordance with the Brown Act shall be posted and available to the public prior to any meeting at which the policy(ies) are to be considered.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Conflict of Interest

**POLICY NUMBER:** 1020

**1020.1** 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 its duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A in which members of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the conflict of interest code of the San Bernardino Valley Water Conservation District.

**1020.2** Additionally, the Board Secretary will file Form 806 as consistent with 2 Cal. Code of Regs. §18705.5 listing the prescribed information for any director who receives compensation above the thresholds specified in that section and:

- (a) That is appointed to any standing committee;
- (b) Appointed by the Board President to Committee of the District including Ad Hoc or
- (c) Appointed by Committee that meets twice or more, the District Board to any committee, board or commission of a public agency, a special district, a joint powers agency or authority, or a metropolitan planning organization.

**1020.3** Designated employees shall file statements of economic interests with the District who shall file them with the Clerk of the County of San Bernardino. Directors are required to comply with interim deadlines provided by the General Manager or they are responsible for filing their own statements with the County Clerk.

**1020.4** It is the responsibility of each Director to be fully acquainted with his or her own "economic interests" under the Political Reform Act. Each Director shall notify District staff of any property interests, sources of income, business investments, gifts, loans, or any financial or economic interests of Director or Director's immediate family which may be affected by a decision before the Board. If Director has reason to believe a potential conflict of interest exists in connection with any decision or matter pending before the Board or any of its Committees, the Director shall immediately inform the General Manager and General Counsel, and seek advice as to the existence of any such conflict, and any appropriate action in connection therewith. A Director's disclosure obligations under this policy shall include a duty to inform the General Manager and the General Counsel of any financial interest which may result in a violation of Government Code Section 1090, relating to prohibited interests in contracts. In the event any Director feels that he or she does not have a sufficient understanding of the restrictions of the Political Reform Act or Government Code Section 1090, he or she at any time may request a briefing on such matters from the General Manager and General Counsel.

**1021.1** Ethics Training. Each board member is responsible for Assembly Bill No. 1234 training compliance as indicated in 4095.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Public Complaints

**POLICY NUMBER:** 1030

**1030.1** The Board of Directors desires that public complaints be resolved at the lowest possible administrative level, and that the method for resolution of complaints be logical and systematic.

**1030.2** 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.

**1030.3** The method of resolving complaints shall be as follows:

**1030.3.1** The individual with a complaint shall first discuss the matter with the appropriate Staff or General Manager related to the concern with the objective of resolving the matter informally.

**1030.3.2** If the individual registering the complaint is not satisfied with the disposition of the complaint by Staff, it shall be forwarded to the General Manager. At the option of the General Manager he/she may conduct conferences and take testimony or written documentation in the resolution of the complaint. The General Manager shall memorialize his/her decision in writing, with the individual registering the complaint being provided a copy.

**1030.3.3** If the individual filing the complaint is not satisfied with the disposition of the matter by the General Manager, he or she may request consideration by the Board of Directors by filing said request in writing within ten (10) days of receiving the General Manager's decision. The General Manager will coordinate with the Board President and District Counsel and the Board may consider the matter at its next regular meeting, or call a special meeting. In making a decision, the Board may conduct or request District Counsel conduct conferences, hear testimony, as well as utilize the transcripts of written documentation. The Board's final decision shall be memorialized in writing with the individual registering the complaint being provided a copy.

**1030.4** 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 programs and services, or impending considerations of the Board.



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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Claims Against the District

**POLICY NUMBER:** 1040

The purpose of this policy is to provide direction to District staff from the Board of Directors for processing and resolving (if possible) account adjustment requests and property damage claims against the District. Inherent in this policy is the recognition that every adjustment request or claim will be unique, and that guidelines cannot be written to accommodate every case. Therefore, staff must use discretion and good sense in handling each claim.

### 1040.1 Property (Land and Improvements) Damage Claims

In the course of the District's operations, damage to land and improvements thereon occasionally occurs due to the proximity of the District's facilities to other property. When District employees are aware that property has been damaged in the course of their work, restorative measures are to be taken to return the property as close to its original condition as possible.

When a property owner informs a District employee of damage to their property (by telephone or in person), the employee receiving the claim will document in writing the time and date, and a description of the stated circumstances and allegations. Employees should respond to questions, be cordial and respectful, but refrain from commenting on liability questions.

As soon as possible after information about the damage has been received, it shall be given to the appropriate Manager. The General Manager, or his/her designee, shall investigate the property owner's allegations.

If the owner of damaged property informs a member of the Board of Directors, the information will be immediately forwarded to the General Manager. Directors should not independently investigate claims, but may go with staff, District Counsel or insurance representatives to observe.

Investigations shall be done in a timely fashion and documented with a written report, including photographs and/or interviews, when appropriate. A copy of the report shall be submitted to the General Manager.

If the investigating staff person is convinced that the damage was caused by District personnel, equipment, or infrastructure, he/she shall prepare a work order to have the damage repaired, subject to the following conditions:

- (a) Property owner agrees that the proposed repairs are appropriate and adequate;
- (b) Property owner agrees to allow District personnel access to their property to perform the repair work;
- (c) District personnel have the necessary tools, equipment, and expertise to perform the necessary work; repair work can be accomplished within a reasonable amount of time; and,
- (d) Cost of material for the repairs will not exceed \$1000.

If the cost of material for repairs is stated by claimant or estimated by staff to exceed \$1000, the owner will be asked to submit their claim in writing on a District claim form.

The General Manager shall review the damage claim and the proposed repair work. If he/she determines that the damage is the District's responsibility and that the proposed repair work is appropriate, he/she may authorize the work if the cost of material for the repairs will not exceed \$5000. A report shall be submitted to the Board of Directors describing the damage claim, including a description of the manner in which it was resolved.

If the cost of material for repairs is stated by claimant or estimated to exceed \$5000, the claim may be submitted to the Board of Directors or the District's Insurance carrier and the Board informed. . The Board of Directors shall review the claim and receive input from staff in closed session [*qualifies as "anticipated litigation" under the Brown Act*]. After reviewing the damage claim, the Board may authorize the work or may make request it be tendered to the Districts Insurance carrier. The claimant shall be notified of any action by the Committee regarding their claim.

The Board will not consider a claim of an amount in excess of the insurance deductible, including the cost of investigation, without prior written approval of the District's insurance company.

Claims in excess of the District's insurance deductible shall be forwarded to the insurance company, and the claimant shall be advised of this action.

Claims for personal injury/wrongful death shall not be investigated by District staff or directors but shall be immediately forwarded to the District Counsel and District's insurance company.

#### **1040.2 Property (Vehicles and Unsecured Property) Damage Claims**

All claims of damage to vehicles or other unsecured property shall be submitted to the General Manager. He/she shall review the damage claim and the requested restitution. If he/she determines that the damage is the District's responsibility, he/she may authorize repairs or reimbursement of expenses to an amount not to exceed \$5,000. A report shall be submitted to the Board of Directors describing the damage claim, including a description of the manner in which it was resolved.

The claim will be processed as described above if the cost of material for repairs is estimated to exceed \$5000.

#### **1040.3 Property Damage Claims On District Form**

Except for damage to land and improvements estimated to cost less than \$500, all damage claims must be submitted in writing on a District claim form. This will ensure that a claim is valid and protect important rights of the District.

If an individual does not wish to file a claim on the District form, he/she may present the claim by letter if it conforms to Section 910 and Section 910.2, California Government Code. Section 910 specifies that a claim needs to show all of the following:

- (a) The name and postal address of the claimant.
- (b) The postal address to which the person presenting the claim desires notices to be sent.
- (c) The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted.

- (d) A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of presentation of the claim.
- (e) The name or names of the public employee or employees causing the injury, damage, or loss, if known.
- (f) The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.

Section 910.2 of the California Government Code specifies the following:

*The claim shall be signed by the claimant or by some person on his behalf. Claims against local public entities for supplies, materials, equipment or services need not be signed by the claimant or on his behalf if presented on a billhead or invoice regularly used in the conduct of the business of the claimant.*

If the filed letter/claim does not meet the requirements of the California Government Code §910 and §910.2, then a letter shall be sent to the claimant informing them of this fact.

District staff shall provide no assistance to the claimant in filling out the claim form. Claimant must fill out the claim form in its entirety and submit it via mail, FAX, or personal delivery to the District office. Upon receipt, office staff shall date-stamp the document.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Public Records Request Policy

**POLICY NUMBER:** 1050

The Public Records Request Act (Act) declares that access to information concerning the conduct of the public's business is a fundamental and necessary right. The Act requires the District to make "public records," as that term is defined in California Government Code sections 6250 et seq., available for inspection to the public and to provide copies upon written request. Requests for Public records of the District may be made at any time during regular office hours, Monday-Thursday 8 am-5 pm at the District's headquarters located at 1630 W. Redlands Blvd., Suite A, Redlands, CA 92373.

**1050.1** Any Individuals requesting copies of a specific public document must submit a written request identifying the public records (s) to be inspected to the attention of the General Manager. The District has prepared a form for this purpose, which it encourages all Public Records Act requestors to use, to help expedite the District's compliance with the Public Records Act request. Members of the public may make written requests in person, by mail or via email.

**1050.2** Copies of agendas and other writings (except for privileged documents) distributed to a majority of the Board of Directors at open Board meetings shall be made available to the public. A limited quantity of such documents (based on normal audience attendance) shall be copied in advance of each meeting and made available to the public in attendance at the meeting to which the material pertains at no charge.

**1050.3** Any individual may review a copy of any identifiable public record or copy thereof. If the request is readily discernible and requests a public record which is immediately available, the record shall be made available for inspection or copying. Public records requested which are kept in the form of computer data shall be made available in the form determined by SBVWCD. For all other requests, the District shall determine within 10 calendar days after receipt of such request whether it has Public Records in its possession or control that it determines are responsive to the request, and within that time period shall notify the person making the request of such determination. Except with respect to public records exempt by express provision of law from disclosure, the District, upon any request for a copy of record which reasonably describes an identifiable record, or information produced therefrom, shall make the record available, or may, at the District's option, arrange to make copies upon prior payment of applicable fees. In the event the request presents unusual circumstances, including but not limited to the scope or breadth of the request, the age of the records requested, the location of storage of records likely to be responsive to the request, the availability and amount of staff time to devote to the request at the time it is made, the need to consult with other agencies or persons regarding the request who may have access to requested records, or other such circumstance, the District may extend the date for the time to respond to the request by up to an additional fourteen (14) days.

**1050.4** The District may attempt to obtain additional information or clarification from the requesting party on any Public Records Act request where the District is uncertain regarding the meaning of the terms used in the request, the applicable date ranges of the records requested, the content of the documents requested, or in those instances when dialogue with the requesting party regarding the information technology, location of the storage of the records, formatting, or manner in which the records are kept by the District in the normal course of business will facilitate the identification of the specific records being requested, the manner in which the records might most feasibly be made available, or the appropriate persons on District staff to assist the requesting party

secure the records sought.

**1050.5** The District may determine that it is appropriate to withhold and requested record by demonstrating that the record in question is exempt from public records disclosure under state law, or that on the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record

**1050.6** Any notification of denial of any request for records shall set forth the names and titles or positions of each person responsible for the denial.

**1050.7** Staff will provide and post annually the current rate for copying public documents on the District website at [www.sbvwd.org](http://www.sbvwd.org). The copying fees are as follows:

- (a) For copies made by District staff: \$0.20 cents per page, including administrative staff time billed at \$60 per hour for all time involved in copying in excess of 20 minutes; unless the General Manager determines the fees are not effective to collect.
- (b) For copies made by copying service: the actual costs billed by copying service
- (c) Copies of tape records, computer records, mylars, sepia prints, maps, photographs and blueprints shall be made by a copying service, the fee for which shall be the actual costs of reproduction.

**1050.8** Members of the public may not remove District records from SBVWCD's offices nor may they use SBVWCD's copying equipment. However, members of the public may examine written documents or listen to tape records of public meetings without charge under all of the following conditions:

- (a) A mutually-convenient time is arranged between the requesting party and staff;
- (b) The examination occurs in District office;
- (c) A member of staff is present at all times during such examination and, in the case of a tape recording, operating the playback machine.

**1050.9** Although numerous types of records that are exempt from disclosure to the public, including those listed in Government Code section 6254, as may be amended, the following is a brief list of commonly-requested records which are not normally disclosed to members of the public:

- (a) Preliminary drafts, notes or memoranda which are not retained by the District in the ordinary course of its business;
- (b) Records pertaining to pending Government Tort Claims and litigation;
- (c) Personnel files, disclosure of which would result in an unwarranted invasion of privacy;
- (d) Certain data obtained by the District in confidence from third parties;
- (e) Real estate appraisals, engineering or feasibility estimates and evaluations used in connection with the acquisition of property;
- (f) Computer software;
- (g) Privileged Communications with legal counsel.
- (h) Trade Secrets.

**1050.10** In the event a Public Records Act requests public records that do not exist on the District's email or other written electronic communication servers or services, and the District's General Manager or District Counsel determines such records may exist on personal electronic communications devices of one or more individual Directors, the District shall use the following procedure as a guide to assuring prompt, complete Public Records Act responses:

**1050.10.1** The District General Manager or District Counsel will forward the Public Records Act request, or such portion as may be relevant to records not otherwise available to the District, to the Director, asking the Director to review his or her personal electronic written communication servers or services to determine if he/she has written records responsive to the request. Because Public Records Act requests are subject to strict statutory time periods for response, any Director receiving such a request shall confirm his or her receipt of same within forty-eight (48) hours, and shall provide an estimate to the General Manager or District Counsel of the time the Director requires to review his or her personal electronic written communication media to determine the existence and location of any such requested records.

**1050.10.2** In the event the Director identifies responsive records on his or her personal electronic written communication media, the Director shall promptly notify the District's General Manager or District Counsel, who shall make arrangements for the electronic transfer of such records to District electronic written communication servers or storage, for review on whether the identified record(s) fits within the request, are public records, and are not otherwise subject to exemptions under the Public Records Act. The Director shall execute an affidavit in a form approved by District Counsel indicating all District-related electronic written communications in the possession of the Director responsive to the request have been forwarded.

**1050.10.3** In the event the Director, after a reasonably diligent and good faith search, determines he or she has no responsive records, the Director shall promptly notify the General Manager or District Counsel of that fact, and shall execute an affidavit in a form approved by District Counsel indicating that the search was made, and no responsive records were found.

PUBLIC RECORDS REQUEST FORM

TO: Office of the General Manager  
San Bernardino Valley Water Conservation District  
1630 W. Redlands Blvd., Suite A  
Redlands, CA 92373-8032

FROM: Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone No: \_\_\_\_\_

DATE REQUEST RECEIVED BY SBWCD: \_\_\_\_\_

Pursuant to State law and the policy of the San Bernardino Valley Water Conservation District (SBWCD) as described in the attached policy, please provide me with a copy of the following public records:

Description of Documents Requested:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

Attach a second sheet if necessary.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Code of Ethics  
**POLICY NUMBER:** 4010

**4010.1** The Board of Directors of the San Bernardino Valley Water Conservation District is committed to providing excellence in legislative leadership that results in the provision of the highest quality services to its constituents and to comply with State laws including Assembly Bill 1234 approved in 2005.

In order to assist in the governance of the behavior between and among members of the Board of Directors and District staff, the following rules shall be observed.

**4010.1.1** The dignity, style, values and opinions of each Director shall be respected.

**4010.1.2** Responsiveness and attentive listening in communication is expected.

**4010.1.3** 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, the legal counsel shall be requested to offer advice whether one exists or not.

**4010.1.4** The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

**4010.1.5** Directors should commit themselves to focusing on the business of the District, emphasizing the positive, avoiding double talk, hidden agendas, gossip, backbiting, and other negative forms of communication and interaction.

**4010.1.6** Directors should commit themselves to focusing on issues and 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.

**4010.1.7** 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, all Directors commit to support said action and not to create barriers to the implementation of said action.

**4010.1.8** Directors should practice the following procedures:

**4010.1.8.1** In seeking clarification on informational items, Directors may directly approach the General Manager or professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.

**4010.1.8.2** In handling complaints from residents and property owners of the District, said complaints should be immediately referred directly to the General Manager.



**4010.1.8.3** In handling items related to safety, concerns for safety or hazards should be reported to the General Manager. Emergency situations should be dealt with immediately by seeking appropriate assistance and reporting to the General Manager.

**4010.1.8.4** In presenting items for discussion at Board meetings, see Policy #5020.

**4010.1.8.5** In seeking clarification for policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, said concerns should be referred directly to the General Manager and District Counsel.

**4010.1.8.6** Requests for Assistance. Directors shall direct all requests for work, studies, information, or any task which is to be performed by District Staff to the General Manager. If the General Manager determines that an individual Director's request for Staff services shall result in a substantial expenditure of time or District resources, the General Manager may refer the request to the Board for its approval. In no event shall any Director make any request of Staff for information or services not related to District business. This policy shall in no way limit the authority of individual Directors to contact the General Manager and District Counsel for the purpose of inquiring about potential conflicts of interest regarding a Director's own economic interest.

**4010.1.9** If approached by District personnel concerning specific District policy, Directors should direct inquiries to the General Manager.

**4010.2** The work of the District is a team effort. All individuals should work together in the collaborative process, assisting each other in conducting the affairs of the District.

**4010.2.1** When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

**4010.2.2** Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

**4010.2.3** Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

**4010.2.4** Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

**4010.3** The Board of Directors is committed to enhance the transparency of the conduct of the District's business, to minimize the potential inefficiencies and inconveniences that might arise from having electronic, written communications pertaining to District business on multiple locations (including personal digital devices of Directors), and to facilitating the identification and availability of public records to assure responsiveness to Public Records Act requests. In furtherance of these goals, the Board adopts the following policies relating to e-mails, text messages, instant messaging communications, and social media platforms for digital communications:

**4010.3.1.** The District has established, and having made available to all Directors, a District-based e-mail account, with each Director having a separate individual e-mail address that is hosted on the District's e-mail server. Directors shall make every effort to restrict all of their electronic written

communications regarding District-related business to the District's dedicated email accounts. All Directors shall sync their personal electronic data devices, including cell phones, tablets, laptop or portable computers, or any other such devices, in such a manner as to be able to send and receive email communications through the District-dedicated email accounts given to each Director. Directors shall not utilize instant messaging, text messaging, or social media messaging services in the conduct of District-related business, unless such accounts are synced to the District's email server in such a way that such messages are simultaneously stored on the District's server, or in a digital or electronic storage medium immediately accessible to the District. Any Director requiring assistance in configuring his or her electronic written communication devices to comport with the requirements of this section shall coordinate with District staff, who shall provide all necessary service to accomplish the configuration, whether in-house or through the retention of consultant services, at no cost to the Director.

**4010.3.2** Directors shall make every effort not to use dedicated District email or other written electronic communication accounts for personal or non-District related business, and so far as reasonably possible, shall keep personal email, instant messaging, text messaging, and other accounts separate and distinct from District accounts. The purpose of this policy is both to assure the ready access of the District to all District-related communications, and to protect the privacy of Directors in their non-District related communications by separating them from communications that might otherwise be public records. In the event emergency situations, service outages, or other legitimately exigent circumstances make the use of District email or other written electronic communication unavailable, Directors shall retain copies of all District-related communications from personal communications accounts or services, and shall forward or otherwise transfer copies of all such communications to the District as soon as practicable.

**4010.3.3** The District recognizes there may not always be bright-line certainty on what communications relate to District business, and what relate to other professional or personal interests of the Director. Each Director shall make a good faith effort with respect to his or her own communications to determine whether they are District-related. In connection with making such determination, the Director shall consider the following:

- (a) The content of the communication;
- (b) The context within which, or purposes for which, the communication is made;
- (c) The recipient or audience to whom the communication is directed; and
- (d) Whether the communication occurs within the scope of the Director's District-related activities or duties.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Attendance at Meetings

**POLICY NUMBER:** 4020

**4020.1** Directors shall endeavor to attend all meetings of the Board. To the extent a Director anticipates that he or she shall be absent from a Board meeting, Director shall, at the prior regularly scheduled Board meeting, advise the Board of his or her anticipated absence and shall state the reason for the absence. In the event a Director does not become aware of the impending absence in time to give timely notice that Director shall, upon learning that he or she shall be absent, notify the General Manager. The General Manager shall be responsible for informing the Board of the absence.

A Director's absence from a meeting shall be excused if such absence is due to illness of the Director, illness or death of a Director's family member, or when Director is traveling away from the District on vacation, personal business, or District business. Absences for any other reason shall be excused only if the Board President, in his or her discretion, determines there is good cause for the absence. Absences which are not excused shall be recorded in the minutes. Known excused absences will be announced during roll call, however, any Director may ask for an excusal after roll call.

If a Director has three (3) consecutive unexcused absences from regular meetings of the Board, the Board may by resolution and in its discretion, declare the office of such Director vacated, and a successor shall be appointed or elected as provided in Subsection 4020.2.

**4020.2** Vacancies in the Board of Directors. In addition to the provisions of Subsection 2.6 and pursuant to Government Code Section 1770, as may be amended, a vacancy in the Board shall exist on the happening of any of the following events:

- (a) The death of an incumbent;
- (b) An adjudication pursuant to a quo warrant to proceeding declaring that the incumbent is physically or mentally incapacitated due to disease, illness, or accident and that the incumbent would not be able to perform the duties of his or her office for the remainder of his or her term;
- (c) His or her resignation;
- (d) His or her removal from office;
- (e) The Director's place of residence moves from the boundaries of the division in which the Director is required to reside;
- (f) Unlawful absence from the State;
- (g) Failure to discharge duties for three (3) consecutive months, except when prevented by sickness;

- (h) A conviction of a felony or of any offense involving a violation of his or her official duties (conviction is when trial court judgment is entered);
- (i) Refusal or neglect to file his or her required oath within the prescribed time;
- (j) The decision of a competent tribunal declaring void his or her election or appointment;
- (k) His or her commitment to a hospital or sanitarium by a court of competent jurisdiction as being a drug addict, dipsomaniac, inebriate, or stimulant addict, but in that event, the office shall not be deemed vacant before the order of commitment has become final.

A vacancy in the Board shall be deemed effective on the date the Board passes a resolution by a Majority vote declaring the office vacant and the reason therefore. Any vacancy occurring in the Board may be filled by (i) appointment by a majority vote of the remaining directors at a special meeting held within sixty (60) days after the effective date of the vacancy, or (ii) an election called for within sixty (60) days after the effective date of the vacancy and held on the next available election date that is one hundred thirty (130) or more days after the vacancy occurs. Where a vacancy is filled by appointment, notice of the vacancy shall be published in a newspaper of general circulation within the District at least fifteen (15) days before the appointment is made, which notice shall invite interested, eligible parties to apply for appointment. An individual appointed to fill a vacancy shall hold office until the next District general election and until such Director's successor has been elected and qualified, unless an election is also held on the same date for the purpose of electing a Director to serve a full term in the same office, in which event the person appointed shall fill the balance of the unexpired term of his or her predecessor in office.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Directors Expense Policy

**POLICY NUMBER:** 4025

**4025.1 Eligible Compensation Reimbursement.** Directors' compensation shall be in accordance with the California Water Code. The Board enacted Ordinance 2014-1 and a companion Resolution No. 509A setting forth the compensation of Board Directors and Resolution No. 509B setting the maximum number of compensated meetings to ten per month. Any District Requested or Director Selected meetings beyond ten per month are eligible for reimbursement of expenses only; which exclude travel expenses. The District shall compensate Directors for attendance at approved District Requested and Director Selected meetings in accordance with the following:

(a) District Requested meetings

District requested meetings are pre-approved, organizations that the Board has determined as essential for participation. The Board designates a primary and alternate; the alternate only attends if the primary indicates they are unavailable to attend. Any additional Board member attending is only eligible for reimbursement of eligible Expense (local mileage, meals, and parking) or per diem compensation as a Director Selected meeting. A cost estimate must be presented for Travel (conference registration, airfare car rental, hotel or etc.) to the Board in advance at its regularly scheduled Board meeting for approval for meetings listed in Appendix "C" as "Set by Board Action".

(b) Director Selected meetings-Maximum of 3

Director Selected meetings are pre-approved, discretionary meetings that each Director may attend in a number not to exceed (3) per month, and are eligible for meeting per diem compensation and eligible expense (local mileage, meals, and parking) reimbursement. Reimbursement for travel cost ((conference registration, airfare car rental, hotel or etc.) for any Director Selected meeting shall be paid only upon prior approval of the Board in advance. A cost estimate must be presented to the Board in advance at regular scheduled Board meetings for approval.

Compensation - Directors shall receive compensation for each District Requested meeting indicated in Appendix "C," Roster of Organizations and Committees with Assigned Representatives. The amount of compensation shall be established by a resolution of the Board as required by Ordinance 2014-1.

(d) Meeting Definition - For the purpose of determining compensation for Directors only, a "meeting" is defined as a District Requested or Director Selected activity of several parties conducting business related to the parties, of which the District is a party. A simple phone call is not a meeting, but a scheduled teleconference conducted between the parties in lieu of an agendized meeting is a "meeting." Conducting research, involvement in a discussion, or discussion by telephone in preparation for a meeting is also not a "meeting."

- (e) Any and all meetings in a single day where a Director is representing the District, qualifies for compensation for only one meeting.
- (f) Compensation for serving on another agency board of directors is the responsibility of that other agency. However, if serving on that other agency's board of directors is a direct result of appointment by the District Board of Directors, then attendance at meetings of both agencies on one day would be compensated as one day's pay, which would be paid by the District, and compensation from the other agency would not be permitted.

**4025.1.1 Eligible Expense Reimbursement.**

- (a) District Requested - The District shall reimburse Directors for costs incurred related to approved attendance at District Requested meetings, seminars, or conferences, as provided herein.

Travel Costs eligible for reimbursement shall be limited to (1) registration or tuition costs, or other charges for participation in the District Requested listed in Appendix "C"; (2) transportation to and from the event, including airfare, car rental, or mileage for use of Director's own automobile, and other miscellaneous transportation costs (shuttle, taxi, etc.); (3) lodging at the event rate or the State/Federal rate for the area; and (4) limited costs of meals. Out of state travel shall be prohibited without specific Board approval.

- (b) Director Selected - The District shall reimburse Directors for costs incurred related to approved attendance at Director Selected meetings, seminars, or conferences, as provided herein.

Expenses eligible for reimbursement shall be limited to (1) mileage for use of Director's own automobile or reasonable airfare if a lower cost, and other miscellaneous transportation costs (shuttle, parking, etc.); (2) limited costs of meals. Reimbursement for other Travel (conference registration, airfare car rental, hotel or etc.) for any Director Selected meeting shall be paid only upon prior approval of the Board in advance. A cost estimate must be presented to the Board in advance at a regularly scheduled Board meeting for approval. Out of state travel shall be prohibited without specific Board approval.

- (c) Exceptions - Any other costs incurred by the Director shall be at the expense of the Director, as a Director Selected meeting, unless, because of unusual circumstances, the Board, in its discretion, determines that any additional cost shall be authorized as an expense of the District.

Directors must include per diem request with cost proposals for the following Conferences/ Forums:

Association of California Water Agencies Conferences  
Sacramento/Washington DC Legislative Forums  
California Special Districts Association Annual Conference

- (d) Mileage - Directors shall be reimbursed for mileage on the basis of total miles driven for business purposes and at the rate specified in the Internal Revenue Code in effect at the time of the vehicle usage. The District will reimburse the lesser cost of mileage

reimbursement as described above or the lowest reasonable airfare and related costs to the travel location.

- (e) Board Member Meeting Reports – Directors are required by government code § 53232.3 (d) to briefly report meetings for which they are compensated at the next regular meeting of the Board. Meeting reports are the responsibility of each Director and are not tracked by staff. Meeting reports may be made verbally as listed in the Board Agenda or a written reports may be submitted prior the publication of the agenda, at the discretion of the director.
- (f) Service Day – A director may claim and be paid per diem for one travel day to or from a District Requested meeting where overnight stay is required to participate, as approved by the Board. A Director may also request and be paid a per diem for critical District Requested functions as a meeting.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Directors' Health Insurance

**POLICY NUMBER:** 4035

**4035.1** Members of the Board of Directors of the San Bernardino Valley Water Conservation District are provided no paid benefits. Directors may elect to participate in any allowable health benefits plan provided by the District through the Association of California Water Agencies (ACWA) Joint Powers Insurance Authority (JPIA) on a self-pay basis. Currently no directors have elected this coverage, if directors do so, the eligibility and terms will be adopted annually by the Board; rates and eligibility to be established by Board Ordinance or Resolution.



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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE: Officers**

**POLICY NUMBER: 4040**

**4040.1** There shall be three (3) officers of the Board: President, Vice President and Secretary. The President and Vice President shall be appointed by vote of the Board taken in the regular meeting in December of a District election year, or following the occurrence of any vacancy, and officers shall serve for a term of two (2) years. Any Director may serve more than one consecutive term in any office, but no Director shall serve in more than one (1) office at the same time. The duties and responsibilities of the officers shall be as follows:

- (a) **President.** The President shall preside over the conduct of the meetings as the Chairperson of the Board, and shall perform other duties as spelled out in this Policy Manual. The President may also call for any special meeting of the Board, provided such call is done in compliance with Government Code Section 54956, as may be subsequently amended and any other applicable provision of law. The President may sign all correspondence on behalf of the Board. The President may also create, fill, and dissolve Ad Hoc Committees of the Board. Any decision the President may or must make hereunder may be appealed by any Director of the Board, at the meeting in which the action is taken or, if the action is not taken at a meeting of the Board, at the next regularly scheduled meeting following the report of such action to the Board. If appealed, the Board may approve, reject, or modify the President's action or decision, and the decision of the Board shall be final.
- (b) **Vice President.** The Vice President shall perform all of the duties of the office of the President, in the President's absence, inability, or incapacity to serve.
- (c) **Secretary.** The District's General Manager shall serve as Secretary to the Board of Directors. The District's General Manager may, with the permission of the Board, delegate any or all of the duties of Secretary to any qualified employee of the District. Should the District's General Manager be incapacitated or unable to perform the duties of Secretary to the Board of Directors, the President may appoint an Interim Secretary from among the Boards Members until the next regularly scheduled Board Meeting. At the next regularly scheduled Board meeting the Board shall consider the options for replacement of the role of Secretary and or the replacement of the General Manager as appropriate. Should the District's General Manager be incapacitated or unable to perform other duties the Board will convene a personnel session at an emergency session or the next regularly scheduled Board Meeting to make interim arrangements for support as needed.
- (d) **Procedure for Nomination of Officers.** The procedure for nomination and appointment of Officers of the Board of Directors shall be as follows:
  - (1) President opens the floor for nominations. (Any Board member can nominate any party, even himself or herself.)

- (2) Once all nominations are exhausted, the president will entertain motion to close nominations. Motion requires majority vote.
- (3) The President will call for vote on nominated parties. This will be done by roll call vote of the Board.
- (4) If a nominated candidate receives the votes of a majority of the quorum (4 votes until such time as there are 5 directors and then 3 votes if all Board members are present), the president will declare that party elected to the office. If no nominated party receives enough votes to carry a majority of the quorum, the President will declare that the nominations did not result in an effective appointment by the Board to fill the vacancy, and the President will reopen the nominations, starting again at #1 above. The process will be repeated until a single candidate receives the votes of a majority of the quorum.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Committees of the Board of Directors

**POLICY NUMBER:** 4060

**4060.1** The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made or it is otherwise dissolved or disbanded by the President.

**4060.2** Role of Committees.

(a) In order to assist in its background investigations or preliminary discussions, the Board of Directors has formed, and may form additional, committees to assist it. Unless specifically delegated by a documented action of the Board, committees shall have no authority to bind the District to any position, contract, or course of action; the sole function of committees is to assist the Board in the fact finding and other tasks necessary for legislative action. Furthermore, no vote, statement, or position taken by any Director at a committee meeting shall be binding on that Director, if and when the matter comes before the full Board. All final approval of any action taken on behalf of the District rests with the full Board, unless the Board specifically delegates document powers to the committee. The Board may at any time create or dissolve a committee, as it may from time to time deem necessary. There are two types of advisory committees of the Board: Standing and Ad Hoc Committees. Appendix "B" provides a list of current Committees.

(b) Standing Committees. All Standing Committees are created by formal action of the Board (approved by the Board and so recorded in the minutes). Such action may take the form of an amendment to this Board Policy Manual. The meetings of the Standing Committees shall be governed by, and conducted pursuant to, the provisions of the Ralph M. Brown Act in the same manner as the meetings of the Board of Directors. Any member of the Board may attend any meeting of any Standing Committee but may not participate in the vote on any question before the Committee. Minutes of the proceedings of all Standing Committees shall be kept by the Board Secretary, and shall be available to other Board members, or members of the public upon request. Standing Committees shall meet on a regular basis, as determined by the committee Chair or General Manager.

(c) Ad Hoc Committees. Ad Hoc Committees are informal, temporarily formed advisory committees to investigate or address situation-specific occurrences, and are created and filled by appointment of the President of the Board of Directors. Ad Hoc Committees shall have no delegated authority from the Board, and shall be dissolved by the President of the Board when the situation or occurrence leading to their formation is resolved their final report is completed, or when the President otherwise considers such dissolution appropriate. Ad Hoc Committees shall have no continuing subject matter jurisdiction. Only Directors appointed to an Ad Hoc Committee shall attend or otherwise participate in its meetings.

(d) Membership of Committees. No Committee shall consist of more than three members when 6 or 7 member of the board are seated and 2 when five members of the Board are seated. Each Committee shall elect its own Chairperson. The continuation and membership of all committees shall be reviewed by the Board annually at or before its regular meeting in January, at which time any changes or modifications to the appointments shall be made for the upcoming year.

**4060.3** The Board President shall appoint the members of the standing committees for the ensuing year no later than the Board's regular meeting in January. The President shall announce the appointment at this meeting. President may make changes to those appointments at any time with concurrence from existing appointee being considered to be moved, switched, or requesting to be removed or the approval of the Board. President may also make appointments at any time to fill a vacancy, when needed.

**4060.4** The Board's standing committees may be assigned to review specific District functions, activities, and/or operations pertaining to their designated concerns, as specified in Appendix "B". Said assignment may be made by the Board President, or a majority vote of the Board. Any recommendations resulting from the specific review should be submitted to the Board via a written or oral report for action by the Board.

**4060.4.1** All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Basis of Authority

**POLICY NUMBER:** 4070

**4070.1** The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, position, act, or expenditure.

**4070.2** Representation of the District by a Board Member. Without the prior authorization of the Board, no individual Director has any authority, directly or indirectly, to represent the District as a whole. Unless specifically authorized by a Board action, no Director shall (i) make any undertaking purporting to obligate the District in any way, or (ii) make any representation to any member of the media, the public, any local agency, or any other person that the positions or statements of that individual are those of the District.

**4070.3** Directors do not represent any fractional segment of the community, but are, rather, a part of the body that represents and acts for the entire community served by the District as a whole.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Attendance at Education Seminars and Meetings of Other Organizations

**POLICY NUMBER:** 4080

**4080.1** Policy Statement. It is the policy of the District to encourage Directors to participate in professional organizations; local, state, and national training and educational seminars; and meetings of other local organizations where such attendance has direct applicability to the primary functions of the District. The District benefits from such activities both by keeping abreast of the latest developments and issues in the field of water conservation and groundwater management, and by the expanded professional communications which occur at such events. These benefits must be balanced, however, by fiduciary obligations, budgetary limitations and an effort to avoid unnecessary duplication of representation of the District. To strike this balance, the Board's policy is to authorize Directors to attend certain conferences, and require Directors to secure the approval of the Board before attending meetings or conferences. Reimbursement, therefore, shall be made for expenses incurred by a Director only in connection with attending seminars, conferences, or meetings, as previously approved by the Board.

**4080.2** Directors Appointed to Specified Positions. Directors who have been appointed by the President or the Board to serve as a member on any committee or commission are expected to attend appropriate meetings of such committees or commissions, and to report regularly to the Board regarding the activities of such committees and commissions.

**4080.3** Pre-Approved Activities. Appendix "C" provides a roster of organizations and committees with Board representatives. Attendance by the appointed Directors at meetings or conferences listed in Appendix "C" is "pre-approved," and is at District expense. This roster shall be updated annually by the General Manager, to reflect the most recent appointees to the various organizations and committees listed, and may be so updated as a clerical matter, without formal action of the Board. No organization, committee, or event may be added or deleted from the "pre-approved" list without action of the Board, unless the organization, committee or event no longer meets.

### Policy for Participation in Chamber of Commerce Functions or Events

The District benefits from expanded professional communications and exposure to elected officials, senior staff and other community leaders by attendance at certain chamber functions sometimes hosted by committees of the respective chambers.

As listed in Appendix "C," attendance at chamber functions is pre-approved to the extent that the above criteria or as more clearly defined in section 4080.1 in this policy manual is met.

The District recognizes the sole function and purpose for chambers of commerce and their committees is to promote, protect, advocate, monitor legislation, and advance business interest in the community. A Director will not be eligible for reimbursement of expenditures or a per diem for serving on any chamber committee, completing a leadership program offered by a chamber, taking on an ambassadorship, being a chamber board member, or serving as president of any chamber.

A Director will not be eligible for expense reimbursement or a per diem if they are in attendance on behalf of their own company or place of employment.

**4080.4 All Other Conferences.** For all other conferences and seminars, including voluntary attendance at meetings, any Director wishing to attend shall notify the General Manager and provide cost information with sufficient time for the General Manager to place the matter on the agenda for the next meeting of the Board. The Board may approve any request for attendance at a conference or seminar, and in so doing shall consider all of the following:

- (i) the subject matter as directly applicable to the primary mission of the District
- (ii) the quality of the conference or seminar, and its pertinence to District activities;
- (iii) the cost of participation, including both conference or seminar registration fees, directors fees, and any incidental expenses compared to the value of the conference or seminar;
- (iv) the number of other or similar conferences or seminars attended by the requesting Director in the preceding twelve (12) months; and
- (v) whether any stipend would be paid to the District for participating.

In the event notification of a seminar, conference, or meeting arrives too late for placing the matter on the Board's agenda, the General Manager may refer a request for attendance with cost backup to the President of the Board for his or her approval. The President may thereupon approve, disapprove, or conditionally approve any such request for ratification by the Board at the next regular meeting.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Sexual Harassment Training

**POLICY NUMBER:** 4094

**4094.1** All directors and Staff of the San Bernardino Valley Water Conservation District shall receive two hours of training in Sexual Harassment prevention at least once every two years.

**4094.2** District staff shall maintain records indicating both the dates that directors and staff completed the training and the name of the entity that provided the training. These records are public records subject to disclosure under the California Public Records Act.

**4094.3** District staff shall provide the board of directors with information on available training that meets the requirements of this policy at least once every year.



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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Ethics Training  
**POLICY NUMBER:** 4095

**4095** All directors and General Manager of the San Bernardino Valley Water Conservation District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2.

**4095.1** This policy shall also apply to all staff members that the board of directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.

**4095.2** All ethics training shall be provided by entities whose curricula has been approved by the California Attorney General and the Fair Political Practices Commission.

**4095.3** Directors shall obtain proof of participation after completing the ethics training. Applicable costs for attending the training will be reimbursed by the District.

**4095.3.1** District staff 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 years after directors receive the training, and are public records subject to disclosure under the California Public Records Act.

**4095.4** District staff shall provide the board of directors with information on available training that meets the requirements of this policy at least once every year.

**4095.5** Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

**4095.6** Any director of the San Bernardino Valley Water Conservation District that serves on the board of another agency is only required to take the training once every two years.

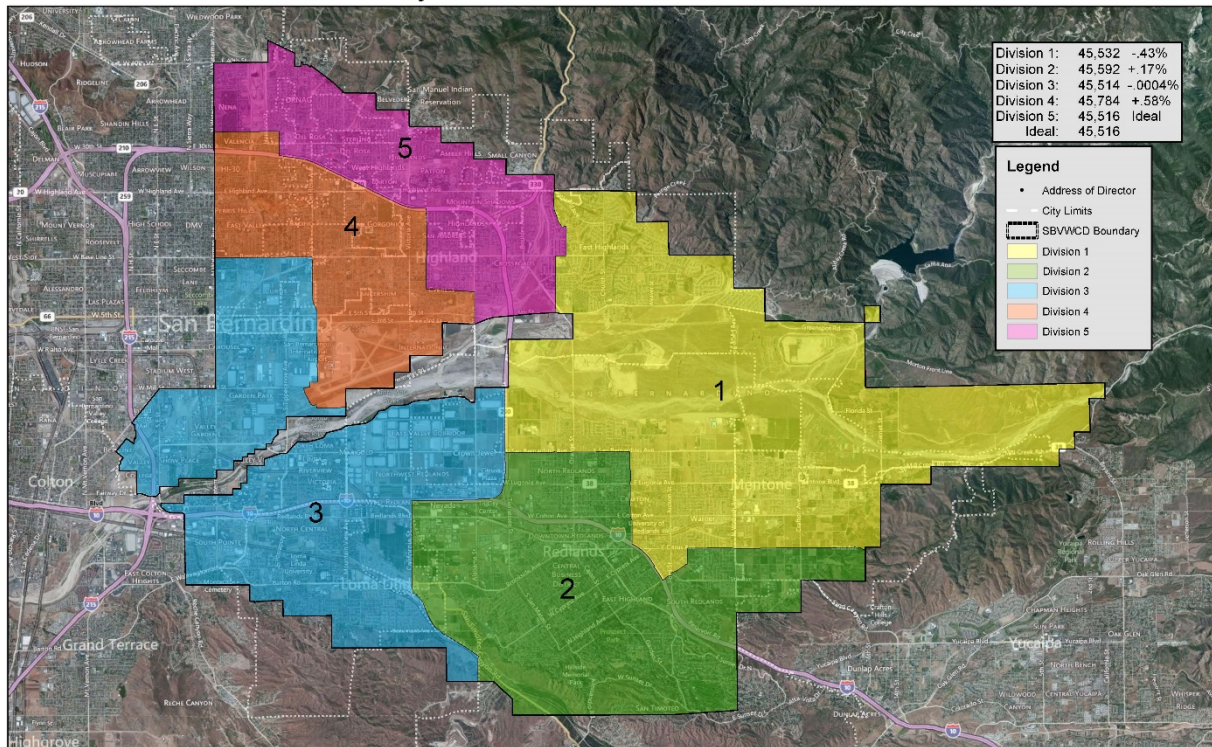
# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

POLICY TITLE: Divisions  
POLICY NUMBER: 4096

**4096** In 2011 the Board resolved to reduce the Board from a seven member board to a five member board and sponsored SB-235 authored by State Senator Gloria Negrete-McLeod. The Conservation District reviewed several scenarios and developed a map for redistricting into five divisions. The Board adopted Resolution No. 481 Implementing Senate Bill 235 and ordering the reorganization of the divisions and reducing the number from seven to five in September 2012. The 5 divisions are shown in the figure below. Because changes to the divisions cannot extend or reduce the term of any elected director as many as seven directors may serve until the elections in 2013 and as many as six directors may serve until the elections in 2015.

San Bernardino Valley Water Conservation District Division Boundaries



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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Board Meetings

**POLICY NUMBER:** 5010

**5010.1** Regular meetings of the Board of Directors shall be held on the second Wednesday of each calendar month at 1:30 p.m. in the San Bernardino Valley Water Conservation District office, located at 1630 W. Redlands Blvd., Suite A., Redlands, California, 92373. The date, time and place of regular Board meetings may be reconsidered annually at the annual organizational meeting on or prior to January meeting of the Board.

**5010.2** Special meetings of the Board of Directors may be called by the Board President or by a majority of the Board.

**5010.2.1** All Directors shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, received by them at least 24 hours prior to the meeting. The notice shall be posted on the District's website.

**5010.2.2** Newspapers of general circulation in the District, radio stations and television stations, organizations, and property owners who have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54956) shall be notified by a mailing unless the special meeting is called less than one week in advance, in which case notice, including business to be transacted, will be given by telephone or email during business hours as soon after the meeting is scheduled as practicable. The notice shall be posted on the District's website.

**5010.2.3** An agenda shall be prepared as specified for regular Board meetings in Policy #5020 and shall be posted and delivered with the notice of the special meeting to those specified above.

**5010.2.4** Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

**5010.3** Emergency Meetings. In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an emergency special meeting without complying with the 24-hour notice required in 5010.21, above. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the Board.

**5010.3.1** Newspapers of general circulation in the District, radio stations and television stations which have requested notice of special meetings in accordance with the Ralph M. Brown Act (California Government Code §54950 through §54926) shall be notified by at least one hour prior to the emergency meeting. In the event that telephone services are not functioning, the notice requirement of one hour is waived, but the Board, or its designee, shall notify such newspapers, radio stations, or television stations of the fact of the holding of the emergency special meeting, and of any action taken by the Board, as soon after the meeting as possible. The notice shall be posted on the District's website.

**5010.3.2** No closed session may be held during an emergency meeting, and all other rules governing special meetings shall be observed with the exception of the 24-hour notice. The minutes of the emergency meeting, a list of persons the Board or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten days in the District office and posted on the District's website as soon after the meeting as possible.

**5010.4** Adjourned Meetings. A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the General Manager may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified in 5010.2.2 above and posted on the District's website.

**5010.5** The Board President of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

**5010.6** The Board President and the General Manager shall ensure that appropriate information is posted on the District's website and available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Board Meeting Agenda

**POLICY NUMBER:** 5020

**5020.1** The General Manager, in cooperation with the Board President, shall prepare an agenda for each regular and special meeting of the Board of Directors in accordance with the Ralph M. Brown Act. Any Director may call the General Manager and request any item to be placed on the agenda no later than 4:00 P.M. on the Thursday prior to the closing of the agenda for the next meeting date (per Section 5020.4).

**5020.2** Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board of Directors, subject to the following conditions:

**5020.2.1** The request must be in writing and be submitted to the General Manager or President together all supporting documents and information, if any, at least ten business days prior to the date of the meeting;

**5020.2.2** The General Manager shall be the sole judge of whether the public request is or is not a "matter directly related to District business." The public member requesting the agenda item may request redress of the General Manager's decision at the public comment section of the next regular meeting of the Board of Directors. Any Director may request that the item be placed on the agenda of the Board's next regular meeting.

**5020.2.3** No matter which is legally a proper subject for consideration by the Board in closed session shall be accepted under this policy;

**5020.2.4** The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting. In addition, speakers addressing the Board at the public comment portion of the meeting shall be limited to three minutes, unless such time is extended by the Board President in his or her discretion.

**5020.3** This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

**5020.4** At least 72 hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review at the District office. If the District maintains a website, the agenda shall be posted on the website for public information at the same time. All information made available to the Board of Directors (except confidential information allowed by State law per legal counsel authority) shall be available for public review prior to the board meeting.

**5020.4.1** The agenda for a special meeting shall be posted at least 24 hours before the meeting in the same location.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Board Meeting Conduct

**POLICY NUMBER:** 5030

**5030.1** Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. Policy No. 5070, "Rules of Order for Board and Committee Meetings", shall be used as a general guideline for meeting protocol.

**5030.2** All Board meetings shall commence at the time stated on the agenda and shall be guided by same.

**5030.3** The conduct of meetings shall, to the fullest possible extent, enable Directors to:

**5030.3.1** Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

**5030.3.2** Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

**5030.4** Provisions for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as followed:

**5030.4.1** Five minutes may be allotted to each speaker and a maximum of 20 minutes to each subject matter.

**5030.4.2** No disruptive conduct shall be permitted at any Board meeting. Persistence in disruptive conduct shall be grounds for summary termination, by the Chairperson, of that person's privilege of address.

**5030.5** Willful disruption of any of the meetings of the Board of Directors shall not be permitted. If the President finds that there is in fact willful disruption of any meeting of the Board, he/she may order the disrupting parties out of the room and subsequently conduct the Board's business without them present.

**5030.5.1** After clearing the room of disruptive individuals, the President may permit those persons who, in his/her opinion, were not responsible for the willful disruption to remain in the meeting room.

**5030.5.2** Duly accredited representatives of the news media, whom the President finds not to have participated in the disruption, shall be permitted to remain in the meeting.

**5030.6** The following procedures have been set forth by the Board in determining the manner in which the Consent Calendar may be approved:

(a) It shall not include unaudited financials;

- (b) One motion may be made for all items listed;
- (c) Any member of the board may pull an item for discussion;
- (d) The chair is to solicit, prior to the time of any action on consent calendar, whether any member wishes to remove a listed item for separate discussion and action. The request alone shall remove the item from consent calendar; no motion is needed to treat a consent calendar item separately.



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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Board Actions and Decisions

**POLICY NUMBER:** 5040

**5040.1** Actions by the Board of Directors include but are not limited to the following:

**5040.1.1** Adoption or rejection of regulations or policies;

**5040.1.2** Adoption or rejection of a resolution;

**5040.1.3** Adoption or rejection of an ordinance;

**5040.1.4** Approval or rejection of any contract or expenditure;

**5040.1.5** Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

**5040.1.6** Approval or disapproval of matters that require or may require the District or its employees to take action and/or provide services.

**5040.2** Action can only be taken by the vote of the majority of the Board of Directors. The District has reduced the number of divisions of the District from seven to five which will affect the number of Directors over the next few years and thereby affect the quorum. Four (4) Directors currently represent a quorum for the conduct of business. Three (3) Directors will represent a quorum when only five (5) Directors serve on the Board. The examples below show the five member board numbers in { }

**5040.2.1** A member abstaining in a vote is considered as absent for that vote. A member abstaining due to a conflict of interest does not count towards a quorum.

**5040.2.1.1** Example. If four of seven {or three of 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 three {two} cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

**5040.2.1.2** Example. If an action is proposed requiring a two-thirds vote and three {two} Directors abstain, the proposed action cannot be approved because five of the seven {four of five} Directors would have to vote in favor of the action.

**5040.2.1.3** Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, four {three} Directors must vote in favor of the appointment for it to be approved. If four of the seven {three of five} Directors present abstain, the appointment is not approved.

**5040.3** 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.

**5040.3.1** The President shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the President, a voice vote may be requested.

**5040.3.2** 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.).

**5040.3.3** Informal action by the Board is still Board action shall be recorded in the minutes and shall only occur regarding matters that appear on the agenda for the Board meeting during which said informal action is taken.

**5040.4** Confidentiality of Board Information. It is the Board's policy that any and all communications during the closed sessions of the Board are confidential, and shall remain confidential unless and until otherwise provided by law.

**5040.4.1** During the term of his or her tenure as a Director, and after the end of such term, no Director shall disclose to any friend, associate, member of the media, or any other person, any information disclosed to or acquired by the Director in the closed sessions of the Board, unless specifically authorized to do so by the Board or required to do so by law.

**5040.4.2** In the event a Director discloses information in violation of this policy, any Board member may request that the Board adopt a resolution of reprimand regarding the Director. Upon such a request, the matter shall be referred to and considered by the Board.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Review of Administrative Decisions

**POLICY NUMBER:** 5050

**5050.1** The provisions of §1094.6 of the Code of Civil Procedure of the State of California shall be applicable to judicial review of all administrative decisions of the Board of Directors pursuant to the provisions of §1094.5 of said code. The provisions of §1094.6 shall prevail over any conflicting provision and any otherwise applicable law, rule, policy or regulation of the District, affecting the subject matter of an appeal.

**5050.2** This policy affects those administrative decisions rendered by the Board of Directors governing acts of the District, in the conduct of the District's operations and those affecting personnel operating policies.

**5050.3** The purpose of this policy is to ensure efficient administration of the District, and the expeditious review of decisions rendered by the Board of Directors.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Minutes of Board Meetings

**POLICY NUMBER:** 5060

**5060.1** The Secretary or delegated staff Secretary of the Board of Directors shall keep minutes of all regular and special meetings of the Board.

**5060.1.1** Copies of a meeting's minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept in a fireproof vault or in a fire-resistant, locked cabinet as well as posted on the District's website.

**5060.1.2** Unless directed otherwise, an audio tape recording of regular and special meetings of the Board of Directors will be made. The device upon which the recording is stored shall be kept in a fireproof vault or in fire-resistant, locked cabinet for a minimum of 30 days or until the approval of the minutes recorded thereon. Members of the public may inspect recordings of Board meetings without charge on a playback machine that will be made available by the District or other manner at the discretion of the General Manager.

**5060.1.3** Motions, resolutions or ordinances shall be recorded in the minutes as having passed or failed, and individual votes count will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board shall be numbered consecutively. In addition to other information that the Board may deem to be of importance, the following information (if relevant) shall be included in each meeting's minutes, unless waived by the Board:

- Date, place and type of each meeting;
- Directors present and absent by name;
- Administrative staff present by name;
- Call to order;
- Time and name of late arriving Directors;
- Time and name of early departing Directors;
- Names of Directors absent during any agenda item upon which action was taken;
- Summary record of staff reports;
- Summary record of public comment regarding matters not on the agenda, including names of commentators;
- Approval of the minutes or modified minutes of preceding meetings;
- Approval of financial reports;
- Record by number (a sequential range is acceptable) of all warrants approved for payment;
- Complete information as to each subject of the Board's deliberation;
- Record of the vote of each Director on every action item for which the vote was not unanimous;
- Resolutions and ordinances described as to their substantive content and sequential numbering;
- Record of all contracts and agreements, and their amendment, approved by the Board;
- Approval of the annual budget;

Approval of all polices, rules and/or regulations;  
Approval of all dispositions of District assets;  
Approval of all purchases of District assets; and,  
Time of meeting's adjournment.

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# San Bernardino Valley Water Conservation District

## BOARD POLICY MANUAL

**POLICY TITLE:** Rules of Order for Board and Committee Meetings

**POLICY NUMBER:** 5070

### 5070.1 General.

**5070.1.1** 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.

**5070.1.1.1** 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.

### 5070.2 Obtaining the Floor.

**5070.2.1** Any Director desiring to speak should address the President and, upon recognition by the President, may address the subject under discussion.

### 5070.3 Motions.

**5070.3.1** Any Director, including the President, may make or second a motion. A motion shall be brought and considered as follows:

**5070.3.1.1** A Director makes a motion; another Director seconds the motion; and the President restates the motion.

**5070.3.2** Once the motion has been restated 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 on any public hearing item, the President will call for the vote.

**5070.3.2.1** If the public in attendance has had an opportunity to comment on any proposed action which requires a public hearing, any Director may move to immediately bring the question being debated to a vote, suspending any further debate. The motion must be made, seconded, and approved by a majority vote of the Board.

**5070.4** 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.

**5070.4.1** 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.

**5070.4.2** 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.

**5070.4.3** 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.

**5070.4.4** 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.

**5070.4.5** Motion to Close Debate and Vote Immediately. As provided above, any Director may move to close debate and immediately vote on a main motion.

**5070.4.6** 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.

**5070.5** Decorum.

**5070.5.1** The President shall take whatever actions are necessary and appropriate to preserve order and decorum during Board meetings, including public hearings. The President may eject 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.

**5070.5.2** The President may also declare a short recess during any meeting.

**5070.6** Amendment of Rules of Order.

**5070.6.1** 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; or, c) both., such as for a workshop or special meeting.

## APPENDIX A

### San Bernardino Valley Water Conservation District

#### Designated Positions

1. **Board Members**  
Full Disclosure
2. **Candidates for Board of Directors**  
Full Disclosure
3. **General Manager/Secretary to Board of Directors**  
Full Disclosure
4. **Land Resources Manager**  
Full Disclosure
5. **General Counsel**  
Full Disclosure
6. **San Bernardino Valley Conservation Trust Board Member**  
Full Disclosure
7. **San Bernardino Valley Conservation Trust Secretary**  
Full Disclosure
8. **San Bernardino Valley Conservation Trust General Counsel**  
Full Disclosure
9. **Engineers (presently vacant)**  
General Contracting

#### Disclosure Categories

**Full Disclosure** All disclosure categories listed in Schedules A-E of the FPPC Form 700, including Investments (less than 10% ownership); Investments, Income, and Assets of Business Entities/Trusts; Interests in Real Property; Interests in Income, Loans, and Business Positions (other than gifts and travel payments); Gifts; and Travel Payments.

**General Contracting** All investments, business positions and income, including gifts, loans and travel payments, from sources that provide leased facilities, goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the employee's department or area of authority.



**APPENDIX "B"**  
**BOARD COMMITTEES**

**STANDING COMMITTEES**

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**FINANCE/ADMINISTRATION**

**Chair** – Melody McDonald  
**Member** - David E. Raley  
**Alternate:** John Longville

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**COMMITTEE CHARTER**

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The Finance and Administration Committee may review or be referred items by the Board or General Manager in the areas of Finance, Budget, Investments and Reporting, Staffing and Human Resources, Benefits, Board and Employee Administrative Policies and Procedures, and other issues designated by the Board.

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**OPERATIONS (formerly Resources)**

**Chair** – Richard Corneille  
**Member** – T. Milford Harrison  
**Alternate** – David E. Raley

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The Operations Committee may review or be referred items by the Board or General Manager in the areas of Water Management, Land and Habitat Resource Planning, Groundwater Recharge Monitoring and Reporting, Engineering Investigation, Groundwater Charge Rates. Facilities Operation, Maintenance and Development, Regulatory Compliance, Mineral Lease Oversight or other issues designated by the Board.

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**OUTREACH AND COMMUNICATIONS**

**Chair** – John Longville  
**Member** – T. Milford Harrison  
**Alternate** – Melody McDonald

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The Outreach and Communications Committee may review or be referred items by the Board or General Manager in the areas of Public Information, Outreach Programs, Conservation and Landscape Education, District Legislative Monitoring, Intergovernmental Press and Media Coordination or other issues designated by the Board.

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**AD HOC COMMITTEES**

Ad Hoc Committees are informal, temporarily formed advisory committees to investigate or address situation specific occurrences, and are created by appointment of the President of the Board of Directors. For example, an Ad Hoc Audit committee is formed in the spring each year to oversee the District's Annual Audit.

# APPENDIX "C"

## Roster of Organizations and Committees with Assigned Representatives

### District Requested Meetings

District Requested Meetings are organizations that the Board has determined as essential for participation. The Board designates a primary and alternate; the alternate only attends if the primary indicates they are unavailable to attend. Included are all District Board meetings and Standing and Ad Hoc committees the member is appointed to. Attendance by another Board member, other than the primary or alternate designee, may only be eligible for per diem compensation as a Director Selected meeting. Travel costs include conference registration, airfare car rental, hotel or similar reimbursable costs. Meeting Expenses include local mileage, meals, and parking. A cost estimate (Travel and Per Diem) must be presented to the Board in advance at its regularly scheduled Board meeting for approval for meetings listed as "Set by Board Action". Once "Set by Board Action" meetings are approved by the Board they may be claimed as District Requested meetings. Any District Requested or Director Selected meetings beyond ten per month are eligible for reimbursement of Expenses only. California Government Code § 53232.3 requires Board members to report on each compensated meeting outside of meetings District Board or Committee meetings at the next regular Board Meeting as designated in the Agenda. The reports may be made verbally or provided in writing at the discretion of the director.

<u>Organization/Committee</u>	<u>Primary/Alternate</u>
1. Association of California Water Agencies/JPIA	McDonald/Harrison
2. Association of California Water Agencies (Spring/Fall Conferences)	Set by Board Action
3. California Special Districts Association Annual Conference **	Set by Board Action
4. Association of San Bernardino County Special Districts	Harrison/McDonald
5. Special Presentations [only one per month per director]	All Board Limited
6. ACWA Region 9 Board	Harrison/No Alternate
7. Basin Technical Advisory Committee	McDonald/Harrison
8. SBVMWD Advisory Commission on Water Policy	Corneille/Raley
9. SBVMWD Board Meetings	McDonald/Raley

10. Wash Plan Task Force	Raley/Longville
11. Big Bear Watermaster Committee (Court Appointed Attendee-Cozad)	Raley/Corneille
12. San Bernardino Valley Conservation Trust	Raley & Longville
13. Meeting(s) Requested by the General Manager and/or Board President	All Board Limited
14. Any District Required/Mandated Training	All Board Limited

**Organization/Committee's selected by Outside Organization subject to Board Approval**

**Other ACWA/CSDA Activities:**

<u>Organization/Committee</u>	<u>Primary/Alternate</u>
a. Sacramento Legislative Forums	Set by Board Action
b. Washington DC Legislative Forum	Set by Board Action
c. ACWA Groundwater Committee	Corneille/McDonald*
d. ACWA State Legislative Committee	McDonald/No Alternate**
e. ACWA Local Government Committee	Harrison/No Alternate**
f. CSDA Audit Committee	Raley/No Alternate**

\*Only one member should attend meeting on behalf of the District

\*\* If appointed and while appointed.

**Director Selected Meetings - Maximum of 3**

The Director Selected meetings are pre-approved; discretionary meetings that each Director may attend, in a number not to exceed three (3) per month, and are eligible for meeting per diem compensation and eligible Expense (local mileage, meals, and parking) reimbursement. Directors may attend more than three (3) Director Selected meetings in a single month; such attendance will be eligible only for reimbursement of Expenses, and ineligible for meeting per diem reimbursement. Reimbursement for Travel expenses (conference registration, airfare car rental, hotel or etc.) for any Director Selected meeting shall be paid only upon prior approval of the Board. A cost estimate must be presented to the Board in advance at a regularly scheduled Board meeting for approval. Expenses are subject to limitations provided for in the Board Policy Handbook Section 4025.1 for all Director Selected meeting.

**Organization**

A. Redlands Chamber of Commerce	Director Selected
B. Highland Area Chamber of Commerce	Director Selected
C. Loma Linda Chamber of Commerce	Director Selected
D. Mentone Chamber of Commerce	Director Selected
E. San Bernardino Chamber of Commerce	Director Selected
F. Various Water Related Meetings	Director Selected