

BOARD RESOLUTIONS

The adoption of a resolution is an official act of the Board, acting in “a discretionary, legislative capacity . . .” (CCWD Code of Regulations 2.04.020). Government Code requires original resolutions to be maintained as a permanent record. A resolution may be on any subject. Some matters must be memorialized by resolution. For some matters, a resolution is more appropriate than a motion; for others a motion is preferable. Resolutions should be used for subjects of lasting duration, general scope or particular significance. The department introducing the item prepares the resolution, conferring with legal counsel. The following lists, not intended to be all-inclusive, provide guidelines in determining whether to prepare a resolution:

Matters for Which a Resolution is Required by Law

- Bond issues
- Annexation proceedings
- Creation of improvement districts and assessment districts
- Change of directors’ divisions
- Authorization of condemnation proceedings

Matters for which a Resolution is Always Appropriate

- Adoption and amendment of regulations
- Appointment of directors, officers and agents
- Authorization to execute contracts with the United States, State of California, and other governmental entities
- Authorization to execute deeds, easements and leases, and recordable contracts affecting land rights
- Authorization to execute documents where proof of the authority of the signing officers is required
- Authorization to execute instruments affecting the retirement trust, deferred compensation plan(s), etc.
- Statements of general policy of the District
- Designation of fiscal agents and depositories
- Certification of tax rates or amounts required to be raised by taxes

Matters for Which the Appropriateness of a Resolution Depends on the Significance, Scope and Duration of the Action

- Authorization to execute contracts, applications, permits, etc. other than those described above
- Approval of programs and long-term plans
- Commendation of employees
- Communications with legislators
- Directing the investment of surplus funds
- Authorization to dispose of surplus property, destroy records, etc.
- Authorization to file a motion of determination to proceed with a project following an EIR

Resolutions Actions/Standard Clause for the Recommended Action Section of the Docket

Resolution titles begin with the wording “A Resolution of the Board of Directors of the Contra Costa Water District . . .” followed by an action word. Common key action words are as follows:

Amending	Commending	Authorizing
Accepting	Resolving	Declaring
Certifying	Determining	Proclaiming
Appointing	Applying	Consenting

Recommended Action Wording: Begin with the words: “Adopt Resolution No. 08-__.” Following those words, the statement should continue with the actual verbiage in the title of the resolution to be adopted, starting with the action word in the resolution and continuing on to the end of the title.

a. **Example of docket SUBJECT wording:**

SUBJECT: RESOLUTION APPROVING THE BUDGETS FOR FISCAL YEARS 2008-2009 (FY09) AND 2009-2010 (FY10)

b. **Example of resolution TITLE:**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
CONTRA COSTA WATER DISTRICT
APPROVING THE BUDGETS FOR
FISCAL YEARS 2008-2009 (FY09) AND 2009-2010 (FY10)**

c. **Example of docket RECOMMENDED ACTION wording:**

RECOMMENDED ACTION: Adopt Resolution No. 08-21 approving the budgets for Fiscal Years 2008 -2009 (FY09) and 2009-2010 (FY10).

Guidelines for Preparing Resolutions:

1. Centered on the page and evenly spaced.
2. Double or triple space between heading and subject (depending on the fullness on the page).
3. Title should be centered, capitalized, and bold. Underline the last line only.
4. Double or triple space between subject and body of resolution (depending on the fullness of the page).
5. First line of each paragraph is indented five spaces and begins “WHEREAS” or “BE IT RESOLVED.”
6. Double space between each paragraph.

7. Center * * * * * between the final “BE IT RESOLVED” and the certifying section.
8. Add headers if the resolution is more than one page indicating the resolution number, date presented to the Board, and page number in the upper left corner.
9. If only a portion of the certifying section fits on the first page, move the entire certifying section to the second page.
10. A certifying section must be included on the last page indicating the date of approval, with an area for the District Secretary to add voting information, and signature lines for the President and District Secretary
11. All resolutions must have a cover docket with background information.
12. E-mail resolutions to the District Secretary prior to preparation of the agenda for review of the format, assigning resolution number, and finalizing.

Finalizing Resolutions

1. The District Secretary has adopted resolutions ready for the President’s signature at the end of each Board meeting, attests the signature, and adds voting information after the meeting. For AYES, the maker of the motion is listed first, followed by the second to the motion, and alphabetical thereafter. The NOES, ABSTAIN, and ABSENT sections indicate “NONE” if applicable.
2. The District Secretary provides four certified copies to the department the day after the meeting, provided the resolution was e-mailed prior to the meeting for finalization. If more certified copies are required, notify the District Secretary.

CERTIFIED A TRUE COPY OF THE ORIGINAL

Sharon L. Burris, District Secretary
Contra Costa Water District

The last page is embossed with the District’s seal.