

# **TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT**



## **OPERATIONS MANUAL AND POLICY HANDBOOK**

Originally Adopted May 10, 2006

Revision History:  
Original Adoption

# TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT OPERATIONS MANUAL AND POLICY HANDBOOK

## TABLE OF CONTENTS

Introduction

Tuolumne County Resource Conservation District By-Laws  
Adopted May 10, 2006

Associate Director Policy  
Adopted May 10, 2006

Board Meeting Agenda Policy  
Adopted May 10, 2006

Conflict of Interest Policy  
Adopted May 10, 2006

Standard of Conduct  
Adopted May 10, 2006

Public Records Request Policy  
Adopted May 10, 2006

Fiscal and Financial Policies (Not Available yet)  
Adopted \_\_\_\_\_

Contracting Policy (Not Available yet)  
Adopted \_\_\_\_\_

Personnel Policies (Not Available yet)  
Adopted \_\_\_\_\_

Drug and Alcohol Policy (Not Available yet)  
Adopted \_\_\_\_\_

Harassment Policy (Not Available yet)  
Adopted \_\_\_\_\_

Safety Policy (Not available yet)  
Adopted \_\_\_\_\_

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## **APPENDICES**

### **APPENDIX A**

GOVERNMENT CODE 1770 – Vacancies on Special District Boards

### **APPENDIX B**

Government Code 1780 – Filling of Vacancies on a Special District Board

### **APPENDIX C**

Formation Resolutions

District Status Letter

County of Tuolumne Board of Supervisors

City of Sonora, City Council

Tuolumne County Local Agency Formation Commission

### **APPENDIX D**

Sample Resolution

## **INTRODUCTION**

The following are the accepted and adopted policies and operational guidelines of the Tuolumne County Resource Conservation District. It is the policy of the Board of Directors to ensure and maintain compliance with these policies by all Directors, employees, contractors, subcontractors, staff, and all District personnel. It is further the policy of the Board of Directors to revise these policies and statements by changes, additions, or deletions at any time it is felt necessary, so long as it is decided by majority vote in a regular meeting of the Board.

It is the intention of the Board of Directors that all policies herein will comply with applicable State and Federal laws governing special districts within the State of California.



# TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT BY-LAWS

## ARTICLE I - ORGANIZATION

### Section 1.01 - Name

The name of this area and organization shall be the "Tuolumne County Resource Conservation District" as established by the voters of Tuolumne County on November 8, 2005.

### Section 1.02 - Authority and Purpose

The RCD is a not-for-profit, legal subdivision of the state created by Division 9 of the California Public Resources Code [hereafter referred to *Division 9* and/or the *Code*].

The District function is to take available technical, financial and educational resources, whatever their source, and focus or coordinate them so that they meet the needs of the local land manager with conservation of soil, water and related natural resources. The District provides, on a voluntary basis, the following services and other services as needed:

- Educates the public about conservation and resource issues, including fire safety
- Provides technical assistance with soil and water conservation
- Facilitates coordinated resource management efforts for watershed restoration and enhancement,
- Protects and monitors water quality
- Treats each acre of land according to its needs
- Additional services determined by need and funding.

In addition, the RCD has the legal authority to work with the United States, the State of California, counties, cities, public districts, tribes, other resource conservation districts, persons, associations and corporations, and has all other authorities and responsibilities as defined in *Division 9*.

The expenditure of public funds for planning, designing or implementing resource conservation constitutes expenditure for the general public benefit.

### **Section 1.03 - Principal Office**

The principal office of the RCD is located at \_\_\_\_\_.

### **Section 1.04 - Change of Address**

The Board (as that term is defined in paragraph Article II, Section 2.01 hereof) hereby is granted full power and authority to change the location of the principal office of the RCD.

### **Section 1.05 – Mission**

Our mission is to identify and meet the natural resource conservation needs of all the people of Tuolumne County and its future generations by providing leadership through educational, technical and financial support for valuable, voluntary services and programs that promote conservation and sustainable agriculture, while maintaining our county's rural heritage.

### **Section 1.06 - Area**

The Tuolumne County RCD is the only RCD in the County. The geographical service area encompassed by the Tuolumne County RCD includes the entirety of the unincorporated County of Tuolumne and the incorporated City of Sonora. The specific area is denoted on the district map as adopted by the County Board of Supervisors, City Council of the City of Sonora, and the Tuolumne County Local Agency Formation Commission. The district may work cooperatively with other Resource Conservation Districts outside of the district at the discretion of the Board.

## **ARTICLE II - DIRECTORS**

### **Section 2.01 - Number of Directors**

The Board of Directors ("Board") shall consist of nine (9) regular voting members. The exact number of Directors shall be fixed and may from time to time, within the limits specified in these Bylaws, and subject to *Division 9*, be changed by a resolution adopted by the Board and by an amendment of this Section. The number of directors may be changed by resolution adopted by a majority of the members of the Board of Directors after publication of notice of the intended change at least once in a newspaper of general circulation published in Tuolumne County.

## **Section 2.02 - Appointment of Directors**

Board members shall be appointed (in lieu of election) by the Tuolumne County Board of Supervisors and the City Council of the City of Sonora, based on population, pursuant to *Division 9*. As such, the Tuolumne County Resource Conservation District Board of Directors shall be appointed in the following manner, based on population:

Eight (8) Directors shall be appointed by the Board of Supervisors;  
One (1) Director shall be appointed by the City of Sonora City Council;

This formula may be reviewed from time to time to determine if population ratios have changed. Should population ratios change over time, this formula may be modified through adoption of a resolution by a simple majority vote of the Board of Directors and by an amendment of this Section after publication of notice of the intended change at least once in a newspaper of general circulation published in Tuolumne County.

A copy of all appointment documents shall be placed in the District files.

## **Section 2.03 - Terms of Office**

Directors shall serve alternating terms of four years each, except for the initial appointments as defined by the Tuolumne County Board of Supervisors. The term of office shall expire at midnight on December 31 at the end of each term. Expiration of the term of any director does not constitute a vacancy and the director shall hold office until his or her successor has qualified and been appointed.

## **Section 2.04 - Qualifications of Directors**

Directors shall be registered voters in the state and shall reside within the district and either own real property in the district or alternatively have served for two years or more as an associate director, or be a designated agent of a resident landowner within the district. Pursuant to *Div. 9*, applicants for positions of Director shall make application to the RCD which shall review and make recommendations for appointment to the Tuolumne County Board of Supervisors or through such office as may be deemed proper.

Directors shall take the oath of office pursuant to the *California Election Code and Division 9*.

Directors shall provide *Form 700, Statement of Economic Interest* upon taking office, annually thereafter, and upon leaving office pursuant to the *California Election Code*.

Training shall be required for all board members, pursuant to *California Government Code*.

Members of the Tuolumne County Board of Supervisors or City of Sonoma City Council are not eligible to simultaneously hold office as a district director.

### **Section 2.05 - Vacancies on the Board**

A vacancy or vacancies on the Board occurs pursuant to *Division. 9* and the *California Government Code Section 1770* (see Appendix A) and these *Bylaws* on the occurrence of any of the following:

- The death or resignation of any director.
- The director no longer meets voting/residency requirements.
- The director ceases to discharge the duties of the office for the period of three consecutive months, except when prevented by sickness.
- The expiration of the term and subsequent appointment of new director to the position.
- Failure to attend one board training session each year.
- The declaration by resolution of the Board of a vacancy in the office of a director who has been declared mentally incapacitated by an order of the court, convicted of a felony, or found by final order of judgment of any court to have breached a duty according to the *California Government Code*.
- Failure to complete and submit the required financial interest disclosure forms to the County Clerk's office by the specified due date.
- The authorized number of directors is increased by Board action.

### **Section 2.06 - Resignations of Directors**

Any board member may resign at any time by giving written notice to the Board of Supervisors, with a copy to the RCD Board of Directors. Any such resignation shall be effective upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective. Copies of resignations shall be placed in District files and incorporated in District historical files.

## **Section 2.07 - Filling of Board Vacancies**

Within 90 days prior to the end of each Director's term, the Director shall provide a written notification to the full Board as to whether they intend to seek reappointment by the Board of Supervisors or City Council. The Board Secretary will forward the letter of intent to the Board of Supervisors or City Council as appropriate. The position shall be posted pursuant to the *Government Code* and *Division 9*. Other persons interested in filling the vacancy shall submit an appropriate letter along with verification of qualifications addressed to the Tuolumne County Board of Supervisors and/or Sonora City Council. The Board of Supervisors or City Council, will follow all appropriate procedures as defined by those bodies for consideration of appointment. (See Appendix B)

When a vacancy occurs prior to end of term, the position shall be posted pursuant to the *Government Code* and *Division 9*. Persons interested in filling the vacancy shall submit an appropriate letter addressed to the Tuolumne County Board of Supervisors or Sonora City Council along with verification of qualifications. The Board or Council will then forward the letters to the Tuolumne County RCD Board for review and recommendation. If the Board or Council does not initiate an appointment process within 60 days, the board of directors may make the appointment. (*Public Resources Code, Div. 9 §9314*). Interim vacancies may be filled by the board of directors of the Resource Conservation Districts pursuant to *Government Code Section 1780*" (see Appendix B). Interim directors must reapply for the position when the period of appointment expires pursuant to *California Government Code* and *Division 9*.

## **Section 2.08 - Associate Directors**

Associate Directors are officially appointed by the Board of Directors as advisors to broaden the Board's range of expertise and to assist with programs. The RCD may recruit an unlimited number of associate directors. Associate directors may assume as much responsibility as directors, although legal responsibility for programs remains with the directors. Associate directors do not vote at Board meetings, but may be assigned to any task normally performed by a director. Associate directors serve at the pleasure of the Board without specific term or duration.

Once appointed, associate directors are considered members of the legal body for all purposes excepting voting privileges and are subject to the *Brown Act*.

Associate Directors may chair standing or ad hoc committees and are considered voting members of committees of which they are members.

The Board of Directors shall adopt and comply with Associate Director policies regarding appointments and activities of Associate Directors for the District.

### **Section 2.09 - Attendance/Voting at Meetings**

Members of the Board shall be required to attend and actively participate in all Board meetings unless excepted as pursuant to Section 2.05 (b). Board members shall notify the Chair and District Manager of anticipated absences from Board meetings prior to the meeting.

### **Section 2.10 – Dismissal of a Director**

A director may be dismissed from the board for either one of the following reasons:

- (a) If a director is clearly and consistently in conflict with the duties/roles defined in these By-Laws or in *Division 9*, and that director's actions are determined to be non-supportive or not in the best interests of the RCD, the board member will be removed from the board by a majority vote or given the opportunity to resign.
- (b) Four unexcused absences from board meetings in one calendar year.

### **Section 2.11 - Compensation of Directors**

Directors receive no compensation for their services. However, they shall be entitled to receive such reasonable reimbursement of expenses as may be determined by the Board. Directors are allowed reasonable and necessary expenses incurred in attendance at directors' meetings or when otherwise engaged in work of the district at the direction of the board of directors. The reimbursement of these expenses must be in accordance with the Reimbursement Policy stated in the Financial Policy. No director may hold any position for which he/she would receive compensation as a salaried officer or employee of the district.

### **Section 2.12 - Inspection Rights of Directors**

Directors shall have the right, upon reasonable notice, to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the RCD during normal weekday business hours.

### **Section 2.13 - Board Training/Responsibilities**

Each Board member shall, upon appointment, receive a packet of information to include Bylaws, Policies, Codes and Procedures, annual and long-range work

plans, RCD Sourcebook (produced by Dept. of Conservation), *Brown Act* regulations, *Division 9*, District Directory, Conflict of Interest rules, and other pertinent tools necessary to successfully carry out their duties as a Director. Each Director and the District Manager shall familiarize themselves with the contents of such documents in order to perform their jobs in a responsible manner and such information shall be updated from time to time as necessary. Annual training for directors and/or staff shall be established and calendared by the Board with assistance from staff and outside consultants as deemed appropriate. Additional training shall be required for all board members, pursuant to California *Government Code*.

### **Section 2.14 – Director Roles and Responsibilities**

Each District Board member is appointed to serve on a multi-member board that establishes and implements programs to protect and conserve soil, water, prime farmland, rangeland, woodlands, wildlife, energy and other resources on local lands.

Each Director shall have the following minimum responsibilities:

- Attend regular board meetings.
- Listen to, discuss, and vote on board motions to make decisions and take actions.
- Assume duties and carry out tasks assigned by the chair, including duties associated with membership in committees.
- Assist other board members as required.
- Be familiar with all board programs.
- Be prepared to serve in one of the board officer positions.

### **Section 2.15 – Conflict of Interest/Brown Act**

No director or other officer of the district may hold any interest, directly or indirectly, in the sale of equipment, materials, or services to the district. If a director finds that he/she is in a position of interest as stated above, he/she must abstain from all discussion and decisions on the subject of interest. Directors must comply with the California Ralph M. Brown Act.

The Board of Directors shall adopt and comply with a Conflict of Interest Policy regarding activities of the District.

### **Section 2.16 – Ethics**

All Directors are required to complete Ethics Training as required by Government Code, and to comply with all adopted District ethics and conflict of interest policies.

## **ARTICLE III - OFFICERS**

### **Section 3.01 - Number and Titles**

Officers of the Board shall consist of a Chair, Vice Chair, Secretary, and Treasurer who each must be regular voting Directors. Other officers, their titles and duties, shall be determined as deemed advisable by the Board.

### **Section 3.02 - Chair**

The Chair shall oversee the development of the agenda for regular public board meetings and may do this with input from others. The Chair shall preside at meetings of the Board of Directors according to Roberts' Revised Rules of Order, and shall work with staff who serves the Board to submit such agendas, recommendations, and information at such meetings that are reasonable and proper for the conduct of business affairs and policies of the Board. The Chair shall appoint committees and assign responsibilities. The Chair is authorized to sign district documents in the ordinary course of business.

### **Section 3.03 - Vice Chair**

The Vice Chair shall perform the duties of the Chair in the absence of the Chair, and may assume other duties of the Chair if asked to do so by the Chair. In the event of a Chair vacancy, the Vice Chair shall assume the Chair's duties until such time as the Board shall elect a new Chair, pursuant to Section 5.05 concerning vacancies.

### **Section 3.04 – Secretary**

The Secretary shall oversee the preparation and distribution of meeting agendas under direction of the Chair. The Secretary shall record and keep minutes for each Board meeting. The Secretary shall record committee activities, shall keep records of committees and committee members both standing and special, and shall notify committee members of their appointment to committees if they were not present. The Secretary is authorized to initiate correspondence on behalf of the board as needed.

### **Section 3.05 – Treasurer**

The Treasurer is responsible for implementing all Board adopted financial policies and shall maintain complete and accurate records of receipts, maintenance, and disbursements of all funds for the district, issue receipts for all monies received and pay bills when authorized and approved by the board,

make sure all authorized payments are recorded in the minutes, make a monthly financial report to the board, make an annual financial statement in the annual report to the public of all district funds, and shall generally provide oversight for all financial responsibilities of the District.

### **Section 3.06 - Appointment and Removal of Officers**

The officers shall be elected annually at the regular December Board meeting or as soon thereafter as practicable and shall each hold office for a term of one (1) year or until their successors are elected and qualified. An officer may serve successive terms of office.

Any officer may resign upon written notice to the Board. Such resignation note shall contain an effective date or a condition precedent.

Should the office of either Chair or Vice Chair become vacant, the Board shall elect a successor from among its members at the next regular or special meeting, and the office shall be held for the unexpired term of office.

## **ARTICLE IV - MEETINGS OF THE BOARD**

### **Section 4.01 - Meeting Location**

Meetings of the Board shall be held at a publicly accessible location as determined by Board action and resolution and within District boundaries, pursuant to *Ralph M. Brown Act, Gov. Code Section 54954 (b)*.

### **Section 4.02 - Meeting Time/Place**

Regular meetings of the Board shall be held, as provided in a resolution adopted by the Board, at the time and place specified in such resolution. Regular meetings shall be held monthly. Directors may, by resolution, change the time or place of regular meetings but no such change shall be effective until after notice of the change is published pursuant to the *Brown Act, Section 6061 of the Government Code and Div. 9* in the principal county. All regular meetings shall be publicly posted 72 hours in advance.

A special meeting of the Board may be called by the Chair, the Vice Chair, the Secretary, the Treasurer, or the majority of the membership of the Board, for the purpose of transacting any business designated in the call, after notification of all members of the Board by written notice personally delivered or mailed at least 72 hours before the time specified in the notice of the meeting. At such special meeting, no business other than that designated in the call should be considered.

Any meeting of the Board may be adjourned or continued to another meeting providing the adjournment or continuation indicates the date, time and place of the adjourned meeting.

All meetings of the RCD and its standing committees shall be open and public to the extent required by the *Brown Act*. All persons shall be permitted to attend any such meetings, except as otherwise provided by law. All ad hoc meetings shall be open and public.

A closed session may not be held at emergency meetings. Closed sessions must be properly noticed pursuant to the *Brown Act*; notice may not be waived.

A majority of the authorized number of Directors shall constitute a quorum of the Board for the transaction of business, except to adjourn.

A majority of the Directors present, whether or not a quorum is present, may adjourn or continue any meeting to another time and place. If the meeting is adjourned or continued for more than 24 hours, notice of any adjournment to another time or place shall be given, prior to the time of the adjourned meeting, to the Directors who were not present at the time of adjournment.

Order of business shall be established by the Board. Agendas shall be published and posted in compliance with applicable state and local laws and rules. Provisions may be made for citizens with disabilities by contacting District staff.

### **Section 4.03 - Meeting Agendas**

Meeting agenda preparation requirements are discussed in the *Brown Act* and should be adhered to as reasonably possible.

The Board of Directors shall adopt and comply with a Meeting Agenda Policy regarding agendas for District Board Meetings.

### **Section 4.04 - Required Vote of Directors, Conflicts of Interest**

Voting requirements are outlined in *Division 9* and in the *Brown Act*. No legislative body shall take action by secret ballot, whether preliminary or final, pursuant to the *Brown Act*.

No Director shall vote on any issue, motion or resolution which directly or indirectly inures to his or her benefit financially, except that such Director may be counted in order to qualify a quorum. It is recommended that a Director with a conflict leave the board room during motion, discussion and voting.

### **Section 4.05 - Rules of Order**

All regular Board meetings shall be conducted according to Roberts' Revised Rules of Order and the *Brown Act*. The Chair uses discretion when applying the rules. Meetings with extensive public participation and debate require a more strict application of the rules than informal meetings.

If a board member believes that the rules are inadequate or that someone has violated them, the member may raise a point of order to the Chair; the Chair rules on the point of order. The member who made the point of order can appeal an unsatisfactory ruling to the board. A majority vote by the board determines the point of order. The ruling and objection shall appear in the minutes.

## **ARTICLE V - COMMITTEES**

### **Section 5.01 - Purpose and Definition**

Committees make recommendation to the Board on specific matters. Committees may oversee implementation of Board decisions.

### **Section 5.02 – Committee Voting Membership/Voting**

Voting committee members shall consist of directors and associate directors. Recommendations are arrived at by simple majority.

Staff and public may be advisory committee members.

Pursuant to *NRCS guidelines, §401.34*, NRCS staff may not “be involved in or concern themselves with district administrative problems or operations, including election or selection of conservation district governing bodies...”. Therefore, NRCS staff shall not sit on committees that recommend policy, board selection or staffing.

### **Section 5.03 - Committees**

Committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns. Said assignment may be made by the Board Chair, a majority vote of the Board, or on their own

initiative. Any recommendations resulting from said review should be submitted to the Board via written or oral report.

Ad Hoc Committees may be assigned as are necessary to assist with short-term tasks and shall meet as necessary for conduct of district business. Duties of these committees shall be outlined at the time of appointment and the committee shall be considered dissolved when its final report has been made.

#### **Section 5.04 - Committee Chair Appointments**

The Chair appoints, and the Board ratifies by simple majority, chairpersons who shall be selected from the directors and associate directors. Said appointments shall be made for a term of one year and shall be made at the Board's regular meeting in January or as soon thereafter as practicable.

Chairpersons and/or the Chair may appoint committee members.

#### **Section 5.05 - Committee Meeting**

Committee meetings shall be held at the discretion of the Committee Chair, pursuant to lawful notice.

## **ARTICLE VI - INDEMNIFICATION**

#### **Section 6.01 - Indemnification of Directors, Officers, and Employees**

The District may indemnify a Director, officer or employee:

The District shall purchase and maintain errors and omissions insurance on behalf of any Director, officer or employee of the District against any liability asserted against or incurred by the Director, officer or employee in such capacity or arising out of the Director's, officer's or employee's status as such, whether or not the District would have the power to indemnify the Director, officer or employee against such liability.

## **ARTICLE VII - RECORDS, REPORTS AND ANNUAL WORK PLAN**

### **Section 7.01 - Meeting Records**

Minute Book: The Board shall keep or cause to be kept a minute book which shall contain:

- Minutes of all meetings, which shall be open for inspection by any member of the public. Minutes shall contain proceedings thereof; meeting date, time and location; names of attendees and guests; written waivers of notice of meeting; written consents to hold meeting; written approvals of minutes. Upon approval of meeting minutes by the Board, copies of such minutes shall be distributed to the Directors and Associate Directors. Revisions shall be annotated, dated and initialed by the Board Secretary in red ink and shall be available to the Board at the next subsequent meeting.
- A copy of the agenda/notice of the meeting and when and how given.
- Monthly financial reports as required by the Board.
- A copy of the articles and bylaws and all amendments thereof and a copy of all certificates filed with the Secretary of State, and duly certified by the Secretary of the Board.

Closed Session Minutes. Minutes taken during closed meetings shall be retained in a separate book and are not public records pursuant to the *Brown Act*.

Audit. Financial statements/audit shall be prepared as soon as reasonably practicable after close of the fiscal year by an approved accounting firm specializing in special districts and shall contain in appropriate detail the following:

- Assets and liabilities, including trust funds; principal changes in assets and liabilities, including trust funds;
- Revenue or receipts of the District;
- Expenses or disbursements of the District.

Annual Report: An annual report will be prepared as directed by the Board, and an abbreviated version, to include major accomplishments and activities of the District, shall be available for the public's review.

### **Section 7.02 - Reports Submitted to the Board; Public Documents**

Directors and staff shall submit copies of all written reports, studies, and correspondence sent to public agencies to the Board and the District Manager for retention upon distribution of the original document. Such documents shall reflect a majority position of the Board on all items relating to Board action and District policy. As a general rule, the Chair shall be the sole person on the Board to send any such items.

### **Section 7.03 - Presentation of Annual Work Plan**

The \_\_\_\_\_ Committee shall recommend and present to the Board for approval no later than May 31 of each year a comprehensive work plan indicating specific goals and objectives proposed for the fiscal year to support the purpose and scope of responsibilities of the District.

### **Section 7.04 - Public Records and Fees**

Pursuant to the *Brown Act*, all documents submitted to all or a majority of all of the members of a legislative body are discoverable public records under the *California Public Records Act* except those exempted by state or federal laws or regulations from public disclosure and shall be made available upon request. The RCD may charge a reasonable copy fee. This fee should not exceed \$.25 (twenty-five cents) per page. Directors are entitled to copies of documents at no charge for a reasonable number of pages.

## **ARTICLE VIII - CONTRACT REVIEW**

### **Section 8.01 – Authority to Enter into Contracts**

The Board of Directors may employ contractors to accomplish specific tasks associated with projects or district operations.

The Board of Directors may delegate such authority to the District Manager if and when appropriate at the discretion of the Board.

### **Section 8.02 – Contract Policies**

The Board of Directors shall adopt and comply with contracting policies regarding all contracts related activities of the District. The policies shall comply with all appropriate state and federal regulations.

### **Section 8.03 – Contract Review**

Contracts, MOUs and other such agreements between the District and outside agencies or entities may be subject to legal review upon request by the Board.

## **ARTICLE IX - GENERAL FISCAL PROVISIONS**

### **Section 9.01 - District Accounts**

District monies shall, by Board resolution, be kept either with the County of Tuolumne and/or an approved local banking institution.

### **Section 9.02 - District Funding**

The District receives all of its funding through cost-sharing, grants, fundraising, sales of products, and other means as approved by action of the Board and administered by District staff. None of the funding for the District comes from property tax apportionment dollars subject to public and judicial review.

All income and expenditures are to be accounted for by and through normally acceptable bookkeeping practices as established by Board action and prepared by District staff for monthly Board review.

### **Section 9.03 - Annual Budget**

The Directors shall review and approve a budget prior to the end of the fiscal year.

### **Section 9.04 – Fiscal and Financial Policies**

The Board shall adopt and comply with a fiscal and financial policy regarding all financial and fiscal activities of the District. The policy, at a minimum, shall include descriptions of:

- General Financial Operations of the District;
- Chart of Accounts
- Cash Receipts and Deposit Policies

- Purchasing Authorization, Disbursements and Check Authorizations;
- Expenses Reimbursement Policies
- Property Acquisition and Disposal
- Contract and Subcontract Guidelines
- Grant Management Policies
- District Budget Policy
- District Audit and Financial Record Policy

## **ARTICLE X - SUCCESSOR STATUTES**

### **Section 10.01 Successor Statutes/Resolutions/Numbering**

All statutes, codes and governmental materials mentioned herein shall be automatically updated when successor materials are enacted without requiring further action of the board and will be updated from time to time as necessary.

## **ARTICLE XI - RESOLUTIONS**

### **Section 11.01 Requirement for Resolutions**

The following is the Resolution Policy regarding the use of formal resolutions for District Board actions. A Director's vote shall be recorded for all resolutions.

#### The Use of Resolutions

Resolutions are used to explain the nature of an issue and/or a decision and its impact on the district. It is the policy of the board of directors to revise this statement by changes, additions, or deletions at any time it is felt necessary, so long as it is decided by vote in a regular meeting of the board.

#### Resolution Format

Resolutions contain two main sections: the Preamble and the Operative Clause. The Preamble is the "WHEREAS" clauses which explain the issue, what is causing the problem, and a persuasive statement on why a call to action is needed. The Operative Clause is that wording after "THEREFORE, be it resolved that the Tuolumne County Resource Conservation District," which contains the action to be taken and leaves no doubt what action being requested, appropriate to the preamble.

#### Types of Resolutions

Resolutions are used in two ways: a **policy** resolution used to issue an official opinion of the board, and a **binding** resolution which binds the district to a course of action.

### Adopting Resolutions

The Board of Directors will use the formal process of adopting resolutions when dealing with the following:

- Committing the district to a project that requires a significant commitment of district funds and/or work hours.
- Approving the signing of contracts or grants (see also Section 8.03 above).
- Approving the choice of an auditor.
- Adopting an annual budget and/or making significant change in a budget.
- Adopting policies for the district.
- Formation of a special services zone within the District.
- If an agency or partner requires a resolution.
- Recommendations or requests by the board to appoint directors, including interim appointments.
- Change time, place or date of regular meeting.
- By-laws changes.

A sample format for Resolutions is attached as Appendix D.

## **ARTICLE XII - PERSONNEL**

### **Section 12.01 Authority to Hire**

The Board of Directors has the authority to hire agents, officers, and employees as necessary to carry out the goals and objectives of the District.

The Board of Directors may employ contractors to accomplish specific tasks associated with projects or district operations.

The Board of Directors may delegate such authority to the District Manager if and when appropriate at the discretion of the Board.

### **Section 12.02 Personnel Policies**

The Board shall adopt and comply with personnel policies regarding all personnel related activities of the District. The policies shall comply with all appropriate state and federal regulations.

These by-laws are hereby adopted by Resolution by the Board of Directors at their regular meeting on May 10, 2006, and shall become effective immediately.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Kirk Ford, Chair

# **TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT ASSOCIATE DIRECTOR POLICY**

Effective

May 10, 2006

The following is the accepted policy of the Tuolumne County Resource Conservation District. It is the policy of the board of directors to revise this statement by changes, additions, or deletions at any time it is felt necessary, so long as it is decided by vote in a regular meeting of the board.

Associate directors are a vital component of the Tuolumne County Resource Conservation District (TCRCD). The position is completely voluntary, with no compensation, however district related expenses may be reimbursed. Associate directors do not vote and cannot assume the official responsibilities of board members. Their duties include offering technical assistance, personal opinions, and relevant advice to the board and staff.

## **I. Application:**

Applicants for the position of associate director should submit, in writing, a letter of request to the board of directors. Applicants must be 18 years of age or older, have a sincere interest in resource conservation, and be willing to commit the time required to fulfill their duties. The TCRCD board may also seek associate directors to perform specific tasks as needed.

## **II. Appointment:**

Associate directors of the TCRCD are appointed by majority vote of the board of directors. An associate director serves at the discretion of the board and may be removed from the position by a majority vote of the board of directors.

## **III. Duties:**

The TCRCD board of directors approves duties and tasks to associate directors. The TCRCD's long-range and annual work plans guide all directors and associate directors' actions and tasks. Associate directors' activities should complement and reinforce these work plans.

**IV. Succession:**

In the instance of a vacancy on the board of directors, associate directors may apply for appointment as a full director if they have been in the position of associate director for no less than 6 months, *or* by unanimous decision of the board, following the procedure for district director appointment as set forth in Division 9 of the California Public Resources Code (§9352).

**V. Term of Office:**

The appointment as associate director is for a period of two years. An associate director may resign at any time.

**VI. Meeting Attendance:**

Associate directors are encouraged to participate in regular meetings to provide technical support and personal opinions about TCRCO programs, long-range plans, and annual plans in connection with the goals and visions of the TCRCO.

**VII. Expenses:**

Upon prior approval of the board of directors, an associate director may be reimbursed for specific expenses incurred in connection with TCRCO activities. Expense claims must be submitted in the manner stated in the TCRCO financial policy.

**VIII. Conflict of Interest/Open Meetings Act:**

Associate directors must comply with the conflict of interest policies set forth in Division 9 of the California Public Resources Code, and the California Ralph M. Brown Act.

ADOPTED by the Tuolumne County Resource Conservation District at regular meeting of said Board, held on May 10, 2006.

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President, Board of Directors

## **TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT BOARD MEETING AGENDA POLICY**

Effective

May 10, 2006

The following is the accepted policy of the Tuolumne County Resource Conservation District. It is the policy of the board of directors to revise this statement by changes, additions, or deletions at any time it is felt necessary, so long as it is decided by vote in a regular meeting of the board.

- I. The office manager, under the direction of the board president, prepares an agenda for each regular and special meeting of the board of directors.
- II. Any director or associate director may notify the office manager and request an item be placed on the agenda. The request should be made no later than *four business days prior to the meeting date*.
- III. 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:
  - a) The request must be in writing and submitted to the board president together with supporting documents and information, if any, at least *five business days prior to the meeting date*;
  - b) The board president shall be the sole judge of whether the public request is or is not a "matter directly related to district business";
  - c) No issue that is legally a proper subject for consideration by the board in closed session will be accepted under this policy;
  - d) The board will limit the time devoted to a public-request issue at a meeting and the time allowed for any one person to speak on the issue, to five minutes.
  - e) This policy does not prevent the board from taking testimony at its regular and special meetings on non-agenda items that members of the public may wish to bring before the board. However, the board will not discuss or take action on those items at that meeting.

- IV.** At least **72 hours** prior to the time of all regular meetings, an agenda that includes but is not limited to all matters on which there may be discussion and/or action by the board is posted for public review outside the district office.
  
- V.** The agenda for a special meeting is posted at least **24 hours** before the meeting in the same location outside the district office.
  
- VI.** Until such time as an Office Manager or Chief Executive is hired, the Secretary of the Board of Directors shall assume those responsibilities identified herein.

ADOPTED by the Tuolumne County Resource Conservation District at regular meeting of said Board, held on May 10, 2006.

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President, Board of Directors

# **TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT CONFLICT OF INTEREST POLICY**

## **Section 1. Definitions**

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Adm. Code Sections 18100, et seq.) and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

## **Section 2. Designated Employees.**

The persons holding positions listed in Appendix "A" are designated employees. It has been determined that these officers and employees make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

## **Section 3. Disclosure Categories.**

Those designated employees, if any, specified in Government Code Section 87200 shall file statements of economic interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200 et seq.<sup>1</sup> With respect to all other designated employees, they shall disclose all those types economic interests set forth in the latest adopted standard form for statements of economic interests as adopted by the Fair Political Practices Commission. It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interests which he or she foreseeably can affect materially through the conduct of his or her office.

## **Section 4. Statements of Economic Interests – Place of Filing.**

The Administrative Manager of the District shall be the official filing officer. Until such time as an Administrative Officer is hired, the Secretary of the District shall be considered as the filing officer.

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<sup>1</sup> Designated employees who are required to file statements of economic interest under any other Conflict of Interest Code and those Article 2 filers who are designated in this code in a capacity which is in addition to their Article 2 capabilities may file identical expanded statements of economic interests with both entities in lieu of filing separate and distinct statements. Each expanded statement shall be originally signed by the designated employee, and shall include interests made reportable by virtue of both positions.

## **Section 5. Statements of Economic Interests – Time of Filing.**

Initial Statements. All designated employees employed by the agency on the effective date of this Code shall file statements within thirty (30) days after the effective date of this Code, unless the employee has previously filed a statement pursuant to subdivision (b) or (c).

### Assuming Office Statements.

All persons assuming designated positions after the effective date of this Code which are civil service or merit system positions, shall file statements within thirty (30) days after assuming the designated positions.

All other persons appointed, promoted or transferred to designated positions after the effective date of the Code, shall file statements within ten (10) days after assuming office, or if subject to confirmation, ten (10) days after being nominated or appointed.

Annual Statements. All designated employees shall file statements no later than April 1<sup>st</sup>.

(d) Leaving Office Statements. All persons who leave designated positions shall file statements within thirty (30) days after leaving office.

(e) Candidate Statement. All candidates for election to designated offices other than those specified in Government Code Section 87200 shall file statements within five (5) days after the final date for filing nomination petitions. This subsection shall not apply to candidates who have filed a statement of economic interests with the agency within the previous twelve (12) months.

## **Section 6. Contents of Statements of Economic Interests.**

All statements shall disclose those reportable interests required by the applicable disclosure categories as set forth in Section 3.

## **Section 7. Manner of Reporting.**

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information.

(a) Investment and Real Property Disclosure. When an investment or interest in real property<sup>2</sup> is required to be reported<sup>3</sup> the statement shall contain the following:

- (1) A statement of the nature of the investment or interest;
- (2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
- (3) The address or other precise location of the real property;

A statement whether the fair market value of the investment or interest in real property exceeds Two Thousand Dollars (\$2,000.00), exceeds Ten Thousand Dollars (\$10,000.00, or exceeds One Hundred Thousand Dollars (\$100,000.00), or exceeds One Million Dollars (\$1,000,000.00).

(b) Personal Income Disclosure. When personal income is required to be reported<sup>4</sup>, the statement shall contain:

- (1) The name and address of each source of income aggregating Five Hundred Dollars (\$500.00) or more in value, or Fifty Dollars (\$50.00) or more in value if the income was a gift and a general description of the business activity, if any, of each source.
- (2) A statement whether the aggregate value of income from each source was One Thousand Dollars (\$1,000.00) or less, greater than One Thousand Dollars (\$1,000.00), or greater than Ten Thousand Dollars (10,000.00), or greater than One Hundred Thousand Dollars (100,000.00);

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<sup>2</sup> For the purposes of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

<sup>3</sup> Investments and interest in real property, which have a fair market value of less than \$1,000.00, are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interest in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

<sup>4</sup> A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

(3) A description of the consideration, if any, for which the income was received;

(4) In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received.

(c) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported<sup>5</sup>, the statement shall contain:

- (1) The name, address and a general description of the business activity of the business entity;
- (2) The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than Ten Thousand Dollars (\$10,000.00).

(d) Management Position Disclosure. When management positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(e) Acquisition or Disposal During Reporting Period. In the case of an annual leaving office statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

## **Section 8. Disqualification.**

Designated employees must disqualify themselves from making, participating in the making or using their official positions to influence the making of any governmental decision which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on:

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<sup>5</sup> Income of a business entity is reportable if reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

- (a) Any business entity in which the designated employee has a direct or indirect investment worth more than Two Thousand Dollars (\$2,000.00);
- (b) Any real property in which the designated employee has a direct or indirect interest worth more than Two Thousand Dollars (\$2,000.00);
- (c) Any source of income, other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating Five Hundred Dollars (\$500.00) or more in value received by or promised to the designated employee within twelve (12) months prior to the time when the decision is made; or
- (d) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.

The effects on a designated employee's financial interests of a decision by a landowner voting district to set ad valorem property tax assessments is not distinguishable from the effects such a decision will have on the public generally within such a district. The effects on a designated employee's financial interests of a decision by a utility district to set rates is not distinguishable from the effects such a decision will have on the public generally unless the designated employee's financial interests constitute more than two percent (2%) of the users to whom the rate will be applicable.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participating legally required for purposes of this section.

## **Section 9. Manner of Disqualification**

When a designated employee determines that he or she should not make a government decision because he or she has a financial interest in it, the determination not to act must be accompanied by disclosure of the financial interest. In the case of a voting body, this determination and disclosure shall be made part of the agency's official record; in the case of a designated employee who is the head of an agency, this determination and disclosure shall be made in writing to his or her appointing authority; and in the case of other designated employees, this determination and disclosure shall be made in writing to the designated employee's supervisor.

## **Section 10. Opinions of the Commission and Counsel**

Any designated employee who is unsure of his or her duties under this Code may request a formal opinion or written advice from the Fair Political Practices Commission pursuant to Government Code Section 83114, or an opinion from the attorney for the agency, provided however that nothing in this section requires the attorney for the agency to issue such an opinion.

(b) If the designated employee truthfully discloses all material facts, an opinion or written advice provided by the Commission protects the designated employee from administrative, civil and criminal penalties to the extent provided for in Government Code Section 83114. If the designated employee has truthfully disclosed all material facts to the attorney for his or her agency, and an opinion is rendered by the attorney stating in full the facts and law upon which the opinion's based, compliance by the designated employee with such opinion may be evidence of good faith in any civil or criminal proceeding brought pursuant to the Political Reform Act, Government Code Sections 81000, et seq. In addition, the designated employee's good faith compliance with the opinion of the attorney for the agency shall act as a complete defense in any disciplinary action the agency may bring under Government Code Section 91003.5.

(c) Copies of any opinion rendered by the attorney for an agency pursuant to this section shall be delivered to the designated employee requesting the opinion and shall be maintained in the files of the agency. Such opinions may subsequently be modified by the attorney for the agency or by the Commission, but such modifications or revisions shall be prospective in effect and shall take effect only after notification has been given the designated employee who requested the opinion.

## **Section 11. Violations.**

This Code has the force and effect of law. Designated employees violating any provision of this Code are subject to the administrative, penal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 – 91014.

## **Section 12. Designated Positions.**

Designated Positions For Tuolumne County Resource Conservation District:

1. Board of Directors
2. Associate Directors
3. Executive Director

ADOPTED by the Tuolumne County Resource Conservation District at regular meeting of said Board, held on May 10,2006.

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President, Board of Directors

## **TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT STANDARD OF CONDUCT POLICY**

The Tuolumne County Resource Conservation District (TCRCD) hereinafter referred to as the District, will comply with the standards of conduct hereinafter set forth, for maintaining the integrity of the program and avoiding any conflict of interest in its administration.

### General Assurances

Every reasonable course of action will be taken by the District in order to maintain the integrity of the expenditure of public funds and to avoid any favoritism, questionable or improper conduct. All funds will be administered in an impartial manner, free from personal, financial or political gain. The District, its staff and employees, in administering the program, will avoid situations that give rise to a suggestion that any decision was influenced by prejudice, bias, special interest, or personal gain.

### Conducting Business Involving Relatives

No relative by blood, adoption, or marriage\* of any Director or employee of the TCRCD will receive favorable treatment for enrollment in a program provided by, or employment with the District

When it is in the public interest for the District to conduct business with a friend or associate of a Director or employee of the TCRCD or an elected official in the area, a permanent record of the transaction will be retained.

### Avoidance of Conflict of Interest

A Director or employee of the District will not solicit or accept money or any other consideration from a third person for the performance of an act reimbursed in whole or part by the District. Supplies, materials, equipment or services purchased with program funds will be used solely for purposes allowed under the program.

No Director of the District shall cast a vote on a provision of services by that Director (or any organization that that Director represents) or vote on any matter that would provide financial benefit to that Director or any business or organization that the Director represents.

I, \_\_\_\_\_ have read and understood the provision of the TCRCD Standard of Conduct statement, and do agree with and bind my actions to its provisions, this attested to by my signature.

Date \_\_\_\_\_ Signed By \_\_\_\_\_

\*For the purposes of this agreement, "relative by blood or marriage" shall include wife, husband, son, daughter, mother, father, brother, sister, sister-in-law, brother-in-law, daughter-in-law, son-in-law, mother-in-law, father-in-law, aunt, uncle, niece, nephew, stepparent, and stepchild.

## **TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT PUBLIC RECORDS REQUEST POLICY**

It will be the policy of the board of directors to revise this statement by changes, additions, or deletions at any time it is felt necessary, so long as it is decided by vote in a regular meeting of the board.

The RCD shall respond to a public records request for RCD documents within 10 days from receipt of the request. (Government Code section 6253 (c)). The time may be extended, in unusual circumstances, by no more than 14 days through written notice from the president of the RCD to the requesting party. Unusual circumstances include a request that requires an extended search, the records requested are voluminous, or the request requires consultation with another agency.

The RCD shall state the estimated date and time when the records will be made available, either by photocopying or inspection at the RCD office during normal business hours. A nominal fee may be applied by the RCD for cost of photocopying.

Public requests for NRCS documents will be referred to the NRCS representative.

ADOPTED by the Tuolumne County Resource Conservation District at regular meeting of said Board, held on May 10, 2006.

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President, Board of Directors

**APPENDIX A**  
**GOVERNMENT CODE 1770**  
**Vacancies on Special District Boards**

GOVERNMENT CODE 1770 – Vacancies on Special District Boards

GOVERNMENT CODE  
SECTION **1770**-1782

**1770.** An office becomes vacant on the happening of any of the following events before the expiration of the term:

(a) The death of the incumbent.

(b) An adjudication pursuant to a quo warranto proceeding declaring that the incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his or her office for the remainder of his or her term. This subdivision shall not apply to offices created by the California Constitution nor to federal or state legislators.

(c) His or her resignation.

(d) His or her removal from office.

(e) His or her ceasing to be an inhabitant of the state, or if the office be local and one for which local residence is required by law, of the district, county, or city for which the officer was chosen or appointed, or within which the duties of his or her office are required to be discharged. However, the office of judge of a municipal court shall not become vacant when, as a result of a change in the boundaries of a judicial district during an incumbent's term, the incumbent ceases to be an inhabitant of the district for which he or she was elected or appointed to serve.

(f) His or her absence from the state without the permission required by law beyond the period allowed by law.

(g) His or her ceasing to discharge the duties of his or her office for the period of three consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law.

(h) His or her conviction of a felony or of any offense involving a violation of his or her official duties. An officer shall be deemed to have been convicted under this subdivision when trial court judgment is entered. For the purposes of this subdivision, "trial court judgment" means a judgment by the trial court either sentencing the officer or otherwise upholding and implementing the plea, verdict, or finding.

(i) His or her refusal or neglect to file his or her required oath or bond within the time prescribed.

(j) The decision of a competent tribunal declaring void his or her election or appointment.

(k) The making of an order vacating his or her office or declaring the office vacant when the officer fails to furnish an additional or supplemental bond.

(l) His or her commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict; but in that event the office shall not be deemed vacant until the order of commitment has become final.

**APPENDIX B**  
**Government Code 1780**  
**Filling of Vacancies on a Special District Board**

Government Code  
Section 1780

**1780.** (a) Notwithstanding any other provision of law, a vacancy in any elective office on the governing board of a special district, other than those specified in Section 1781, shall be filled as provided in this section. The district shall notify the county elections official of the vacancy no later than 15 days following either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later. The remaining district board members may fill the vacancy by appointment. The person appointed shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall fill the balance of the unexpired term. If the term of office is due to expire following the next general district election and that election is scheduled 130 or more days after the date the county elections official is notified of the vacancy, the person appointed to the vacancy shall fill the balance of the unexpired term of his or her predecessor. Appointments pursuant to this subdivision shall be made within a period of 60 days immediately subsequent to either the date on which the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, and a notice of the vacancy shall be posted in three or more conspicuous places in the district at least 15 days before the appointment is made. The county elections official shall be notified of the appointment no later than 15 days after the appointment. In lieu of making an appointment the remaining members of the board may within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, call an election to fill the vacancy. The election shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections **Code** that is 130 or more days after the date the district board calls the election.

(b) If the vacancy is not filled by the district board as specified, or if the board has not called for an election within 60 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the city council of the city in which the district is wholly located, or if the district is not wholly located within a city, the board of supervisors of the county representing the larger portion of the

district area in which the election to fill the vacancy will be held, may fill the vacancy within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, or the city council or county supervisors may order the district to call an election to fill the vacancy. The election shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections **Code** that is 130 or more days after the date the city council or board of supervisors calls the election.

(c) (1) If within 90 days of the date the district board is notified of the vacancy or the effective date of the vacancy, whichever is later, the remaining members of the board or the appropriate board of supervisors or city council have not filled the vacancy and no election has been called for, the district shall call an election to fill the vacancy. The election shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections **Code** that is 130 or more days after the date the district board calls the election.

(2) If the number of remaining members of the board falls below a quorum, at the request of the district secretary, or a remaining board member, the board of supervisors or the city council may waive the 60-day period provided in subdivision (a) and appoint immediately to fill the vacancy as provided in subdivision (a), or may call an election to fill the vacancy. The election shall be held on the next established election date provided in Chapter 1 (commencing with Section 1000) of Division 1 of the Elections **Code** that is held 130 or more days after the date the city council or board of supervisors calls the election.

The board of supervisors or the city council shall only fill enough vacancies to provide the board with a quorum.

(d) Persons appointed to fill a vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the county elections official is notified of the vacancy and thereafter until the person elected at that election to fill the vacancy has been qualified, but persons elected to fill a vacancy shall hold office for the unexpired balance of the term of office.



## **APPENDIX C**

### **Formation Resolutions**





## **APPENDIX D**

### **Sample Resolution Format**



**RESOLUTION OF THE  
TUOLUMNE COUNTY RESOURCE CONSERVATION DISTRICT**

**SUBJECT: SELECTION OF TIME AND PLACE FOR MONTHLY MEETINGS AND DECLARATION THAT DISTRICT IS ORGANIZED.**

WHEREAS, the Tuolumne County Resource Conservation District was authorized by a vote of the people of Tuolumne County in November 2005, and

WHEREAS, pursuant to Section 9188 of Public Resources Code, the Board of Supervisors of Tuolumne County verified the election results and declared the District formed; and

WHEREAS, pursuant to Section 9189 of Public Resources Code the Tuolumne County Local Agency Formation Commission (LAFCO), received a copy of the Board of Supervisor's Resolution and certified that the District had been formed; and

WHEREAS, a Board of Directors consisting of nine individuals has been appointed by the Tuolumne County Board of Supervisors and City of Sonora City Council in accordance with Section 9204 of Public Resources Code; and

WHEREAS, each member of the Board of Directors has taken an oath of office as required in Section 9302 of Public Resources Code; and

WHEREAS, the Board of Directors has classified their terms of office pursuant to Section 9305 of Public Resources Code; and

WHEREAS, the Board of Directors has organized and selected a President and Secretary pursuant to Sections 9306 and 9307 of Public resources Code; and

WHEREAS, Section 9308 of Public Resources Code requires that the directors "shall select a date, time, and place at which regular monthly meetings shall be held; and

WHEREAS, Section 9308 of Public Resources Code further requires that "upon completion of the foregoing determinations by the directors, the District shall be declared to be organized";

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Tuolumne County Resource Conservation District hereby declare that regularly scheduled monthly meetings shall be held on the second Wednesday of each month, beginning at 4:00 PM, in the Tuolumne County Board of Supervisors chambers at 2 South Green Street, Sonora, California; and

IT IS FURTHER RESOLVED, that Tuolumne County Resource Conservation District is declared to be organized.

\_\_\_\_\_

I hereby certify that the above is a true and correct copy of Resolution 2006-01, adopted on the motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and duly passed at the Board meeting held by the Board of Directors at 4:00 P.M. on Wednesday February 8, 2006, at the Tuolumne County Board of Supervisors Chambers, 2 S. Green Street, Sonora, California Roll Call was as follows:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Submitted by \_\_\_\_\_  
Secretary, Tuolumne County Resource Conservation District

\_\_\_\_\_  
Chairman, Tuolumne County Resource Conservation District

