

AGENDA ITEM # L-9 POLICY 4205 (OLD 5020) BOARD MEETING AGENDA

This brief is being provided to inform the Board, staff and public of the details of an agenda item that requires action from the Board. The President of the Board will provide board members, staff, and the public the opportunity to ask questions about this topic when this agenda item is announced.

Date: May 9, 2022

Originator: Cary Curtis and Kim Seney

Purpose: Propose Changes to new Policy #4205 (currently Policy #5020) – Board Meeting Agenda

Desired Action by the Board:

First reading by the board of edited Policy #5020, including change to become Policy #4205 - Board Meeting Agenda. The board may choose to waive the second reading and adopt recommendation as presented. Requires a 3/5th majority affirmative vote of the entire membership of the board to adopt this policy.

1. **Description:** The Policy governing GMCSO Board Meeting Agenda has been reviewed and refreshed. The CSDA recommended template was used for comparison to ensure it is complete and up to date and most changes are driven from that template.
2. **Reason for Recommended Board Action - (*Consider compliance, cost savings, fixing a problem*):** Changes to the existing policy reflect our current needs for governance. Changing the Policy number will enable GMCSO Policy organizational structure to match the current CSDA templates.
3. **Anticipated Impacts to the District (negative and/or positive) - (*Consider financial impact, change in procedures, customer and staff communication and effect if recommendations are not adopted*):** none
4. **Anticipated Impacts to the Customer – *Standby, Residential, Commercial*:** none
5. **Recommendation (s):** The Policy Review Working Committee recommends that the Board review, discuss, waive 2nd reading and adopt the proposed changes to GM CSO Policy #5020 covering Board Meeting Agendas as presented, including changing it to Policy #4205.

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POLICY TITLE: Board Meeting Agenda
POLICY NUMBER: ~~5020~~4205

~~5020~~4205.1 The General Manager, in ~~cooperation~~ partnership with the Board President of the Gold Mountain Community Services District, shall prepare an agenda for each regular and special meeting of the Board of Directors. ~~in accordance with the Brown Act~~. Any Director may ~~call~~ contact the General Manager and request ~~any~~ an item to be placed on the agenda no later than 5:00 o'clock P.M. on the ~~Tuesday~~ immediately day that is 48 hours prior to the closing of the agenda for the next meeting date.

~~5020~~4205.2 Public requests. 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~~4205.2.1 The request must be in writing and be submitted to the General Manager together with supporting documents and information, if any, at least ~~five (5)~~ seven business days prior to the date of the meeting.

~~5020~~4205.2.2 The General Manager shall be the sole judge of whether the public request is or is not a "matter directly related to District business."

~~5020.2.3~~ 4205.2.3 The General Manager shall determine the timing of when the item will be placed on the agenda.

4205.2.4 The public member requesting the agenda item may appeal the General Manager's decision at 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.

4205.2.5 No matter which is legally a proper subject for consideration by the Board in closed session will be accepted under this policy.

~~5020~~4205.2.4 ~~6~~ 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.

~~5020~~4205.3 Agendas shall include a clear and unambiguous description of each item on the agenda to be discussed, including closed session items. The General Manager shall ensure that the description gives notice to the public of the essential nature of business to be considered.

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4205.4 Agenda posting. Agendas for regular and meetings shall be posted 72 hours in advance of the meeting and agendas for special meetings shall be posted 24 hours in advance of the meeting. The posting must occur in a place that is freely accessible to the public (GMCSO office and at the Clio, CA and Portola, CA Post Offices) and on the District's website. The internet posting shall occur on the District's primary website homepage through a prominent link to the current agenda.

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4205.5 Agenda packages. When distributing agenda packages and other materials to members of the Board of Directors, those materials should be provided to all members at the same time. Agenda packages, except for closed session materials, should also be made available to the public once distributed to the Board.

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4205.6 Public comment.

4205.6.1 For regular meetings, the Board shall provide the public with an opportunity to address not only any item on the agenda but any item within the subject matter jurisdiction of the District.

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4205.6.2 For special meetings, the Board shall provide the public with an opportunity to address any item on the agenda.

4205.6.3 The Board may not prohibit public criticism, but shall control the order of the proceedings, including placing reasonable time limits on public comment.

4205.6.4 The Board may not require members of the public to give names or sign a register as a condition of attendance or speaking.

4205.6.5 The Board may require public comment specific to items on the agenda be made at the time when the agenda item is considered.

4205.7 Closed sessions. The Board may conduct a closed session during a noticed meeting for certain matters, as identified on the agenda, where it is necessary to conduct business in private. Major reasons for permissible closed sessions, as authorized by the Brown Act, include real property transactions, labor negotiations, and pending litigation, and the performance review of the General Manager. The Board shall allow public comment on any closed session item before going into closed session.

4205.8 Items not on the agenda. The Board shall not discuss or take action on such matters at that meeting; any item that does not appear on the posted agenda except that the Board may act on items not on the agenda to address emergency situations, subsequent need items, and hold-over items from a continued previous meeting held within the prior five days. The Board may also respond to public comments and make announcements.

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~~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 within the District office, 150 Pacific Street, Suite 8 and at the Clio, CA and Portola, CA Post Offices, respectively.

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