

RESOLUTION NO. 37-02
TUOLUMNE UTILITIES DISTRICT
AMENDING
RULES FOR PROCEEDINGS AND PROCEDURES

WHEREAS, it is desired to promote convenient, orderly and just conduct of the business of the Board of Directors; and

WHEREAS, the adoption of rules for proceedings is required by law (California Water Code Section 30530);

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Tuolumne Utilities District as follows:

Section 1. - Quorum: A majority of at least three members of the Board shall constitute a quorum for the transaction of business (30524). No ordinance, resolution, or motion shall be passed or become effective without the affirmative votes of at least a majority of the members of the Board (30525). Except where action is taken by the unanimous vote of all Directors present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolution, or motions and entered into the minutes of the Board (30526).

Section 2. - Term of Office: The term of office for elected officers (President and Vice President) of the Board shall be limited to one year.

Section 3. - Presiding Officer: The President of the Board shall preside at all meetings. In the absence of the President, the Vice President shall preside; in the absence of both the President and Vice President, the members of the Board attending a meeting shall choose a chairman who shall preside at said meeting (30521 (a)).

Section 4. - Place of Regular Meetings: From and after adoption of this resolution, and until changed by further resolution amending these rules, the place of regular meetings of the Board shall be at 18885 Nugget Blvd., Sonora, California (30521); provided, however, that regular meetings duly opened at said place may be adjourned to such other place or places within the confines of said District as may be found convenient or necessary by the Board.

Section 5. - Time for Regular Meetings: The time for regular meetings of the Board shall be the second (2nd) and fourth (4th) Tuesday of each month at 7:00 p.m. If and when either Tuesday falls upon a legal holiday, then the regular meeting shall be held at 7:00 p.m. on the next working day following said holiday; and provided further, that if and when a quorum is not present at 7:00 p.m., then said regular meeting may convene within a reasonable time thereafter, but in no event later than 8:30 p.m. (30521). The time for conclusion of regular business shall be 10:00 p.m. Any unfinished business shall be considered at an adjourned meeting, the date and time to be determined prior to adjournment, or at the next regular meeting if no adjourned meeting is ordered.

Section 6. - Preparation, Distribution, and Posting of Agendas for Regular Meetings: The Secretary of the Board of Directors shall post the agendas at least seventy-two (72) hours before regular meetings (Government Code 54954.2) at a location that is freely accessible to the public and posted at the meeting place. Requests from the general public for an item to be included on the agenda of a regularly scheduled meeting of the Board of Directors shall be received at the District office with a completed agenda request form and supporting material by the close of the normal work day, four (4) working days preceding the meeting date. Agenda packet preparation shall be completed no later than two (2) working days preceding the meeting date.

Section 7. - Board Procedures: An agenda item, requested by a Board member or a member of

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the public, shall be submitted to the Board President in writing. Following receipt of the written request the President shall assign the item to the appropriate Board Committee for consideration, and upon determination of the Committee the subject matter will be presented to the full Board. Upon failure of the Committee to reach a consensus on an item to be presented to the Board for consideration, a Board member may appeal the process to the full Board to place an item on a future agenda.

District staff shall not place any item on the agenda on which the Board has already taken action or which it has considered and declined to take action.

Request for reconsideration of a previous action item shall be made to the Board President. Upon determination by the President that there is sufficient information not previously considered, the item shall be redirected to the appropriate Committee for further discussion, and upon determination of the Committee the subject matter will be presented to the full Board for consideration.

Unless required by law, no item shall be placed on the agenda if it is not within the Board's subject matter jurisdiction, lacks sufficient public interest, or otherwise does not merit Board consideration. District staff may consult with the Board President in considering an agenda request.

Any individual Board direction shall be subject to objection by any other member of the Board. A Board direction shall be presumed to reflect general consent unless objected to at the time it is made. In the event of an objection, the direction shall be subject to Board action.

Section 8.- Special Meetings: A special meeting may be called at any time by the presiding officer or by a majority of the Board by: delivering personally or by mail written notice to each member of the Board; delivering personally or by mail written notice to each local newspaper of general circulation and each radio or television station requesting notice in writing; and posting at least twenty-four (24) hours before special meetings on the door of the Board room at 18885 Nugget Blvd., Sonora, California. Such notice must be delivered personally or by mail at least twenty-four (24) hours before the time of such meeting as specified in the notice. Such written notice may be dispensed with as to any member who at, or prior to the time the meeting convenes, files with the District Secretary a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by the Board (Government Code 54956).

In those cases where holding of a special Board meeting is requested by some interested party, that such a special meeting shall be called and held only if the person requesting the meeting pays in advance a fee to the District equal to: (a) the costs of Directors' fees for such meeting, plus (b) any other fees or costs that would be necessarily incurred to hold such meeting, as determined by the General Manager; provided that a majority of the Board may agree to remit all or part of the fees advanced upon the basis that the interests of the District were also served or benefited by holding such meeting. The holding of a special meeting shall still be at the discretion of, and only upon the call of the President or a majority of the Board of Directors.

Section 9. - Adjournment of Meetings: The Board may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Secretary of the Board may declare the meeting adjourned to a stated time and place and he/she shall cause a written notice of the adjournment to be given in the same manner as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held within twenty-four (24) hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any

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meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings in Section 5 above (Government Code 54955).

Section 10. - State Law: All meetings shall be held and conducted by the Board in accordance with the requirements of State law for legislative bodies of local agencies, and in particular those requirements set out in Sections 54952.6, 54953, 54954, 54955, 54956, and 54957 of the Government Code.

Section 11. - Order of Business: The order of business in conducting the meetings of the Board shall be as follows:

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| a) Call to Order | e) Regular Business |
| b) Pledge of Allegiance | f) Staff Reports |
| c) Public Forum | g) Directors Communications/Committee Reports |
| d) Consent Calendar | h) Closed Session (if necessary) |
| • Minutes | i) Adjournment |
| • Payment of Bills | |

Section 12. - Records: The typewritten minutes of the Board shall be kept by the Secretary in a loose-leaf minute book. The minutes of each meeting shall be signed by the Secretary and by the officer who shall preside at the meeting at which the minutes are approved. The Secretary is charged with the custody of all the papers, books, and documents of the Board and shall make the same available at this office to public inspection at all reasonable times. The resolutions and ordinances adopted by the Board shall be numbered consecutively.

Section 13. - Claim Summary: Upon approval by the Board of Directors the Claim Summary shall be signed by the ~~General Manager and the~~ Controller and the District Secretary shall attest.

Section 14. - Other Committees: Standing and ad hoc committees for the performance of such duties as may appear necessary and proper shall from time to time be appointed by the President. In the absence of any member of any committee, the presiding officer may appoint a substitute who shall serve during such absence.

Section 15. - Parliamentary Procedure: As to all matters not hereinabove provided for, the conducting of the business of the Board and its parliamentary procedure may rely upon the "RULES OF ORDER REVISED" by H. M. Robert.

Section 16. - Rules May Be Set Aside: Except when in violation of law, any or all of the foregoing rules may be set aside upon motion duly made and seconded and carried by a majority vote of the members of the Board.

Section 17. - Contact with District's Attorney: Board member inquiries requiring attorney consultation shall be directed to the President of the Board, who in turn shall advise the General Manager. The General Manager shall contact the attorney and issue a written response for distribution to all Board members. At such time as the Board wishes direction on matters involving the General Manager, the President of the Board shall contact the attorney directly and shall report back to the full Board with the findings of the attorney.

PASSED AND ADOPTED by the Board of Directors of Tuolumne Utilities District on June 11, 2002, by the following vote:

AYES:

NOES:

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ABSENT:

ABSTAINED:

Judy Delbon, President
Board of Directors

ATTEST:

Casey Prunchak, Secretary