

RESOLUTION NO. 2024/2025 - 5

**A RESOLUTION OF THE TULARE PUBLIC CEMETERY
DISTRICT ADOPTING A CODE OF CONDUCT FOR
MEMBERS OF THE BOARD OF TRUSTEES**

WHEREAS, it is the policy of the Tulare Public Cemetery District (the “**District**”) Board of Trustees (the “**Board**”) to: (a) promote the highest standards of behavior for District leaders; (b) maintain an environment that fosters the public’s trust and confidence in the District; and (c) ensures to its customers, residents, employees and those who conduct business with the District that the District is a public agency that emphasizes values in public service, leadership and decision-making; and

WHEREAS, the Board desires to adopt a Code of Conduct for its members in order to document the Board’s committed to ensuring that its members perform their duties with integrity and respect; and honorably represent District members, and the communities and public they serve; and

WHEREAS, the Board has determined that it is in the best interest of the District and its residents to adopt a Code of Conduct for the members of the Board of Trustees.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF
TRUSTEES OF THE TULARE PUBLIC CEMETERY DISTRICT AS FOLLOWS:**

1. Incorporation of Recitals The Recitals set forth above are incorporated herein and made an operative part of this Resolution.

2. Findings of the Board The Board hereby finds the following:

- 2.1. The Board desires to ensure that District Board members treat each other, District employees, residents and business-people with courtesy and respect in a manner that reflects well on the District; and
- 2.2. The District desires to describe the manner in which Board members should treat one another, District staff, constituents, and others they come into contact with while representing the District; and
- 2.3. The Code of Conduct consists of policies that reflect the minimum actions required by Board members to advance the goals, findings, and policies herein reflected.

3. Adoption of Code The District hereby adopts that certain Code of Conduct For Members Of The Board Of Trustees as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

4. Status of Code It is the intent of the District that the Code of Conduct be implemented in conjunction with, and pursuant to, any and all other District policies,

laws, and regulations which pertain to the rights and obligations of Trustees as members of the Board of Trustees and as appointed officials.

5. Effective Date The Chairman of the Board shall sign this Resolution and the Secretary of the Board shall attest thereto, and this Resolution shall be in full force and effect immediately upon adoption.

6. Severability If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

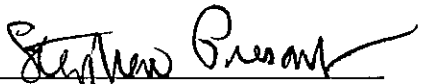
ADOPTED AND APPROVED this 23 day of January, 2025.

AYES: 5

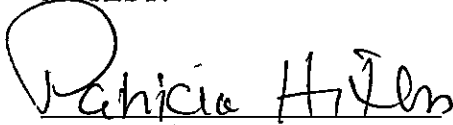
NOES: 0

ABSENT:

ABSTAIN:


Stephen Present, Board Chairman

ATTEST:


Patricia Hitlin, Board Secretary

TULARE PUBLIC CEMETERY DISTRICT CODE OF CONDUCT FOR MEMBERS OF THE BOARD OF TRUSTEES

*Adopted pursuant to Resolution 2024/2025 - 5
on this date: January 23, 2025*

Introduction

It is the policy of the Tulare Public Cemetery District (the “**District**”) Board of Trustees (the “**Board**”) to: (a) promote the highest standards of behavior for District leaders; (b) maintain an environment that fosters the public’s trust and confidence in the District; and (c) ensures to its customers, residents, employees and those who conduct business with the District that the District is a public agency that emphasizes values in public service, leadership and decision-making. The Board adopted this Code of Conduct for its members in order to document the Board’s committed to ensuring that its members perform their duties with integrity and respect; and honorably represent District members, and the communities and public they serve; and

ALL MEMBERS OF THE BOARD OF TRUSTEES AGREE TO BE BOUND BY THE RULES OF CONDUCT AND BEHAVIOR BELOW:

1. GENERAL RULES OF DECORUM

- a. Meetings of the Tulare Cemetery District shall endeavor to follow the adopted Rosenberg’s Rules of Order for parliamentary procedures.
- b. Meetings of the Tulare Cemetery District shall be conducted in an orderly manner to ensure that the public has a full opportunity to be heard and that the deliberative process of the Trustees is retained at all times.
- c. No Trustee at a District meeting shall engage in disorderly, boisterous conduct or other acts which disturb, disrupt or otherwise impede the orderly conduct of any District meeting.
- d. The Chair shall request that a Trustee who is breaching the rules of decorum be orderly and silent. If, after receiving a warning from the Chair, a Trustee persists in disturbing the meeting, the Chair shall order him or her, to leave the District meeting.
- e. If such Trustee does not remove himself or herself, the Penal Code provides that every person who, without authority of law, willfully disturbs or breaks up any meeting, not unlawful in its character, is guilty of a misdemeanor.

2. TRUSTEE CONDUCT

- a. The Tulare Public Cemetery Trustees agree to disagree.
- b. The Tulare Public Cemetery Trustees when desiring to speak shall address the Chair and confine their remarks to the questions under debate.
- c. The Tulare Public Cemetery Trustees will use respectful language, will not shout nor use aggressive or loud behavior when communicating ideas, beliefs or comments.
- d. The Tulare Public Cemetery Trustees will not allow personal attacks on staff, each other, or the public.

- e. The Tulare Public Cemetery Trustees will not condone issues brought before the Board that warrant public review without allowing the staff to review the situation and/or permission to add to the board agenda. Issues that warrant review, discussion and/or consideration of the legislative body shall be presented at an open and public meeting in a courteous and professional manner.
- f. The Tulare Public Cemetery Trustees will not condone grandstanding.
- g. The Tulare Public Cemetery Trustees will not belabor issues that have either been resolved or tabled to ensure continued productive discussions and decisions.
- h. The Tulare Public Cemetery Trustees will be proactive in addressing disagreements with fellow members or staff by directly addressing concerns with that member through meaningful and respectful dialogue.
- i. The Tulare Public Cemetery Trustees agree to abide by the decisions of the Chair and the motions of the Board and any other legally ordered or required action.

3. BOARD MEMBER COMMITMENTS

- a. We are committed to the highest ideals of honor, integrity and due diligence.
- b. We subscribe to the concepts of democratic, effective and efficient governance by responsible, knowledgeable members of the Board of Directors and Committees with the understanding that official decisions made and actions taken are always made in the best interest of the organization's membership.
- c. Accurate and timely communication is vital to our process. We will share information frequently, accurately, and succinctly.
- d. We recognize our obligation to comply with California State ethics requirements and shall file annual form 700 statements as required by the Fair Political Practices Commission. Failure to file any required form 700 is automatic grounds for censure by the Board of Trustees.
- e. We will complete all required training in a timely manner and supply the District with any necessary or useful evidence to show said completion.
- f. We recognize that we cannot participate in or attempt to influence a decision that could have a reasonably foreseeable impact on our personal or financial interests.
- g. We do not accept gifts, favors or promises of future benefits that might compromise our independent judgment or action, or create the appearance of being compromised.
- h. When participating in District activities, we will treat all individuals, issues, and organizations in a fair and respectful manner.
- i. We are sworn to act in accordance with all applicable laws of the United States and the State of California in the performance of our official duties. Not doing so may constitute serious misconduct.

- j. We treat each other with mutual respect and remain civil, even when in disagreement. We offer constructive criticism to others directly and in a positive manner that respects individual dignity. We welcome constructive feedback to ourselves as an opportunity for professional improvement.
- k. We abide by the processes and rules of order established by the District and this code of conduct.
- l. We accurately and honestly represent the official policies and positions of District, and make clear distinctions between such policy and our individual positions and opinions.
- m. We respect the collective authority of the Board, and shall not suggest anything is District policy unless previously approved by the Board.
- n. We are obligated to protect the confidential nature of information provided in Closed Session. We are committed to compliance with the Brown Act, Public Records Act and all other applicable laws.
- o. We shall consult with the Board Chair, the District Manager, or the District's General Counsel, as appropriate, when seeking advice on matters related to the District.
- p. We shall continually educate ourselves on any updates as related to this policy, District policies, District operations, Public Cemetery District Law, California special district law, or other relevant rule or regulation pertinent to the position of Trustee.

4. VIOLATIONS OF THIS CODE OF CONDUCT POLICY The Board may discipline or censure a member who commits a violation pursuant to this Code Of Conduct or violates other applicable laws of the District or jurisdictional body or acts in any way that is unbecoming of their position as a Trustee for the Tulare Public Cemetery District. By an affirmative vote of a majority of members of the Board in an open and public meeting, the violation may be addressed by the use of such remedies as are available by law to the District, including but not limited to: (1) adoption of a censure resolution against the Board member who has violated this policy, (2) injunctive relief, or (3) referral of the violation to the District Attorney and/or the Grand Jury.