

On January 22, 2013 I attended the CSDA training on How to be an Effective Board member. The training was divided into five (5) sections that covered the following areas:

- New Board Member Orientation
- Essential Components of Effective Meetings
- The Role of the Board Member
- Legislative and Community Advocacy
- The Brown Act, Ethics and Conflict of Interest Issues

During the New Board Member Orientation section we learned that there needs to be a method for getting new members up to speed on what has happened in the recent past to allow them to make informed decisions without needing to revisit each item. At present we do not do any of this and it is an idea that we need to look in to and get working on as we have elections this year and may end up with up to three new Board members. Being dropped in to the middle of things with no guidance or knowledge as I was is detrimental to the functioning of the district. This would ideally be a General Manager function that they could work on between the certifying of the election results and the seating of the new members.

One subject that was touched on was the need for directors to act and think independently. However, independent actions should not be for the sake of publicity or to create dissention or strife within the Board or between the Board and Staff.

Another thing that was covered in this section was that ALL Board members should support the decisions of the Board, even if you come out on the losing end. This is called Unity of Purpose. Bad-Mouthing Board decisions creates a sense of division and give the impression to the Public that the Board cannot get along and that there exists an "us v them" attitude that can be exploited by vocal members of the Public. It also gives the impression that the Board only acts in their best interest instead of the best interest of the Community they are representing.

.Management of employees of the District is the responsibility of the General Manager and not of the Directors, unless the General Manager is the employee being dealt with or the General Manager has asked for help/failed to act. Constituent complaints should be directed to the General Manager and the General Manager should investigate the complaint or request the Board to refer it to a third party, usually the General Council.

Agenda item creation and documentation was also covered. All agenda items should have a good background, factual data and/or statistics, answers to anticipated questions, both sides of any argument and options for decision making. Open ended and incomplete items create problems for the Public because it can give the impression of a lack of caring by the Director introducing the item. Items that attack staff or public members should be carefully considered. The recommendation was that the General Council should be involved prior to their introduction as they can create a liability issue for the District.

Micro management was covered in this section and included examples of reasons that Directors may give to "excuse" their overreach of authority. Some of these are:

- I can't make policy if I don't have all the details
- I have experience in the subject

- We are a small District
- Staff can't be trusted/ doesn't know how

The roles and responsibilities were covered and are far different from what recent and the current Board feels they are.

The Board should establish the District's mission and Vision. The Community Plan is an example of this.

The Board should develop a strategic plan with goals and objectives for future Boards and staff to guide them.

The Board should establish policy to assist in the daily operation of the District. Policies should not be created simply because, they should be well thought out and be for something that is/has/may be a problem that will recur. Some Districts make policies that address a current issue but don't really look to the future. These policies usually end up being looked at in the future and many questions are asked, but no one has any answers as to its existence. Unfortunately, these policies live on because Boards can't answer why they exist or because "It's been there for XX number of years. That's just the way it is". And they don't remove it because they don't have the reason to argue against its continued existence creating ridiculous and stifling rules. Policy should give direction to staff and the Public, not create timid, reactive and rule bound officials, it should encourage the discretion of officials, represent the good of the whole public and not just the most vocal or special interests and should not undermine initiative and dissent.

The Board should create an annual budget that ensures adequate funding to provide quality services and develop a long range plan for ensuring the fiscal stability of the District. This includes setting aside funds for anticipated future projects before they are started.

The Board should comply with open meeting laws and weigh the advice of legal counsel before making decisions and remain uninvolved in the day to day operations of the District. Directors are personally liable for their own acts or omissions and the District is liable for the Board's actions.

The Board's responsibility in personnel matters is to approve job descriptions and organizational structure, approve personnel policies and MOUs and ensure that qualified, competent employees are utilized. They are also encouraged to provide training to staff members to ensure the continued success of the District.

The Board is limited in Personnel problems to grievances and/or meet & confer with the General Manager, set policy, give direction and support management and to eliminate their personal feelings in decisions. They should not promote emotionalism or allow their feelings to create precedents, but remain cool & calm when dealing with these matters. Board members should never take an employee to task in a public setting unless the employee has asked to be heard in Public as this may violate the employee's rights.

The Board should do their best to promote employee morale every time possible as it results in increased performance, greater efficiency, less turn over and a positive Public image.

The Board should encourage Public participation in government and not be afraid of constructive criticism, encourage relationships with other entities, legislators and create educational opportunities to develop and improve governance and service delivery understanding. Attending training is a good way for Board members to ensure they are providing the services and representation they should to the public. This section consumed the majority of the morning.

During the Legislative and Community Advocacy section we looked at the difference between debating an idea and discussing an idea. The Board has a long way to go in my opinion; but, knowing the problem makes it easier to resolve and is encouraging. We also learned that Board members should not have a personal agenda that they bring to the meeting, but should instead have a desire to improve the Community as the Community wishes. These wishes are learned and prioritized during the strategic planning meetings and the Board is then charged with using policy, budgeting and planning to bring them to fruition.

During the Section on the Brown Act, Ethics and Conflicts of Interest several concepts were introduced that, I believe, have created misunderstanding in the past. It is my hope that with a better understanding we can resolve these problems and prevent further problems.

The first concept was that the Board "meeting is for the business of the Board. It is NOT allowing the Public to run the meeting." This and previous Boards have at times struggled with this concept because of various interpretations of "Public Meeting". If the Board can eliminate its personal differences and unite behind the concept of what is best for the District, I believe this will cease to be a problem.

During AB 1234 training we learned that even good intentions can be wrong even if they accomplish what is needed in the best way possible. Also that the rules have exceptions and the exceptions have exceptions as well.

The Political Reform Act contains the best steps for determining a conflict of interest, but even if there is no conflict at the end of the steps, a conflict may exist anyway and if there is any doubt to consult legal counsel, the FPPC or policy for an answer. Also that if multiple members are disqualified, they can be re-qualified by the "rule of necessity"; however, there are limits to the rule and how it may be invoked.

Changes to the rules for the Form 700 from FPPC were covered as well.

Overall, the training was informative, eye-opening and a good guide to what we should and should NOT be doing and how to get to the level of service the Board should be providing the District and its residents.

Submitted by:

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