

**TITLE 3**

**OFFICERS AND EMPLOYEES**

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*Stallion Springs Community Services District*

## CHAPTER 1

**GENERAL PROVISIONS**

## SECTION:

- 3-1-1: Application Of Provisions
- 3-1-2: Personnel Manual
- 3-1-3: Governing Laws
- 3-1-4: Holidays
- 3-1-5: Retirement Or Pension Plans

3-1-1: **APPLICATION OF PROVISIONS:** The provisions of this code shall apply to all officials and employees of the district, regardless of the time of the creation of the position or the time of the election or appointment of the official or employee. (Ord. 118, 5-15-2001)

3-1-2: **PERSONNEL MANUAL:** There exists for the district a personnel manual entitled the "Stallion Springs Community Services District Personnel Policy Manual", which is available for inspection in the district office.

The general manager shall have authority, at his discretion, to make changes to the personnel manual. Any changes made will be reported to the board of directors and unless the board of directors disapproves the changes, the changes will become effective at the beginning of the following month. The terms and conditions of said personnel manual and the district employment policy shall be as set forth in said manual.

In the event of conflict between the provisions of this title and those of the personnel manual, the provisions of this title shall govern. (Ord. 118, 5-15-2001)

3-1-3: **GOVERNING LAWS:**

- A. The board of directors shall comply with and shall be guided by applicable provisions of the state laws, and the minute orders, resolutions and ordinances enacted by the board of directors.

- B. Minute orders, resolution, and ordinances may be enacted by the board in accordance with the county code which is contained in California Government Code 61000-61936.
- C. The interpretation of the resolutions and ordinances shall rest with the board. (Ord. 118, 5-15-2001)

3-1-4:       **HOLIDAYS:** The following days shall be recognized and observed in the district as paid holidays:

One-half ( $\frac{1}{2}$ ) day New Year's Eve, December 31  
New Year's Day, January 1  
Presidents' Day (third Monday in February)  
Memorial Day (last Monday in May)  
Independence Day, July 4  
Labor Day (first Monday in September)  
Thanksgiving Day (fourth Thursday in November)  
Day after Thanksgiving Day (Friday)  
One-half ( $\frac{1}{2}$ ) day Christmas Eve, December 24  
Christmas Day, December 25

(Ord. 118, 5-15-2001)

3-1-5:       **RETIREMENT OR PENSION PLANS:** The board of directors of the district may, by resolution or order, authorize a contract or contracts with retirement or pension plans as it deems appropriate. Current pension and retirement provisions are included in the district's personnel policy manual, available for inspection in the district office. (Ord. 118, 5-15-2001)

## CHAPTER 2

**ELECTION, APPOINTMENT, DUTIES AND COMPENSATION**

## SECTION:

- 3-2-1: Elected Officials
- 3-2-2: Elections
- 3-2-3: Conditions Of Office
- 3-2-4: Duties Of Directors
- 3-2-5: Duties Of Officers
- 3-2-6: Meetings
- 3-2-7: Appointive Officers

3-2-1: **ELECTED OFFICIALS:** The officers of the district shall be a president, a vice president, a secretary, a general manager and such other officers as may be prescribed by the board from time to time to perform such duties as may be designated by the board. The offices of general manager and secretary may be consolidated into one. The president shall be a member of the board, but neither the secretary nor the general manager may be a member of the board. (Ord. 118, 5-15-2001)

3-2-2: **ELECTIONS:**

- A. At the first board meeting, following each district general election to elect directors of this board, the board shall convene and shall elect one of its members as president and one of its members as vice president with each to serve a two (2) year term.
- B. The procedures in this section shall govern the election of board president and vice president, unless changed by action of the board.
  - 1. The general manager shall chair the proceedings for election of the president, which shall be the first order of business after any newly elected directors have been seated. The newly elected president shall assume office immediately, and shall chair the proceedings for the election of the vice president.

2. The chair shall call for nominations from the members of the board. A member need not be recognized by the chair in order to make a nomination. No second shall be required for nominations, although one or more members may second a nomination to indicate endorsement. No member may nominate more than one person for the position. The chair shall repeat each nomination until all nominations for the office have been made. If an absent member has rendered a nomination by mail, which has been received by the secretary of the board prior to opening the meeting for nominations, such nomination shall be read by the chair and shall be valid. Once nominations have been completed, the chair shall call for a vote which may be conducted either by a showing of hands or by voice vote. Voting shall be repeated as many times as necessary in order to obtain three (3) votes for a single candidate. Where repeated voting is necessary, the nominee receiving the lowest number of votes shall not be removed from the next ballot unless a motion is duly carried requiring his elimination. The secretary shall record the results of each vote in the minutes. (Ord. 118, 5-15-2001)

**3-2-3: CONDITIONS OF OFFICE:**

**A. Terms:**

1. The president and vice president may serve as many consecutive two (2) year terms as elected by the majority of the board of directors.

2. Vacancies in the office of director shall be filled in accordance with the provisions of California Government Code 1780.

**B. Compensation:** The general manager and secretary shall each receive the compensation determined by the board. The board may employ, fix the compensation of and prescribe the authorities and duties of other officers necessary or convenient for the business of the district.

**C. Surety Bonds:** The general manager, secretary and any other officer or agent of the district charged with the responsibility for the custody of any of its funds or property shall give bond in the sum and with such surety as the board may determine. (Ord. 118, 5-15-2001)

**3-2-4: DUTIES OF DIRECTORS:**

- A. General Duties: The duties of the directors shall be:
1. To attend all regular and special board meetings to the best of their ability.
  2. To serve on all standing or ad hoc committees as appointed.
  3. To become thoroughly familiar with the locations and operation of district facilities.
  4. To help prepare information about the district's functions to be released through a newsletter and/or other media.
  5. To attend meetings and seminars to enhance performance as a director of the district.
- B. Relationship With Staff: Except as provided herein, and except with the approval of the board, individual board members shall not act independently to direct staff in the performance of their duties, or to provide or compile data, information or reports. This provision is not intended to infringe upon the rights which any director may have to obtain documents under the California public records act<sup>1</sup> or other provision of law. (Ord. 118, 5-15-2001)

**3-2-5: DUTIES OF OFFICERS:**

- A. President:
1. General Duties: The president of the board shall be the executive officer of the Stallion Springs community services district and for the board of directors. The president shall preside over and conduct all meetings and hearings of the board. In so doing, the president shall have the following powers and responsibilities:
    - a. To follow the prepared agenda unless the board concurs in any change.

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1. Cal. Gov. Code § 5251 et seq.

b. To determine all questions of order and parliamentary procedure, unless he chooses to submit any such question to the board for decision.

c. To maintain order and to enforce reasonable rules of decorum.

d. To determine at meetings of the board, other than public hearings, whether or not members of the public should be heard on particular issues or otherwise be permitted to address the board.

e. At public hearings as well as other meetings of the board, to set reasonable limits upon the length of time and the number of occasions on which a person may speak.

f. To recognize directors who may wish to be heard.

g. To restate, where necessary, and to put to a vote all questions properly brought before the board, and to announce the results of each vote.

h. To terminate debate after there has been reasonable opportunity for full discussion of any issue and further debate would be needlessly repetitive or otherwise not useful, and where proper, to put the matter to a vote.

i. To rule out of order any comments by directors, staff or members of the public not germane to the issue then before the board.

j. To respond to inquiries by directors relating to procedures, or to factual information bearing upon the business before the board.

k. To establish standing or ad hoc committees of the board, and to appoint the members thereof.

l. To declare the meeting adjourned when in his judgment any emergency or other cause requires adjournment.

m. To authenticate by his signature all acts, orders and other proceedings of the board.

n. Notwithstanding the delegation of such powers to the president, any action taken by a majority of the board on any of the foregoing matters shall be determinative thereof.

2. Board Spokesman: The president shall act as spokesman for the board with respect to its actions and policies, and those of the district. This provision, however, shall not preclude any other officer or employee of the district from making appropriate comments within the scope of his position, nor any director from expressing his individual views.

3. Public Appearances: The president or his designee shall represent the board, where it is appropriate for the board to appear, at meetings of other public agencies, before public groups, or on other public occasions. However, this provision shall not limit the attendance of any director or authorized officer or employee of the district.

4. Staff Direction: The president shall work through the general manager, counsel or other officer of the district to obtain such information as may be necessary and appropriate to assist the board in its deliberations, and may direct staff to implement the policies and decisions of the board through the general manager.

- B. Vice President: The vice president shall act if the president is absent or unable to act, and shall exercise all of the powers of the president on such occasions.
- C. Secretary: With respect to the affairs of the board of directors, the secretary shall have the following duties:
1. To take minutes of all board meetings and to prepare a draft thereof.
  2. To keep in appropriate books the original copies of all final minutes, ordinances and resolutions of the board.
  3. To keep on file all board committee reports.
  4. To attest to the minutes, ordinances, resolutions and other documents of the board.
  5. To present any board record or document to any member of the board upon request.
  6. To provide notice as required by law of any special meeting or regularly adjourned meeting.

7. To provide notice as required by law of any hearing before the board.

8. Within four (4) weeks after an election, at which a position for director was contested, the secretary of the district shall prepare or have prepared an informational orientation packet for the elected director(s) containing the following documents and any other deemed appropriate by the sitting board:

- a. Current projected annual district budget.
- b. Previous month's budget printout and direction sheet on how to read the printout.
- c. Roster of district personnel.
- d. Personnel policy manual with current pay scale.
- e. District ordinances governing rules and regulations for services.
- f. Conflict of interest reporting forms.

9. The secretary of the district, upon receipt of certification of the election, shall notify the duly elected director(s) that an informational orientation packet concerning the district has been prepared for the director and can be picked up at his convenience.

10. The responsibilities enumerated in this subsection C are not intended to limit any other duties of the secretary imposed by law, or assigned from time to time by the board or by the general manager if the secretary is an employee of the district.

D. General Manager:

1. Agreement For Services: The terms and conditions of the general manager's employment shall be specified in the agreement of employment established between the general manager and the board of directors. The agreement of employment shall be for the period of time as specified therein.

Whenever the written agreement of employment approved by the board of directors established between the general manager and the board of directors is in conflict with any district policy, said agreement of employment shall prevail.

When a written agreement of employment for the general manager does not exist, the general manager shall serve at the pleasure of the board.

2. Responsibilities: The general manager shall be responsible for the overall and general management of the affairs of the district and shall perform such duties as from time to time may be assigned by the board. (Ord. 118, 5-15-2001)

3-2-6:       **MEETINGS:** The president shall consult with the general manager on the preparation of an agenda for each meeting. In addition, any director shall have the right to place any matter on the agenda, for any meeting, and shall notify the secretary of the board at least seventy two (72) hours before the meeting. (Ord. 118, 5-15-2001)

3-2-7:       **APPOINTIVE OFFICERS:**

A.    Creation Of Positions: The board hereby creates the following positions:

Chief of police  
Such other subordinate positions as may be required.

B.    Appointments: Where no specific provision is made to the contrary, the board shall designate and hire the general manager. All other employees shall be hired by the general manager. The general manager will report all hiring and firings to the board at the next regularly scheduled board meeting and is under obligation to stay within the district's budget. (Ord. 118, 5-15-2001)