

Staff Report

for the Regular Meeting of the Board of Directors, January 9, 2019

TO: Board of Directors

FROM: Kris Stepanian, MBA, Board Secretary
Dustin Cooper, District Counsel

DATE: December 26, 2018

SUBJECT: Revisions to District Policy 5020 – Board Meeting Agenda

ADMINISTRATION

RECOMMENDATION:

Adopt Resolution No. 2019-02 (Updating Administrative Policy 5020 - Board Meeting Agenda), as recommended by the Administrative Practices Committee on October 2, 2018.

BACKGROUND:

On July 25, 2018, the Board directed Staff to place the Warrants under General Orders, rather than under the Consent Agenda.

On October 2, 2018, the Administrative Practices Committee (APC) reviewed proposed updates to the District policy, which included moving the location of Warrants as directed by the Board, and moving the location of Special Orders to immediately follow the Pledge of Allegiance, in order to improve efficiencies, allowing employees to return to their work following recognitions, rather than waiting until after public comments. It was also discussed that there had been no comments made on Warrants since they were moved. In the past, Warrants were a consent item as laid out in the Board Meeting Agenda Policy, and could be pulled out of Consent by the public or by the Board for discussion when needed.

The Administrative Practices Committee unanimously agreed to advance a recommendation to the Board of Directors to adopt a Resolution to update District Policy 5020 – Board Meeting Agenda, moving Special Orders to the top of the agenda, and returning the Warrants back to the Consent agenda.

On November 14, 2018, the item was presented to the Board. Staff was directed to bring the item back to the Board for further discussion regarding Section 5020.2.2, pertaining to the General Manager holding the power to judge if an item presented from the public is deemed as being "under the jurisdiction of the District", and for further Board discussion pertaining to Warrants being presented as a Consent Item.

BUDGETARY IMPACT: None

Attachments (4):

- Updated District Policy 5020 – Red-lined
- Resolution No. 2018-33 (Updating Administrative Policy 5020 – Board Meeting Agenda)
- Updated District Policy 5020 – Board Meeting Agenda (Clean Copy)
- Proposed Updated Agenda Template

Nevada Irrigation District

POLICY MANUAL

POLICY TITLE: Board Meeting Agenda

POLICY NUMBER: 5020

- 5020.1 The General Manager, in consultation with the Board President, shall prepare an agenda meeting the requirements of the Ralph M. Brown Act for each regular and special meeting of the Board of Directors. Absent approval of the General Manager, the agenda will be "closed" to the addition of new items at 12:00 PM on the Wednesday preceding the regular meeting of the Board of Directors. Any Director may request that the General Manager place an item on the agenda no later than 5:00 PM on the Tuesday prior to the closing of the Agenda.
- 5020.2 Any member of the public may request during Public Comment on Items Not on the Agenda (Policy No. 5020.5.3) that a matter directly related to District business be considered for placement on a future the agenda of a ~~regularly-scheduled~~ meeting of the Board of Directors. Requests that are advanced by any Director may, at the discretion of the Board President, be subject to the following conditions:
- 5020.2.1 The requested Item must be ~~put into~~ writing and provided and be submitted to the General Manager together with supporting documents and information. ~~if any, at least seven business days prior to the close of the agenda for the meeting where the item is to be considered. Supporting documents and information includes, but is not limited to, the proposed agenda item description, an introductory memorandum to the Board of Directrs, any power point or other presentation material, and other documents and information necessary to fully inform the Board of Directors of the proposed action. If the General Manager decides the request should be placed on a Board agenda, General Manager may exercise his/her discretion in including the item on the next, or a subsequent meeting, agenda depending on the press of other business before the Board.~~
- ~~5020.2.2 The General Manager shall be the sole judge of whether the request is or is not a "matter directly related to District business" in determining whether to place the matter on a meeting agenda. The person requesting the agenda addition may request that the Board of Directors reconsider the General Manager's adverse decision at the next regular meeting of the Board of Directors. Notwithstanding the determination of the General Manager, any Director may request that the item be placed on the agenda of a regularly-scheduled Board regular meeting at the earliest feasible date.~~
- 5020.2.32 No matter which is authorized for consideration by the Board in closed session will be accepted under this policy;

5020.2.3 The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.

5020.3 This policy does not prevent the Board from taking public comment at regular meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

5020.4 At least 72 hours prior to the time of all regular meetings, an agenda, which includes all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review at the District office. The agenda shall also post the agenda on the District's website for public information. All information made available to the Board of Directors (except confidential information allowed by State law per legal counsel authority) shall be available for public review at the time it is made available to the Board.

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

5020.5 NID Board Agendas for regular meetings shall be in the following format:

5020.5.1 **STANDING ORDERS:** Standing orders shall include the Call to Order, the Pledge of Allegiance and any introductions.

5020.5.2 **SPECIAL ORDERS:** Special Orders are those items of business which are set for consideration at a specific time during the meeting. Special Orders interrupt pending business at the time fixed unless this rule is suspended by motion adopted by the Board. Board hearings shall be designated Special Orders for the times fixed therefore by the Board of Directors. If a special time on the agenda is needed for the appearance of a person or persons, the Board Secretary shall set the appointment.

5020.5.3 **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:** Members of the public shall be allowed to address the Board of Directors on items which are of interest to the public and which are within the jurisdiction of the Board, but which are not on the posted agenda; however, no action shall be taken on any item not appearing on the agenda unless otherwise authorized by the Board pursuant to Government Code Section 54954.3. The Board may limit public comment time.

5020.5.43 **CONSENT AGENDA:** The Consent Agenda consists of those items which are routine and/or should not be discussed; i.e., certain claims. The following items, if presented to the Board, would typically appear on the Consent Agenda:

Minutes

Warrants

Acceptance of Routine Easements

Statement of Investment Policy

Treasurer's Quarterly Report of Investments

Advanced recommendations from the appropriate Committee

Other routine items of a non controversial nature: Annual Disclosure of Reimbursement to Employees and Directors and Declaration Regarding Receipt of Honoraria of Gifts

Variations recommended for approval by the Variance Committee

The Consent Agenda would be approved by one motion of the Board adopting the Consent Agenda and authorizing the appropriate and necessary actions. Should any member of the Board or public wish to discuss any item appearing thereon, the Board member should request that the item be removed from the Consent Agenda. At the direction of the President, the item will be removed and discussed immediately after the approval of the Consent Agenda, or as soon thereafter as practicable.

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5020.5.5 **GENERAL ORDERS:** General Orders include those items of regular District business which have not been referred to a Board committee and which will be presented to the Board with a recommendation or for consideration by the General Manager or District staff.

5020.5.6 **GENERAL MANAGER'S REPORT:** The Manager will provide a report on current activities within the District of interest to the public and the Board. Items to be discussed by the General Manager will be conditions of current water supply and water sales, legislative or regulatory items of interest not yet requiring action, and public affairs activities occurring within the District directly or indirectly involving District operations.

5020.5.7 **BOARD OF DIRECTORS ITEMS/REPORTS:** Directors may provide brief reports on meetings, conferences, and seminars attended by the Directors of interest to the District and the public. Directors may also report on community comments and activities of interest.

5020.5.8 **INFORMATIONAL CORRESPONDENCE:** Included in this section of the Board's agenda will be memos detailing actions taken pursuant to prior Board authorization, and all other items of correspondence directed to the Board of Directors, including those items which have been or will be directed to a Board committee.

5020.5.9 **PUBLIC COMMENT ON ANY ITEM TO BE CONSIDERED IN CLOSED SESSION**

5020.5.10 **CLOSED SESSION:** Closed Session may be held as set forth in the Government Code.

5020.5.11 **ADJOURN**

5020.6 Preparing NID Board Agendas

5020.6.1 The agenda for the regular meetings of the Board of Directors is mailed on or before

the Thursday prior to the Board of Directors meetings, which are held on the second and fourth Wednesdays of each month. To allow sufficient time for preparation and assembly of the agenda, all agenda items must be given to the Board Secretary no later than noon on Wednesday preceding the meeting.

- 5020.6.2 A copy of the Board of Directors Meeting agenda and Board Committee Meeting agendas will be available for public review at the display cases located in the Board Room Lobby, the Business Center Lobby and at the East Annex on or before the Thursday preceding the meeting. A public review copy of the agenda packet also will be available in the Board Room Lobby on the day of the meeting.
- 5020.6.3 All Staff Reports to the Board shall be submitted to the Board Secretary prior to noon Wednesday preceding the meeting, to be placed on the Agenda. Staff Reports shall give a concise description of the subject matter and the specific action requested of the Board.
- 5020.6.4 When necessary, Department heads are to complete a budget transfer/amendment form and submit it to the Finance Manager for consideration by the Administrative Practices Committee. The Committee's recommendation will be noted on the form and presented with the Staff Report to the Board Secretary prior to noon Wednesday preceding the Board of Directors' meeting.
- 5020.6.5 The Agenda may include notices pertaining to District Policies, in effort to promote the District's commitment of providing a safe and violence-free workplace and to minimize disruptions in the Boardroom.

Adopted: October 13, 2010 via Resolution No. 2010-56
Revised: December 13, 2017 via Resolution No. 2017-34
Revised: January 9, 2019 via Resolution No. 2019-02



RESOLUTION No. 2019-02

OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**UPDATING ADMINISTRATIVE POLICIES –
Board Meeting Agenda**

WHEREAS, the Nevada Irrigation District (the "District") intends to establish, and revise from time to time, administrative policies to guide the operations and management of the District; and

WHEREAS, the District's insurance carrier provided sample guidelines for personnel and administrative policies for consideration by the District; and

WHEREAS, over the past few years, the District has adopted several administrative policies using the sample guidelines, in an effort to assemble a comprehensive policy manual; and

WHEREAS, certain District policies are outdated, and should be revised and formatted in the same manner as the sample guidelines; and

WHEREAS, such draft policies have been reviewed by the District's Legal Counsel and found to be in accordance with law.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Nevada Irrigation District hereby adopts the following policies as attached, and shall be incorporated herein:

#5020 – Board Meeting Agenda

BE IT FURTHER RESOLVED, that the attached policies shall be incorporated into the District Policy Manual, and the Board Secretary is hereby authorized to assign and revise policy numbers, and format and reformat the attached, as needed for an organized, comprehensive, policy manual.

* * * * *

PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 9th day of January 2019, by the following vote:

AYES:	Directors:
NOES:	Directors:
ABSENT:	Directors:
ABSTAINS:	Directors:

President of the Board of Directors

Attest:

Secretary to the Board of Directors

Nevada Irrigation District

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- 5020.2.1** The requested Item must be put into writing and provided together with supporting documents and information. Supporting documents and information includes, but is not limited to, the proposed agenda item description, an introductory memorandum to the Board of Directors, any power point or other presentation material, and other documents and information necessary to fully inform the Board of Directors of the proposed action.
- 5020.2.2** No matter which is authorized for consideration by the Board in closed session will be accepted under this policy;
- 5020.2.3** The Board of Directors may place limitations on the total time to be devoted to a public request issue at any meeting, and may limit the time allowed for any one person to speak on the issue at the meeting.
- 5020.3** This policy does not prevent the Board from taking public comment at regular meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.
- 5020.4** At least 72 hours prior to the time of all regular meetings, an agenda, which includes all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review at the District office. The agenda shall also post the agenda on the District’s website

for public information. All information made available to the Board of Directors (except confidential information allowed by State law per legal counsel authority) shall be available for public review at the time it is made available to the Board.

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- Warrants
- Acceptance of Routine Easements
- Statement of Investment Policy
- Treasurer's Quarterly Report of Investments
- Advanced recommendations from the appropriate Committee
- Other routine items of a non controversial nature: Annual Disclosure of Reimbursement to Employees and Directors and Declaration Regarding Receipt of Honoraria of Gifts
- Variances recommended for approval by the Variance Committee

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Adopted: October 13, 2010 via Resolution No. 2010-56
Revised: December 13, 2017 via Resolution No. 2017-34
Revised: January 9, 2019 via Resolution No. 2019-02

DRAFT



NID
NEVADA IRRIGATION DISTRICT

1036 West Main Street, Grass Valley, CA 95945
Telephone: (530) 273-6185 / Facsimile: (530) 271-6838
Web Site: www.nidwater.com

- Director - Division I
- Director - Division II
- Director - Division III
- Director – Division IV
- Director – Division V

AGENDA

**THE NEVADA IRRIGATION DISTRICT BOARD OF DIRECTORS
WILL MEET IN REGULAR SESSION AT THE DISTRICT'S BOARD ROOM LOCATED AT
1036 WEST MAIN STREET, GRASS VALLEY,
AT 9:00 A.M. ON WEDNESDAY, _____**

CALL THE MEETING TO ORDER

* * *

PLEDGE OF ALLEGIANCE

* * *

SPECIAL ORDERS:

9:05 A.M. – EMPLOYEE INTRODUCTIONS / RECOGNITIONS:

* * *

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA *

Please limit comments to three (3) minutes per person

* * *

CONSENT AGENDA:

1. Approve the minutes of the regular meeting on _____
2. Approve Warrants

Please Note: District Policy 2200 strictly prohibits employees, consultants, visitors or anyone else on District premises or engaged in a District-related activity, from behaving in a violent or threatening manner; this includes bullying or unreasonable behavior that demeans, intimidates or humiliates others, and causes disruptions in the boardroom.

* * *

GENERAL ORDERS:

* * *

GENERAL MANAGER'S REPORT:

The General Manager will provide a report on current activities within the District of interest to the public and the Board. Items to be discussed by the General Manager will be conditions of current water supply and water sales, legislative or regulatory items of interest not yet requiring action, and public affairs activities occurring within the District directly or indirectly involving District operations.

* * *

BOARD OF DIRECTORS' ITEMS / REPORTS:

Directors may provide brief reports on meetings, conferences, and seminars attended by the Directors of interest to the District and the public. Directors may also report on community comments and activities of interest.

* * *

PUBLIC COMMENT ON ANY ITEM TO BE CONSIDERED IN CLOSED SESSION

* * *

CLOSED SESSION (if any)

* * *

ADJOURN

The next meeting of the Board of Directors will be held on **Wednesday**, _____ at **9:00 a.m.** at the District's Business Center located at **1036 West Main Street, Grass Valley, California**

Next NID Resolution No. xxxx-xx

Next NID Ordinance No. xxxx-xx

A SUMMARY OF ITEMS ON THE BOARD OF DIRECTORS' AGENDAS

CONSENT AGENDA: The Consent Agenda consists of those items which are routine, and it is approved by one motion of the Board adopting the Consent Agenda and authorizing the appropriate actions. Should any member of the Board, staff, or public wish to discuss any item appearing thereon, the item should be removed from the Consent Agenda and discussed immediately after the approval of the Consent Agenda.

- * **PUBLIC COMMENT:** Members of the public shall be allowed to address the Board of Directors on items which are of interest to the public and which are within the jurisdiction of the Board, before or during the Board's consideration of the item; however, no action shall be taken on any item not appearing on the agenda unless otherwise authorized by the Board pursuant to Government Code Section 54954.2(b). The Board limits public comment time.

GENERAL ORDERS: General Orders include those items of regular District business which have not been referred to a Board committee and which will be presented with a recommendation or for consideration by the General Manager or District staff.

GENERAL MANAGER'S REPORT: The General Manager will provide a report on current activities within the District of interest to the public and the Board. Items to be discussed by the General Manager will be conditions of current water supply and water sales, legislative or regulatory items of interest not yet requiring action, and public affairs activities occurring within the District directly or indirectly involving District operations.

Any matters requiring immediate action by the Board of Directors, which have not been placed on the Agenda, shall be taken up under the heading of General Manager's Report after all other matters are considered. The Board shall cause such matters to be placed on the Agenda for future meetings of the Board unless the matter requires immediate action by the Board, in which case the Board may take action as set forth in the Government Code.

BOARD OF DIRECTORS' ITEMS / REPORTS: Directors may provide brief reports on meetings, conferences, and seminars attended by the Directors of interest to the District and the public. Directors may also report on community comments and activities of interest.

The Boardroom is accessible to persons with disabilities. Requests for Assistive Listening Devices or other considerations should be made 72 hours in advance of the meeting through the Board Secretary's Office at (530) 273-6185.

In accordance with Government Code Section 54957.5(b)(2), copies of the Agenda, and any writings in connection with open session agenda items, are available for public inspection during normal business hours at the office of the Board Secretary located at 1036 West Main Street, Grass Valley, CA.

This agenda has been posted at the District's Business Center at 1036 West Main Street, Grass Valley, California in the Main Lobby, the Boardroom Lobby, and the outdoor bulletin board of the East Annex, on _____. This agenda has also been posted on the District's web site (www.nidwater.com).