



ADMINISTRATIVE PROCEDURE

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| <p>SUBJECT: SCHEDULE AND PREPARATION OF BOARD DOCKETS AND COMMITTEE AGENDA ITEMS</p> | <p>Number <u>I-13</u></p> | <p><u>Effective Date:</u> Issued: <u>8/20/90</u> Revised: <u>4/19/93</u> Revised: <u>8/20/04</u> Revised: <u>3/17/08</u></p> | <p>Page 1 of 5</p> |
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PURPOSE:

To establish procedures for the timely submittal, review and docketing of agenda items for meetings of the Board of Directors (Board) and various Board committees.

POLICY:

Dockets and/or staff reports are required for all board and committee meetings. Unless the General Manager (GM) authorizes an exception, dockets and staff reports are to be prepared and submitted according to the formats and schedules described herein.

PROCEDURES:

1. **Meetings**

Definition: Any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.

a. ***Regular Board*** meetings occur on the first and third Wednesdays of the month, at 6:30 p.m., for matters requiring consent, action, or presentations.

b. ***Adjourned Regular Board*** meetings include rescheduled regular meetings and study sessions, i.e. any meeting of the full Board held on a date other than the first or third Wednesday of the month. Adjourned meetings are scheduled as necessary, typically on alternate Wednesday evenings. Special meetings can be held as necessary. Two scheduled Board study sessions are held annually, usually in June and January. The Board does not take formal action at the semi-annual study sessions.

c. ***Board Committees*** are established pursuant to Section 2.08.060 of the Code of Regulations, Committees. Contra Costa Water District (CCWD) committees include Finance, East County, Operations & Engineering (O&E), Public Information & Conservation (PIC), and the Retirement Plan Committee (RPC). The Board President

appoints two directors to each committee and the full Board confirms the appointments. Committee meetings are scheduled as necessary to address issues pertinent to the area of focus. An exception is the Retirement Plan Committee, which establishes a yearly schedule of quarterly meetings, and for which assigned directors attend as observers, not members of the committee.

2. **Board/Committee Agendas**

Agendas provide an outline for the orderly and efficient conduct of Board and Committee meetings, setting forth the items of business and the order in which they are to be considered.

a. *Board of Directors* agendas are divided into several categories (Public Comment, Consent Calendar, Public Hearing, Action Calendar, Discussion and Information, Reports for Discussion, Reports, Closed Session, and Reconvene from Closed Session) each calling for different action by the Board (approval, consideration, receiving presentation, or acceptance, etc.). Dockets are prepared for each category except Public Comment, Reports, Closed Session and Reconvene from Closed Session. Public Comment is always listed on the agenda.

Exhibit A, Board Agenda
Exhibit B, Definitions of Agenda Categories

b. *Board Committee* agenda matters are presented in staff report form and listed on the agenda by number, without separate categories. Public Comment is always listed on each agenda.

Exhibit C, Sample Committee Agenda

3. **Board Items Calendar**

The Board Items Calendar is a planning tool for management and staff, listing current and future meeting topics for both Board and Committee meetings. Department/Division secretaries, at the direction of managers, with Assistant General Manager (AGM) approval, add items to the calendar indicating the category under which it should be placed. A two-month calendar is distributed and reviewed at the weekly Management Team Meeting, where changes are often made concerning the date or action category. The Board calendar is also reviewed at the Department Managers' Meeting, which is held twice monthly on the morning following a Board meeting. The District Secretary uses this calendar to prepare the Board meeting agenda; it is important to keep it up to date. Every effort should be made to include accurate project titles and schedules, and to hold items scheduled as planned.

Exhibit D, Board Calendar

4. **Dockets**

A docket form is required for most matters presented to the Board except for public comment, reports, and closed session matters. Each docket has three sections: a) Summary; b) Fiscal Impact; and c) Recommended Action. They are typically one page in length, but may be continued to a second page, if necessary. The font used should be Times New Roman 12. Attachments to dockets are referenced numerically (i.e. Attachment 1, Attachment 2, etc.). If there is only one attachment, there is no need to assign it a number. A staff report may be attached to the docket for additional detail and should be prepared following the guidelines in Exhibit E. Attachments to staff reports are listed as Exhibit A, Exhibit B, etc. The docket form is not used for committee agenda items. Suggestions for wording the Recommended Action section of dockets are contained in Exhibit F.

*Exhibit E, Agenda Docket Format
Exhibit F, Recommended Action Wording*

5. **Staff Reports**

The format for a staff report is similar to a memorandum, should be no more than three pages in length, and should be addressed from the GM to the Board. Staff reports include several headings: Introduction, Recommendation, Summary, Discussion, and Fiscal Impact. Staff reports should provide more detail than, and add value to, the information included on the docket. Staff reports are used instead of docket forms for committee agendas. Attachments to staff reports are listed as Exhibit A, Exhibit B, etc.

Exhibit G, Staff Report Format

6. **Resolutions**

Resolutions are required for policy actions of the Board when certain statutes expressly require an adopted resolution of the Board. When uncertain if a resolution is necessary for a contemplated action of the Board, review the guidelines shown on Exhibit H, or confer with legal counsel. All resolutions presented for Board adoption must have a cover docket form. The docket's Recommended Action must match the Resolution title. A staff report and other background information may be provided if necessary. Resolutions are executed by the Board President at the end of the meeting where adopted. The District Secretary adds voting information (how each Director voted) the day after the meeting. All resolutions should be e-mailed to the District Secretary prior to the meeting so he/she can prepare them for execution by the Board President.

Exhibit H, Board Resolutions

7. **Closed Session Items**

Attorney-client privileged communication work papers are prepared for closed session items. The format for the work papers is shown in Exhibit I and suggested titles for Closed Session

items can be found in Exhibit J. The work papers are due to the Executive Management Analyst by the Wednesday prior to the applicable Board meeting, and are then routed to the responsible AGM for review. The AGM will work with the Department Head/Division Manager regarding requested changes or comments. After approval by the AGM, the Executive Management Analyst will forward the work papers for review by the GM.

After the GM has reviewed the first draft, the work papers shall be faxed to Bold, Polisner, Maddow, Nelson, & Judson (legal counsel) under the fax transmittal form shown in Exhibit K for legal review and approval. This type of communication must not be transmitted by e-mail. Legal Counsel will then return their revisions and/or comments via the Administrative Assistant to the AGM of Administration unless there is an existing exception, such as in the case of various matters relating to the Human Resources and Risk Division.

Once the document has legal approval, the District Secretary has the authority to affix the applicable stamped signature to the document. One copy of the final document should be given to the GM no later than the afternoon of the Board meeting. The remaining copies shall be hand-carried by the presenter into the closed session meeting and distributed only if necessary.

The original document should be given to the Executive Management Analyst as soon as it is signed so he/she can deliver it to legal counsel no later than the morning after the Board meeting. This will also apply to any overheads used at the Board meeting. Legal counsel is responsible for retaining all closed session records.

After the closed session, copies of any documents should be retrieved by the presenter and destroyed. This also applies to transparencies/slides and "hip pockets". Electronic copies should not be retained on District computers or on the server. The document should be saved to a diskette and deleted after the closed session has been held. It is important to ensure that all information transmitted between the attorney and the District be noted and handled as "*Attorney-Client Privileged Information.*"

Exhibit I, Format for Closed Session Work Paper
Exhibit J, Sample Closed Session Cites
Exhibit K, Sample Fax Transmittal to Legal Counsel

8. **Schedule for Submittal/Review/Signature, Publishing Agenda**

a. *Initial Review:* Department Heads/Division Managers are responsible for approving the draft dockets prior to the official submittal deadline. Prior to approval by the Department Head/Division Manager, it is important that the Fiscal Impact section for all dockets related to District projects be reviewed by the Project Controls Manager.

b. *Submitting Dockets:* Draft dockets, with a cover routing sheet, accompanying staff reports and other exhibits that may be necessary to clarify the issue(s), must be submitted

to the Executive Management Analyst on the Wednesday two weeks prior to the meeting. The GM's authorization is required for docketing of items not meeting the two-week requirement.

c. *Review:* The docketing process begins and ends with the applicable AGM secretary for tracking purposes. The AGM secretary will then forward the docket to the Executive Management Analyst for an initial review for focus, relevancy and completeness. The Executive Management Analyst will review the docket and forward it to the District Secretary for review of the recommended action. The docket will then be returned to the AGM secretary, who will either process by returning it to the manager for revision or forward it to the appropriate AGM for review and signature. The Executive Management Analyst reviews all changes before the docket is reviewed by the GM.

d. *General Manager Signature.* Dockets must be signed by the GM no later than 5:00 p.m. on the Thursday before the Board meeting so the agenda packet can be reproduced by the Mail Room and distributed prior to noon on the Friday before the meeting. After signature by the GM, dockets are returned to the Executive Management Analyst to log as approved. The Executive Management Analyst will forward the docket to the applicable AGM secretary for completion of their document tracking records. The AGM secretary then provides the docket to the District Secretary for finalization of the agenda and informs the AGM and manager that the docket is signed. Signed dockets for departments reporting to the AGM of Engineering/Construction or the AGM of Planning/O&M are given directly to the District Secretary by the Executive Management Analyst and an email confirmation of the approval sent to the AGM's secretary.

e. *Publishing the Agenda:* The District Secretary lists the docket topic on the agenda. The agenda packet is then reviewed by the Executive Management Analyst and the final agenda packet is provided to the Mail Room for reproduction and mailing. The District Secretary posts the agenda on the website and in the display case in front of District Center, and sends the agenda to the external and internal e-mail distribution recipients.

RESPONSIBILITIES

1. It is the responsibility of each AGM, department/division manager, and secretary to follow the guidelines for preparing dockets and the schedule for submittal for Board and committee agendas.
2. It is the responsibility of the Executive Management Analyst to review and forward upward Board agenda dockets and committee staff reports for Board and committee agendas.
3. It is the responsibility of the District Secretary to develop Board meeting agendas, meet agenda posting requirements, and distribute meeting packets externally and internally.

APPROVED:

Walter J. Bishop
General Manager

Attachments: Exhibit A – Sample Board Agenda
Exhibit B – Definitions of Agenda Categories
Exhibit C – Sample Committee Agenda
Exhibit D – Sample Board Items Calendar
Exhibit E – Agenda Docket Format
Exhibit F – Recommended Action Wording
Exhibit G – Staff Report Format
Exhibit H – Board Resolutions
Exhibit I – Format for Closed Session Work Paper
Exhibit J – Sample Closed Session Cites
Exhibit K – Sample Fax Transmittal to Legal Counsel