

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: December 1, 2020

Originator: (PRC) Policy Review Committee

Purpose: Combine two GMCSO policies to align with a single CSDA policy

Supporting Documents Included: Yes. Scroll down to review the supporting documents in this packet.

Desired Action by the Board: First reading by the board of new Policy #1000 Adoption/Amendment of Policies. The board may choose to waive the second reading and adopt recommendations as presented. Current policy requires a 4/5's affirmative vote of the entire membership of the board to adopt this policy and to act on recommendations to retire two related policies.

1. **Description:** The District currently has two related policies, #1000 – Purpose of Board Policies and #1010 – Adoption/Amendment of Policies. PRC has compared and analyzed the two CSD policies against the current CSDA policy and found by combining our two existing policies while maintaining the accuracy of verbiage from the CSDA policy, we end up with a single policy that is updated with all details in one policy document. The result is a new recommended GMCSO policy entitled, Policy #1000, Adoption/Amendment of Policies. In creating new policy #1000 Adoption/Amendment of Policies, PRC recommends retiring the current GMCSO policies #1000 and #1010.

One important change to consider is what the District considers a majority vote for the purposes of adopting most policies. Currently, GMCSO requires a 4/5's affirmative vote of the entire membership of the board on all new and amended policies. California State Law constitutes a 3/5's affirmative vote of the entire membership of the board as a majority for the purposes of adopting most policies. California State Statute mandates that some policies such as Financial policies require a 4/5's affirmative vote of the entire membership of the board. For those policies requiring a 4/5's affirmative vote, the PRC and staff will include a notation in those policies to ensure voting compliance with requirements.

2. **Reason for Recommended Board Action - (*Consider compliance, cost savings, fixing a problem*):**
 - a) Bringing our policies up to date and comparing against CSDA policies that have recently been vetted through legal review is the role of the Policy Review Committee.
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*):**

The impact to the District is that it streamlines the board approval process for new and amended policies and brings this policy up to date with legally vetted verbiage and details.

4. **Anticipated Impacts to the Customer – Standby, Residential, Commercial:** There are no identified impacts to customers.
5. **Recommendation (s):**
 - a) Adopt the new GMCSD Policy #1000- Adoption/Amendment of Policies.
 - b) Adopt new 3/5's majority vote from the entire membership of the board to affirm **most policies**. All other policies requiring a 4/5's affirmative vote will have a notation in the policy stating such.
 - c) Retire current GMCSD policies #1000 and 1010.

Note: Current District policy requires a 4/5's affirmative vote of the entire membership of the board to retire policies #1000 and #1010 and to adopt new policy #1000 - Adoption/Amendment of Policies.

Gold Mountain Community Services District

POLICY HANDBOOK

RECOMMENDED NEW POLICY

POLICY TITLE: Adoption/Amendment of Policies

POLICY NUMBER: 1000

1000.1 Consideration by the Gold Mountain Community Services District Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director, or by the General Manager. The proposed adoption or amendment shall be initiated by a Director or the General Manager by submitting a written draft of the proposed new or amended policy to the Board Chairperson and the General Manager, which may be submitted in person or by any communication method approved by the District, and requesting that the item be included for consideration on the agenda of the next appropriate regular meeting of the Board of Directors. Any member of the Board may place an item on a future agenda by making a formal request to the General Manager at a meeting of the Board. The General Manager will place Board items on a future Board agenda when reasonable, based on the staff time and research necessary to prepare the item for Board consideration.

1000.2 Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors and shall require a 3/5's majority vote of the full membership of the entire Board of Directors, unless a 4/5's vote to adopt is otherwise required by California State Statute. Policies requiring a 4/5's vote of the full membership of the entire Board of Directors to adopt will include a notation in the policy of the 4/5's affirmative vote requirement.

1000.3 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 and listed on the agenda document. A copy of the proposed new or amended policy shall be made available to each Director for review at least 72 hours, per the Brown Act, prior to any meeting at which the policy, is to be considered.

1000.4 The requirement to review a proposed new or amended policy prior to the meeting at which adoption is to be considered may be waived by a majority vote of the full membership of the entire Board of Directors, with the agenda specifying consideration of such action.

1000.5 It is the intent of the Board of Directors 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. The Manual of Policies will serve as a resource for Directors, staff and public.

1000.6 If any policy or portion of a policy contained within the Manual of Policies conflicts with rules, regulations or legislation having authority over Gold Mountain Community Services District, said rules, regulations or legislation shall prevail.

Gold Mountain Community Services District

POLICY HANDBOOK

CURRENT GMCSO POLICY 1000

POLICY TITLE: Purpose of Board Policies

POLICY NUMBER: 1000

1000.1 It is the intent of the Board of Directors of the Gold Mountain Community Services 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 Gold Mountain Community Services District, said rules, regulations or legislation shall prevail.

Gold Mountain Community Services District

POLICY HANDBOOK

CURRENT GMCSO POLICY 1010

POLICY TITLE: Adoption/Amendment of Policies

POLICY NUMBER: 1010

1010.1 Consideration by the Gold Mountain Community Services District Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director, or by the General Manager. The proposed adoption or amendment is initiated by submitting a written draft of the proposed adoption or amendment to each Director and the General Manager through the District office, and requesting that the item be included for consideration on the agenda of the 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 and shall require a 4/5 affirmative vote of the entire Board of Directors.

1010.3 Before considering adopting or amending any policy, Directors shall have the opportunity to review the proposed adoption or amendment at the regular Board meeting prior to the meeting at which consideration for adoption or amendment is to be given. Copies of the proposed policy adoption or amendment shall be included in the agenda information packet for any meeting of consideration. The agenda information packets with said copies shall be made available to each Director for review at least three (3) days prior to any meeting at which the policy(ies) is to be considered.

The requirement to review of a proposed new or amended policy prior to the meeting at which adoption is to be considered may be waived by a 4/5 affirmative vote of the entire Board, with the agenda specifying consideration of such action.

CURRENT CSOA POLICY 1000

POLICY TITLE: Adoption/Amendment of Policies

POLICY NUMBER: 1000

1000.1 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 by submitting a written draft of the proposed new or amended policy to the Board Chairperson and the General Manager, which may be submitted in person or by any communication method approved by the District, and requesting that the item be included for consideration on the agenda of the next appropriate regular meeting of the Board of Directors. Any member of the Board may place an item on a future agenda by making a formal request to the General Manager at a meeting of the Board. The General Manager will place Board items on a future Board agenda when reasonable, based on the staff time and research necessary to prepare the item for Board consideration.

1000.2 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.

1000.3 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, per the Brown Act, prior to any meeting at which the policy(ies) is to be considered.