

The Board may not legally take action on any item presented at this time other than to direct staff to investigate a complaint or place an item on a future agenda unless (1) by a majority vote, the Board determines that an emergency exists, as defined by Government Code Section 54956.5, or (2) by a two-thirds vote, the board determines that the need for action arose subsequent to the agenda being posted as required by Government Code Section 54954.2(a). Each presentation is limited to no more than three minutes.

14. Adjournment

At the discretion of the Board, all items appearing on this agenda, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

Certification of Posting

I certify that on March 5, 2021, I posted a copy of the foregoing agenda near the regular meeting place of the Board of Trustees of the Coachella Valley Mosquito & Vector Control District and on the District's website, said time being at least 72 hours in advance of the meeting of the Board of Trustees (Government Code Section 54954.2)

Executed at Indio, California, on March 5, 2021.

Graciela Morales, Clerk of the Board



Coachella Valley Mosquito and Vector Control District

BOARD OF TRUSTEES

BYLAWS

Commented [GM1]: Update logo

Approved by Resolution No. 2013 - 22

~~October 8, 2013~~

[Insert new date](#)

(Supersedes all prior Bylaws)

I. Background and Purpose

The Coachella Valley Mosquito and Vector Control District ("District") is an "independent special district" formed, operated and managed pursuant to the Mosquito Abatement and Vector Control District Law (Health and Safety Code § 2000 *et. seq.*). The primary purpose of the District and the Board of Trustees ("Board") is to ensure that the public is protected against the threat of vector-borne diseases. The Board is composed of at least five members. (Health and Safety Code § 2020).

II. Board of Trustees

The Board of Trustees is the governing body of the District.

A. Membership

The Board shall consist of a single representative of each incorporated city within the District's boundaries and two representatives of the County of Riverside.

B. Eligibility

Trustees appointed to the Board should have "experience, training, and education in fields that will assistance them in the governance" of the District.

C. Appointment

Each Trustee shall reside in and be a registered voter in the jurisdiction of their appointing legislative body.

D. Term of Office

Each Trustee shall be appointed for a term of two or four years, as decided by his or her appointing legislative body.

E. Oath or Affirmation

Any person appointed to serve as a Trustee must take the oath or affirmation of office prior to formally and officially assuming his or her position as a Trustee. The oath or affirmation of office has to be re-taken if the Trustee is re-appointed at the end of his/her term.

Commented [GM2]: Proposed by Treasurer Weightman

F. Commencement of Term

Terms shall commence at noon on the first Monday in January.

G. Removal

Once assuming the position of a Trustee, the Trustee's appointing body is not permitted to remove its Trustee at its discretion, unless otherwise provided by law.

H. Replacement of Trustee

A person appointed to fill the unexpired term of a Trustee shall serve the remaining term of the replaced Trustee.

I. Duty of Loyalty and Commitment

All Trustees shall exercise their independent judgment on behalf of the interests of the residents, property owners, and the public as a whole in furthering the purposes and intent of the District and represent the interests of the public as a whole and not solely the interests of the Board of Supervisors or the city council that appointed them.

III. Officers

A. Designated Elected Officers

The elected officers of the Board of Trustees ("Board") shall consist of:

1. President
2. Vice President
3. Secretary
4. Treasurer

B. Duties of Officers

1. President

- a. The President shall serve as the presiding officer of all Board and all Executive Committee meetings.
- b. The President shall sign all acts, orders, resolutions and proceedings of the Board.
- c. When necessary, the President shall be the official representative of the District. The President shall have the power, at the direction or consensus of the Executive Committee, to establish committees and subcommittees and appoint their members. The President shall also have any other powers as may be delegated by the Board from time to time.
- d. The President shall serve as the alternate on all committees and attend any committee meeting as an official participant in the event the respective committee will not or does not have a quorum present to conduct an official meeting pursuant to the Brown Act.

2. Vice President

In the temporary absence of the President, the Vice President shall assume duties of the President.

3. Secretary

- a. The Secretary shall assist the President as necessary. In the temporary absence of the President and Vice President, the Secretary shall assume the duties of the President.
- b. It shall be the duty of the Secretary to authenticate, by his/her signature when necessary, all the acts, orders and proceedings of the Board.

4. Treasurer

- a. In the temporary absence of the President, the Vice- President and the Secretary, the Treasurer shall assume duties of the President.

- b. It shall be the duty of the Treasurer to serve as the Chair of the Finance Committee and to perform any other such duties assigned by the Board.
- c. The Treasurer shall exercise those duties as assigned to the Treasurer by the applicable provisions of the California Health and Safety Code.

C. Terms of Office

The term of each office shall be one year. No officer shall serve more than four consecutive terms in the office to which elected. Partial terms shall not be considered in determination of consecutive terms.

D. Eligibility to Hold Office

Any Trustee may be elected to any office, provided that he or she has served as a Trustee for one calendar year.

E. Election of Officers

Officers shall be elected annually, with the election held at the first regular meeting in the month of January and commencement of officers' terms shall take effect immediately upon election to office.

Prior to the election of officers, the Executive Committee shall appoint a Nominating Committee, which shall recommend one candidate for each office. Recommendations of the Nominating Committee shall be submitted to the Board for consideration at the January Board meeting. Nominations may be made from the floor when election of officer is held. Each Board member shall have one vote.

F. Removal

Officers serve at will and may be removed by a majority vote of the Board at any time with or without cause in the context of a noticed public meeting.

G. Succession

There shall be no automatic succession of officers upon the vacation of a superior officer position prior to the expiration term of the superior officer's position. A vacated officer position shall be filled by a majority vote of the Board at the earliest time possible in the context of a noticed public meeting.

IV. Board Meetings

A. Applicable Laws and Regulations

All Board meetings shall be conducted in accordance with Sections 2000 et seq. of the California Health and Safety Code and Government Code sections 54950, et seq. (the "Brown Act") and any and all laws governing public meetings.

B. Types of Meetings

1. Regular Meetings

Regular Meetings will be held the second Tuesday of each month, commencing at 6:00 p.m. at the District's Headquarters located at 43-420 Trader Place, Indio, California. If required, due to extenuating circumstances, Regular Meetings can be held remotely using appropriate electronic tools.

Commented [GM3]: Proposed by Treasurer Weightman

2. Special Meetings, Budget Meetings and Emergency Meetings

Commented [GM4]: Proposed by Treasurer Weightman

Special Meetings, Budget Meetings and Emergency Meetings may be called and held from time to time pursuant to the procedures set forth in the Brown Act.

Commented [GM5]: Proposed by Treasurer Weightman

3. Adjourned Meetings

The Board may adjourn any Board Meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Brown Act.

C. Cancellation of Meetings

Any meeting of the Board may be canceled in advance by a majority vote of the Board.

D. Location of Meetings

Commented [GM6]: Vice President Walker would like to propose a change to this section

All Board Meetings shall be held in the Board Room located at the District Headquarters at 43-420 Trader Place, Indio, California, unless otherwise designated by the President or the Board. However, the Board may, from time to time, elect to meet at other locations within the District or hold remote electronic meetings and upon such election will give public notice of the change of location in accordance with the Brown Act.

Commented [GM7]: Proposed by Treasurer Weightman and Vice President Walker

E. Quorum

A majority of the Board will constitute a quorum, but a lesser number may adjourn a meeting.

F. Presiding Officer

The President will preside over all Board meetings. The President will have authority to preserve order at all Board meetings, to remove any person from any meeting of the Board for disorderly conduct, to enforce the rules of the Board and to determine the order of business under the rules of the Board.

G. Closed Sessions

Trustees may not reveal the nature of discussion or decision from a closed session unless required by law or unless a majority of the Board agrees in closed session to disclose confidential closed session information.

H. Minutes

The Clerk of the Board will have exclusive responsibility for preparation of the minutes which shall be recorded with the District's Minute Book. In absence of the Clerk, the presiding officer shall appoint an acting Clerk to record the meeting minutes.

I. Order of Business

The business of the Board at its meeting will generally be conducted in accordance with the order of business as listed on the agenda. The President may, with the concurrence of a majority of the Trustees present, reorder items on the agenda to accommodate the public or to address other concerns.

J. Rosenberg's Rules of Order

Except as provided herein, other rules adopted by the Board and applicable provisions of state law, the procedures of the Board will be governed by the latest revised edition of Rosenberg's Rules of Order, without the provision requiring a super-majority vote for certain motions, as attached hereto.

K. Parliamentarian

The President may appoint a Parliamentarian. If the Parliamentarian is absent at a Board meeting, the presiding officer may make a temporary appointment

L. Disqualification for Conflict of Interest

Any Trustee who is disqualified from voting on a particular matter by reason of a conflict of interest will publicly state or have the presiding officer state the nature of the disqualification in open meeting. Where no clear disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Trustee affected, be decided by the other Trustees. A Trustee who is disqualified by

reason of a conflict of interest in any matter may not remain in his/her seat during the debate and vote on the matter, but will request and be given the permission of the presiding officer to step down from the dais and leave the Board Room during discussion and action on the matter. A Trustee stating disqualification will not be counted as a part of a quorum and will be considered absent for the purpose of determining the outcome of a vote on the matter.

M. Absences

The Board reserves the right to determine whether a Trustee's absence under the circumstances at a particular Board Meeting is excused. More than two consecutive unexcused absences shall be reported to the absent Trustee's appointing body. A trustee who is absent four or more times from consecutive meetings may be removed.

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VI. Committees

A. Standing Committees

1. Executive Committee

There shall be an Executive Committee which shall consist of each officer. The Executive Committee shall assist with the preparation of the Board agendas and assume all duties and assignments as may be assigned by the Board. The Executive Committee shall conduct its meetings in accordance with the Brown Act and it shall meet monthly on an as-needed basis or as may be requested by any member of the Executive Committee.

Commented [GM11]: Proposed by Treasurer Weightman

2. Finance Committee

There shall be a Finance Committee which shall consist of three to four Trustees, which shall include the Treasurer who shall serve as the Chair of the Finance Committee. The Finance Committee will meet monthly to review all aspects of the District's financial transactions. The Finance Committee shall review and approve the District's draft annual and long range Budget prior to formal submittal to the Board. ~~and The Finance Committee shall~~ provide oversight of the District's finances as may be requested by the Chair or the Board.

Commented [GM12]: Proposed by Treasurer Weightman

B. Subcommittees / Ad hoc Committees

Commented [GM13]: Vice President Walker would like to propose a change to this section

A subcommittee, also known as an "ad hoc subcommittee," is one that consists solely of less than a majority of the Board of Trustees and has temporary subject matter jurisdiction over a particular issue, matter or task until it is terminated, completed or otherwise resolved.

VII. Waiver of Rules

Any of the foregoing rules may be waived by majority vote of the Board present when it is deemed that there is good cause to do so based upon the particular facts and circumstances involved.

VIII. Ethics Training / Required Training

Each Trustee shall comply with the required Ethics Training provisions of State Law.

IX. Amendment of Bylaws

The Bylaws shall be reviewed every two years by the Executive Committee and any proposed changes shall be presented to the full Board for approval. Trustee Bylaws may require a change at any time if required by new state laws or recommendations by staff or legal counsel. Bylaws may be amended by a simple majority vote of the entire Board.

Commented [GM14]: Vice President Walker would like to propose a change to this section

Commented [GM15]: Proposed by President Guitron