

DRAFT

BOARD OF SUPERVISORS

LAKE COUNTY CALIFORNIA

ADOPTED: 12/17/2024

Lake County was formed from portions of Mendocino, Colusa, and Napa counties and approved by the California Governor on May 20, 1861, with Lakeport as the County Seat. This county takes its name from Clear Lake, the dominant geographic feature in the county and the largest non-extinct natural lake wholly located within California.

The County of Lake is a General Law County. The California Constitution recognizes two types of counties: general law counties and charter counties. A general law county in California is a county that is governed by the California General Code and follows state law.



RULES OF PROCEDURE

GENERAL PROTOCOL

COMMITTEES POLICY

SECTION ONE
BOARD OF SUPERVISORS, COUNTY OF LAKE, CA
RULES OF PROCEDURE, GENERAL PROTOCOL, AND COMMITTEES POLICY

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**BOARD OF SUPERVISORS, COUNTY OF LAKE, CA
RULES OF PROCEDURE, GENERAL PROTOCOL, AND COMMITTEES POLICY**

1. APPLICABILITY OF RULES

Rule 1. Application

The Rules in sub-sections 1 through 1~~9~~ shall apply to the Board of Supervisors (BOS) of the County of Lake, whether sitting as the Board of Supervisors of the County or as the governing board of any other governmental agency.

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2. BOS ORGANIZATION AND MEETINGS

Rule 1. Organizational Meeting

The organizational meeting of the Board of Supervisors shall be held on the first Tuesday succeeding the first Monday after the first day of January of each year, at which time there shall be an installation of Board Members, if applicable, and an election of officers of the Board. No meeting shall be held the day of, or the day after, a County holiday.

Rule 2. Installation of New Members and Election of Officers

The outgoing Chair shall call the meeting to order and the first order of business shall be the installation of new members, if applicable, followed by the election of a Chair and Vice-Chair for the ensuing calendar year. The Board observes a tradition of rotation for the election of Chair and Vice-Chair, but a member shall not be elected to serve as Chair unless he or she has been a member of the Board for the preceding calendar year. The Chair may be referred to as Mr. Chair or Madam Chair, as the case may be. The Vice-Chair may be referred to as Mr. Vice-Chair or Madam Vice-Chair, as the case may be.

Rule 3. Chair and Vice-Chair

The Chair shall serve as presiding officer of the Board, rule on questions of procedure, appoint annual standing committees and all special assignments, attend agenda review meetings, execute official Board records and documents presented by the Clerk of the Board, and shall also represent the Board at ceremonial and official functions. Rulings on questions of procedure and appointments by the Chair shall be subject to appeal to the Board.

The Vice-Chair shall have and exercise all powers and duties of the Chair at the meetings over which he or she is called to preside and at ceremonial and official functions, which the Chair cannot attend. In the absence of the Chair, the Vice-Chair shall call the meeting to order and serve as presiding officer. In the absence of the Chair and Vice-Chair, the senior BOS member present shall preside until either the Chair or Vice-Chair appears.

Rule 4. Regular Meetings

Regular meetings will be conducted pursuant to the master calendar adopted at the end of the prior calendar year, with the exception that a scheduled meeting may be canceled if deemed appropriate by a majority vote of the Board. Typically, those meetings occur on the first four Tuesdays of each month.

Regular meetings and continuances thereof shall commence at promptly 9:00 a.m. and shall be held at the Board of Supervisors' Chambers at 255 N. Forbes St., Lakeport, California, unless the time, date and location is changed by a majority vote of the Board. Notice of any continuance must be posted within 24 hours of adjournment, at or near the place where the meeting was held. At each regular meeting, or any continuance thereof, the Board may transact any and all business which it is authorized or permitted by law to transact.

All open sessions of the Board shall be open to the public and the news media and recorded by audio or visual means or both and may also be recorded and broadcast by any member of the public or media, so long as it does not disrupt the proceedings.

All closed sessions of the Board shall exclude members of the public and the news media. All closed sessions shall discuss only those items allowed under Government Code §54950 et seq.

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Rule 5. Special Meetings, Budget Hearings, Workshops, and Planning Meetings

Special Meetings, Budget Hearings, Workshops, and Planning Meetings may be called by the Chair or by a majority of the Board at times and locations other than the above in accordance with the law and specified notice provisions set forth in Government Code §54956. In all cases the Board may transact any and all business which it is authorized or permitted by law to transact.

Rule 6. Clerk of the Board

The Clerk of the Board or Deputy Clerk of the Board or staff serving as Deputy Clerk of the Board shall be present during all meetings for the purpose of taking and maintaining the minutes of the meeting; presenting and receiving correspondence, records, documents, claims, reports, or petitions; preserving all records; marking or attesting to all resolutions and ordinances; imparting information on Board documents of public record; and otherwise fulfilling all duties imposed by law or required by the Board or by the presiding officer.

Rule 7. County Counsel

County Counsel or Deputy County Counsel shall be present during all meetings for the purpose of advising the Board on legal questions unless excused by the presiding officer.

Rule 8. County Administrative Officer

The County Administrative Officer or an Assistant/Deputy County Administrative Officer shall be present during all meetings for the purpose of advising the Board unless excused by the presiding officer.

Rule 9. Quorum and Action

A majority of the members of the Board shall constitute a quorum for the transaction of business and no act of the Board shall be valid or binding unless a majority of all members are present and concur therein (more than a majority vote is required). See guidelines for voting requirements, which shall be attached to these rules as Appendix A.

A Board directive may be given by informal action of a majority of the Board and shall be recorded in the minutes, including the names of any Board members who state their opposition to the action.

Rule 10. Order of Business

The Board shall conduct business in the order specified in the posted agenda or as modified at the discretion of the Chair. Without amending these rules, the Board may modify or amend the Order of Business, which shall be attached to these rules as Appendix B.

Rule 11. Record of Attendance

The Clerk of the Board shall record each BOS member as being present or absent. The Clerk of the Board shall further record, during the course of each meeting, the arrival of any member listed as absent and the departure of any member listed as present.

Planned absences shall be communicated to the Clerk of the Board Office at least one week in advance. Unanticipated absences shall be reported as soon as possible. If a member is absent, he or she may have entered into the record the reason why.

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Rule 12. Minutes of Previous Meetings

The minutes of previous meetings shall be agendaized for BOS approval by majority vote.

Rule 13. Agenda Procedure

With the exception of items sponsored by Board members, all items to be placed on the agenda shall be presented to the Administrative Office not later than 5 p.m. the Wednesday two weeks preceding the regular meeting for which the agenda is prepared and shall include a complete agenda summary utilizing the standard County format. The Clerk of the Board Office may authorize limited exceptions to the above procedure on a case-by-case basis to accommodate time sensitive items.

Any Board member may place an item on the Board agenda through either the Clerk of the Board Office or the Board Chair.

In the interest of efficient and effective County government, and subject to the limits of the Brown Act, Board members and Department Heads will communicate in advance, to provide needed clarification regarding agenda items involving County departments. Reciprocal communications enable the Department Head time to do the necessary research and provide in-depth answers while also making it possible for Board members to make well-informed decisions. In the event there has not been adequate time for such communications before an item is on the dais, the Board and the Department Head will consider a continuance to allow time needed for information to be gathered and exchanged.

Items placed on the Consent agenda are generally routine and non-controversial. If a Board member requests to remove a Consent agenda item for discussion, the responsible Department Head (as applicable), will be apprised of the questions or concerns and afforded time to prepare for discussion.

Excluding emergency items involving public health and safety, last minute supporting documents submitted after the posting of the agenda put Board members at a disadvantage, since not all information can be digested before discussion. The deadline for submittal of supporting documents by staff will be 12:00 noon on the Thursday preceding the Board meeting. The public may submit supporting documents anytime, however, last minute submittals run the risk of not being fully considered by the Board.

All Closed Session agenda items shall be submitted to County Counsel either prior to or simultaneously with submission to the Clerk of the Board.

Prior to agenda publication, the Chair and Clerk of the Board Office or their designees shall hold an agenda review meeting to review the order and timing of agenda items.

Rule 14. Matters Not on the Agenda – “Extras”

No action shall be taken on any item not appearing on the posted agenda except: (1) upon a majority vote of the Board that an emergency situation exists as defined in Government Code §54956.5; (2) upon a determination by a 4/5^{ths} vote of the Board, or if less than 4/5^{ths} of the members are present, a unanimous vote of those members present, that the need to take immediate action arose subsequent to the agenda being posted; (3) when the item was posted for a prior meeting of the Board occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at

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which action is being taken. See, also, guidelines for voting requirements, which shall be attached to these rules as Appendix A.

Requests for "Extra" items shall be communicated to the Clerk of the Board Office and County Counsel.

Rule 15. Public Input

Public input on any item not appearing on the Board of Supervisors agenda, but which is within, or reasonably related to, the subject matter jurisdiction of the Board is permitted. Generally, the Board limits testimony on matters not on the agenda to 3 minutes per person and at the discretion of the Chair.

Rule 16. Permissible Closed Sessions

The Brown Act allows meeting in closed session only for specific matters as expressly authorized by statute. (Government Code §54962) The authority for such sessions has been narrowly construed.

- (1) Each item to be transacted or discussed must be briefly described on the agenda. For some matters, additional information may be required. (Government Code § 54954.2(a))
- (2) "Safe harbor" language should be used. (Government Code §54954.5)
- (3) Prior to adjourning to closed session, a representative of the legislative body must orally announce the items to be discussed in closed session. (Government Code § 54957.7(a))
- (4) Once closed session has been completed, the agency must reconvene in open session, where it may be required to report votes and actions taken in closed session. (Government Code §54957.1 and §54957.7(b))

Public Reporting of Action taken in Closed Session: The Brown Act requires the local governing body to publicly report certain actions taken in closed session that are of a final nature, and the vote or abstention of each member present. (see Government Code §54957.1) Reports that are required to be made pursuant to this section may be made orally or in writing.

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3. PROCEDURE AND VOTING

Rule 1. Order and Decorum

The Chair shall preserve order and decorum and shall decide all questions of order and procedure.

In the event that a member of the public questions a procedure of the Chair, the Chair shall have the right to state the reason for his or her decision. The Board shall decide the case without debate or discussion, and the question shall be stated as follows: "Shall the ruling of the Chair be sustained?"

A point of order may only be raised by a member of the Board.

No member wishing to speak or debate or discuss shall proceed until he or she shall have addressed the Chair and been recognized thereby. When two or more members speak at the same time, the Chair shall determine who is entitled to the floor.

While a member is speaking, no member shall engage in or entertain a private discussion. All members shall use a formal style, including appropriate titles, in addressing the public, staff and each other. All members shall refrain from the use of profanity, emotional outbursts, personal attacks or any speech or conduct which tends to bring the organization into disrepute.

When a motion to adjourn is carried, the members shall remain seated until the Chair declares the meeting adjourned. The Chair may determine when orderly conduct of a meeting is not feasible owing to disruptive behavior by persons in attendance. The Chair may order the removal of the person(s) disrupting the meeting. If order cannot be restored by removal of such person(s), the Chair may order the meeting room cleared and continue in session. Members of the news media, except those participating in the disturbance, shall be allowed to remain. The Chair may re-admit any person(s) provided their re-admission will not disrupt the continued orderly conduct of business.

Rule 2. Privilege of the Floor (Public Comment on an Agenda Item)

Members of the public have the right to address the Board on any item within the subject matter jurisdiction of the Board pursuant to Government Code Section 54954.3.

At the invitation of the Chair, members of the public who wish to speak shall come to the podium and identify themselves by name. The Clerk of the Board shall enter into the minutes the names of all members of the public to whom the privilege of the floor has been granted.

Members of the public shall direct their comments and questions to the Chair who may, at his or her discretion, request a response from staff. Generally, the Board limits testimony on matters on the agenda to 3 minutes per person at the discretion of the Chair.

Rule 3. Rules of Debate and Discussion

When any member is about to speak in debate and discussion, he or she shall respectfully address him/herself to "Mr. Chair" or "Madam Chair", as appropriate. The member upon whose motion a subject is brought before the Board is first entitled to the floor, even though another member has first addressed the Chair; and he or she is also entitled to close the debate and discussion but not until every member choosing to speak has spoken.

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Rule 4. Motions – General

Any motion for action shall require a second before being acknowledged by the Chair. The Clerk of the Board shall enter into the minutes the motion and the names of the moving and seconding members. After a motion is stated by the Chair or read by the Clerk of the Board, it shall be open for debate and discussion but may be withdrawn by the maker at any time before a decision is made or an amendment adopted. A motion may be amended with the consent of the moving and seconding members at any time before a decision is made or an amendment adopted unless another motion is pending. The Clerk of the Board shall enter into the minutes the vote of each member on each motion.

The Board observes a custom of granting the District Supervisor the privilege of making the initial motion on planning applications and appeals that originate in his or her district. Should the initial motion fail, the floor is open for alternate motions.

Rule 5. Ordinances

Ordinances (other than zoning ordinances) are introduced at one meeting (first reading), then placed on the agenda for adoption at a subsequent meeting.

- The first reading will become the primary hearing at which: (1) the title of the ordinance will be read; (2) the Board will typically consider a motion to waive the reading of the text of the ordinance and to introduce the ordinance by title only; (3) members of the public shall have an opportunity to address the ordinance; (4) the ordinance shall be introduced by a motion and majority vote of the Board.
- At the second reading: (1) the ordinance may be placed on the Consent Calendar for adoption; (2) if pulled from the Consent Calendar for separate action, the title of the ordinance may be read; (3) a motion to adopt the ordinance may be made; (4) a majority vote by roll call or electronic voting will adopt the ordinance.
- Second reading of Ordinance on agenda– Gov't Code 25131 prohibits the second reading of the Ordinance within 5 days of first reading. If a second reading is missed, the item will be placed on the consent agenda with the recommendation to have it continued at the next scheduled Board meeting.
- Pursuant to Government Code §25123, ordinances shall generally become effective 30 days from the date of final passage. Exceptions: Ordinances -that will become effective immediately:
 - Rezoning Ordinances
 - Urgency Ordinances
 - Ordinances related to Elections
- Zoning Ordinances are publicly noticed and may be adopted by majority roll call at one hearing.
- Urgency Ordinances will take effect immediately upon adoption pursuant to Government Code §25123 and Elec. Code §9235. *(Must be supported by findings.)*

Rule 6. Rules of Voting

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No act of the Board shall be valid or binding unless a majority of all the members concur therein, unless more than a majority vote is required. *(See Appendix A for Voting Requirements.)*

As a matter of public policy, all members of the Board shall take a position and a vote on all issues brought before them. Any member who abstains shall state the reason why, either before or immediately following any abstention.

A member who has a disqualifying financial conflict of interest or is disqualified from voting for another legally compelling reason shall:

- Publicly identify the financial interest or other reason for being legally unable to vote in a manner sufficient to be understood by the public;
- Recuse him/herself from discussing and voting on the matter;
- Leave the room until after the discussion, vote, and other disposition of the matter is concluded, unless the matter has been placed on the Consent Calendar. However, the member, prior to leaving the room, may address the matter during the time that the general public is allowed to address the matter.

Rule 7. More than a Majority Vote

Particular items which may come before the Board and which require more than a majority vote are listed in Appendix A, which may be updated without amending these rules. *(Also see: #2 Rule 14. Matters Not on the Agenda; #3 Rule 9. Motion to Reconsider; #4 Rule 1. Suspension or Amendment of Rules)*

Rule 8. Motion to Rescind

Rule 8.1 A motion to rescind any action or motion shall require four-fifths vote unless notice has been given at the previous meeting, either verbally or in writing. If notice has been given, the motion requires only a majority vote of all the members of the Board. A motion to rescind is not in order if action has already been taken which cannot be undone.

Rule 8.2 Budget Unit Approval: For a motion to rescind an item to correctly approve a budget unit "as amended" follow these steps:

- a. A motion to reopen the Board's consideration of the budget unit item/s
- b. A motion to rescind the Board's approval of the budget unit item/s
- c. A motion to approve the budget unit items/s As Amended. The Board may reiterate the amendments made at this stage.

Rule 9. Motion to Reconsider

Any member of the Board who votes in the majority on a question, as well as any member who was absent, is eligible to make a motion to reconsider. A motion to reconsider shall be in order during the meeting at which the action to be reconsidered took place, provided members of the public in attendance during the original action are still present in the Board chamber. In all other cases, motions for reconsideration must be placed on a future agenda for action. Unless a member was absent, a motion to reconsider must be placed on the agenda for the next regular Board meeting. A member who was absent must place a motion to reconsider on the agenda for the next regular Board meeting after the regular Board meeting at which that member is in attendance. A motion to reconsider shall require a majority vote. A motion to reconsider, if lost, shall not be renewed nor shall any subject be ~~a second time reconsidered~~ a second time within twelve (12) months, except by a four-fifths vote of the Board.

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Rule 10. Substitute Motion

A substitute motion is an amendment where an entire resolution or section, or one or more paragraphs, is struck out and another is inserted in its place. The motion to substitute, if adopted by majority vote, does away entirely with the original motion. The vote shall then be taken on the motion that was substituted. A substitute motion is appropriate if amendments become involved or a paragraph requires considerable changes. A substitute motion may not be made when an amendment is pending.

Rule 11. Hearing Procedure

11.1 This section shall apply to all public hearings required to be conducted by law. Except as expressly provided in this section, the other provisions of these procedures shall also apply. All hearings required for the adoption, modification or repeal of a regulation under Government Code section 65850 et. seq. (Land Use) shall be noticed in compliance with Government Code section 65854.

11.2 The order of presentation shall be:

- a) Opening of public hearing by presiding officer, announcement of allotted time for hearing, time per side, and time for individual comment
- b) Presentation by staff/confirmation of notice by staff
- c) Presentation by applicant or appellant
- d) Presentation by opposition
- e) Acceptance of public comment/testimony
- f) Factual corrections (not rebuttal) by staff, applicant or appellant (in the presiding officer's discretion)
- g) Summary and recommendations by Staff
- h) Board questions of Staff
- i) Closing of public hearing by presiding officer with or without motion, second or vote
- j) Board debate
- k) Board action

Rule 12. Agenda Item Submission

All agenda items submitted for Board consideration shall include the following:

- Memorandum with an executive summary of the item and recommended action.
- Recommended action that includes approval of Agreements/MOU's or Letters should always include verbiage "and authorize the Chair/Department Head to sign"
- Documents reviewed, approved and signed off "as to form" by County Counsel (Agreements, MOU's, Resolutions, Ordinances).

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4. PARLIAMENTARY ISSUES

Rule 1. Suspension or Amendment of Rules

Any rule may be suspended or amended upon the consent of four-fifths of all the members of the Board of Supervisors. Suspension of any rule shall apply only to those matters before the Board at that time.

A proposal to amend the rules shall be filed in writing with the Clerk of the Board (County Administrative Officer), and shall be made a special item of business at the next regular meeting of the Board.

Rule 2. Parliamentary Questions

On all points of order or procedure not governed by these rules, the general rules of parliamentary practice as outlined in Robert's Rules of Order (latest revised edition) shall govern.

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5. GENERAL BOARD PROTOCOL

Rule 1. County Operations

Each Board member is one of five decision makers which comprise the local body. Action of the Board of Supervisors sets forth the strategic direction of the County, ensures fiscal sustainability, and establishes policies, with implementation through Department Heads and the County Administrative Officer.

Rule 2. Board Member Duties and Responsibilities

As defined by general law, the duties of the Board of Supervisors include:

- Appointing most department heads, except elected officials.
- Providing for the compensation of all County officials and employees
- Creating boards and commissions as needed, appointing members and fixing the terms of office.
- Awarding all contracts except those that are within the authority delegated to the County Purchasing Agent and/or Department Heads.
- Adopting an annual budget.
- Supervising the operations of departments and exercising executive and administrative authority through the County government and County Administrator.
- Serving as the appellate body for Planning and Zoning issues.
- Serving as the County Board of Equalization (to address Property Tax Assessment appeals).

Role of the Board Chair

The Board of Supervisors annually appoints a Chair of the Board. It is a policy to select the Chairperson and Vice-Chairperson on a rotation basis. New Supervisors, those with less than one year in the seat, are generally exempt from serving as Chairperson or Vice-Chairperson during their first year but may be considered for both positions during the following year of their tenure on the Board.

The Chair of the Board of Supervisors (Board Chair) facilitates the efficient and transparent operation of the Board during Board meetings, and performs a lead role in setting the tone for all interactions among the Board, with staff, and the community. The Board Chair is charged with preserving order and decorum and may call for a recess at any time he/she feels the meeting is becoming disruptive.

The Board Chair also:

- Collaborates with the CAO/Clerk of the Board on the Board meeting calendar.
- In consultation with the CAO/Clerk of the Board and County Counsel, develops Board meeting agendas.
- Recommends, with consent of the Board, Supervisors to those committees, commissions, agencies, associations, districts, boards, councils or other organizations on which the Board desires representation or which is required by law.
- Generally serves as primary spokesperson for the Board in collaboration with the CAO and/or Department Heads, or designee.
- The Board Chair may call a special meeting when he/she determines it is necessary based on consultation with the CAO and County Counsel. In addition, if three or more members of the Board request a special meeting through the CAO on a specific topic, the Board

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Chair shall honor this request for a meeting, while also noting the majority of the Board may discuss and call a special meeting directly.

- During a declared emergency, the Board Chair will coordinate with the CAO and the Director of Emergency Services on all matters relating to the emergency.

Rule 32: Board Member Referrals to Staff

Section 2-1.7 of the Lake County Code states "Individual Board members shall not direct County offices or departments." Individual Board member referrals to staff that are anticipated to involve:

- significant County staff time (generally 8 or more cumulative staff hours);
- other commitment of resources; and/or
- a departure from established policy or ordinance require Board of Supervisors approval prior to starting work.

Notwithstanding Sub-section 2, Rule 13 Agenda Procedures, individual Board members will request referrals to staff during the standing Board item on Supervisor's Weekly Calendar, Travel, Reports, and Future Agenda Items.

The County Administrative Officer or designee will conduct or direct staff analysis to provide information to the full Board required to make an informed decision regarding the referral. Such analysis will include what existing projects and resources will be impacted by the new referral, what resources are needed to carry out the new referral, and, as applicable, how the referral is a departure from established policy.

The referral analysis will be agendized on the first Board meeting following completion of the analysis. After consideration of staff analysis, the full Board will vote on the referral. The Board may adjust the scope of the referral, adjust relative time priority of existing efforts, or discontinue work on an existing referral or other project to create available resources for the new referral.

This policy does not intend to prevent an individual Board member from requesting verbal or written information that may require minor staff time (generally less than 8 cumulative staff hours), ~~or~~ or requesting information that is contained in existing County/Departmental reports. A request for information to support Board members in responding to constituent questions is not considered a referral for staff work. These requests should be directed to the CAO or to relevant Department/Agency Heads with a copy to the CAO.

Rule 43. Communications with Department Heads and Staff

Board members shall communicate directly with Department Heads, as opposed to staff, unless cleared in advance by the Department Head, concerning County operations.

Department Heads are dedicated to the work of the County and to supporting the Board to achieve its priorities and will initiate contact with and keep Board members informed regarding developing issues and potential agenda items in each Board member's district.

Rule 5. Department Head Evaluations

Each appointed Department Head will have an annual evaluation with the Board of Supervisors during Closed Session. A newly appointed Department Head will be scheduled for an initial 6-month evaluation. The Appointee Self-Evaluation Worksheet and Appointee Goals Worksheet

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will be filled out the week prior to the scheduled evaluation date and submitted to the County Administrative Officer.

Rule 6-4. Board Member Jurisdiction

Each Board member is elected by his or her District and should be the first to communicate with constituents on matters affecting his or her district. Board members will respectfully refer member(s) of the public with an issue in a particular district to the appropriate supervisor. Other Board members should only engage in another supervisor's district after mutually discussing and agreeing in advance.

Rule 75. Commitment to Civility

To assure civility in its public meetings, staff and the public are also encouraged to engage in respectful dialog that supports freedom of speech and values diversity of opinion. To achieve compliance with these Rules, Board members, staff, and the public are encouraged to:

- Create an atmosphere of respect and civility where elected officials, County staff, and the public are free to express their ideas;
- Establish and maintain a cordial and respectful atmosphere during discussions;
- Foster meaningful dialogue free of personal attacks;
- Listen with an open mind to all information, including dissenting points of view, regarding issues presented to the Board;
- Recognize it is sometimes difficult to speak at Board meetings, and out of respect for each person's feelings, allow them to have their say without comment, including booing, whistling or clapping; and
- Adhere to speaking time limit.

Rule 86. Use of Electronic Devices

The use of electronic documents, via iPads or other electronic means, is encouraged as a means of reducing the production and distribution of paper documents, and thereby decreasing costs. Any member of the public may view the same electronic documents on line at (<https://countyoflake.legistar.com/Calendar.aspx>), or may view the documents in paper form in the Clerk of the Board's Office.

The Board shall refrain from emailing, texting, using social media, or otherwise engaging in electronic communications in the Board Chambers to avoid any perception that the Board members are communicating electronically on matters that are listed on the Board agenda.

Rule 97. Board Member Mileage Reimbursement

As allowable per the County Travel Policy and Lake County Ordinance 2374, Board members may claim mileage traveled to and from their residences and the County Courthouse. For travel to and from other meetings and locations for the conduct of official business, Board members will only claim mileage allowance provided they have reported on such County business during Supervisors Weekly Travel/Calendars/Reports on each regular Board agenda.

Rule 108. Board Member Training

The CAO will arrange for training of new Board members to enhance their understanding of County operations. The New Supervisors Institute offered by the California State Association of Counties (CSAC) is an offered training opportunity.

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All Board members will comply with periodic training requirements for AB 1234 - Conflict of Interest (via the web at: <http://localethics.fppc.ca.gov/login.aspx>) as well as Sexual Harassment Prevention training to comply with AB 1661 (via the County intranet at http://lcnet.co.lake.ca.us/train/Sexual_Harassment.htm).

The Lake County Board of Supervisors sits as the local Board of Equalization and is the hearing body for assessment appeals as an Assessment Appeals Board. Mandatory training is required by Revenue and Taxation Code section 1624.01 for members of this county assessment appeals boards.

Rule 119. Board Member Office Hours

Administrative Office staff receive frequent visitors and calls from constituents inquiring about the availability of Board members. To assist staff in responding in the most effective way possible to constituents, Board members will advise staff of the in-office hours they intend to keep and their availability for drop-in's as well as the manner in which they want constituent messages conveyed when they are not scheduled to be in the office.

Rule 12. Process for filling a vacancy on Board of Supervisors or another County Elected Office

Background and Purpose:

A member of the Board of Supervisors or an incumbent in one of the other elected county offices has vacated his or her office prior to the expiration of the term: In such circumstances the Board must address the manner in which the vacancy is filled. The purpose of this document is to establish how the Board will address such situations when they arise in the future, to provide the broadest range of available options and to meet legally imposed deadlines for action.

Procedures When a Vacancy Occurs:

When a member of the Board of Supervisors or an incumbent in one of the other elected county offices vacates his or her office prior to the expiration of the term, the following steps shall be taken:

- (A) Notification and Placement on Agenda. When the Clerk of the Board becomes aware of a vacancy in any of the county elected offices (Supervisor, Auditor, Assessor, District Attorney, Treasurer-Tax Collector or Sheriff), he or she shall immediately provide written notice to all Members of the Board, the County Administrative Officer, and County Counsel. The Clerk shall also, after consulting with County Counsel regarding appropriate wording, place an item on the Board's next regular meeting agenda which will allow the Board to discuss the vacancy and determine the steps that will be taken to fill the vacancy. If the next scheduled meeting of the Board of Supervisors is more than 10 days after the effective date of the vacancy, then the Clerk shall consult with the Chair of the Board and County Counsel regarding whether a special meeting of the Board should be scheduled to consider the vacancy.
- (B) Consideration at Initial Meeting. At the initial Board meeting when the vacancy is considered, or at a later meeting to which the Board has continued the item, the Board shall make the following determinations:

- (1) Board Vacancy. If the vacancy is on the Board of Supervisors, the Board shall determine whether to call for an election or to fill the vacancy by appointment.

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(a) Appointment where a successor has already been elected. If a successor for the following term has already been elected, the Board may appoint the successor to fulfill the term of the vacating incumbent before the successor assumes the office for his or her elected term.

(b) Appointment where no successor has been elected, the Governor will appoint a successor. A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for district governing board members. At that time, an election shall be held to fill the vacancy for the remainder of the unexpired term in which the vacancy occurred.

(2) Vacancy in Another Office. When the vacancy occurs in an office other than Supervisor, the Board shall set a date for making the appointment. The Board shall also call for the election required at the time required.

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6. COMMITTEES POLICY

Rule 1. Board Committee Assignments/Reporting Requirements

Members of the Board of Supervisors may be assigned by the Board to serve on various County Committees or on other external Committees. Such assignments are generally made in January for the calendar year.

All members who are assigned to special projects, committees, CSAC committees, and separate boards or commissions shall provide regular reports to the full Board regarding their activity in connection with the special assignment.

Rule 2. Ad Hoc Committees

Ad hoc committees made up of a sub-set of the Board of Supervisors may be formed by Chair directive or Board action and shall include prescribed duties and membership of the committee. Status reports from ad hoc committees shall be made to the Board at scheduled regular meetings. Ad hoc committees are encouraged to conclude their business at the end of each calendar year but may be extended at the recommendation of the committee and approval of the Board. The Clerk of the Board shall maintain a current index of ad hoc committees and their purpose.

Rule 3. Term and Appointment of Individuals to County Advisory Boards, Commissions, and Committees

The term of appointment of individuals appointed by the Board of Supervisors to serve on the various County advisory boards, commissions and committees and special district boards shall be ~~as~~ specified at the time of appointment. When a term is not specified at the time of appointment, the term shall be considered as being "at the pleasure of the Board."

Applications for reappointment shall be considered by the Board of Supervisors, along with all other applications that may be submitted. All applicants shall be requested to complete the application form which is available in the Administration Office and online.

On or about the third week of November of every year, the Clerk of the Board of Supervisors shall notify the local media, interested organizations and individuals that applications are being accepted for positions on all County advisory boards, commissions and committees and special district boards who serve at the pleasure of the Board of Supervisors. Said notification shall invite and encourage interested citizens to submit letters of application.

Rule 4. Appointment of County Employees to Advisory Boards

There are generally two types of advisory boards whose members are appointed by the Board of Supervisors. The first type consists of independent citizens and/or community members who advise the Board of Supervisors regarding the operation of specific County programs, services and/or departments. The second type consists primarily of County employees and employees of other governmental agencies who advise the Board on more internal, administrative or technical matters.

In order to further community involvement in County government and to further the independence of advisory boards, it shall be the policy of the Board of Supervisors not to appoint County employees as voting members to those advisory boards which are intended to consist of independent citizens and/or community members.

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Rule 5. Procedural Rules for County Advisory Boards, Commissions, and Committees.

All Advisory Boards, Commissions or Committees subject to the Brown Act shall follow the Procedural Rules set forth in Appendix C

Rule 6. Advisory Board, Committee, and Commission Conflict of Interest

In addition to any Federal or State conflict of interest requirements which may apply, no member of any Advisory board, commission or committee shall make, participate in making or in any way attempt to use their position to influence a decision in which he or she knows or has reason to know that he or she or his/her immediate family member has a financial interest. In all such cases, the affected member shall disclose his or her interests in the records of the board, commission or committee and shall refrain from participating in all discussions and votes concerning the matter in which he/she or his/her immediate family member has a financial interest.

For purposes of this rule immediate family member shall mean spouse, domestic partner, parent, grandparent, siblings, children, and grandchildren.

The purpose of this rule is not only to avoid actual improprieties, but also the appearance of possible improprieties. Therefore, it is the policy of the Board of Supervisors that any doubts as to whether a member shall refrain from participating in a particular matter should be resolved in favor of non-participation.

While recognizing that state law and regulations may specify categories of memberships on certain boards, commissions and committees, to the extent possible, no one shall be appointed to a board, commission or committee which recommends funding allocations to community based organizations, who is (or whose immediate family member is) a director, or officer of an agency or organization which competes in the funding process before that board, commission or committee.

The Administrative Office shall provide all applicants for County boards, commissions and committees with copies of this rule and the County's Conflict of Interest Policy. Additionally, the County's staff to each board, commission, and committee shall assist in monitoring compliance with the conflict of interest policy. Monitoring shall include annual review of appointee circumstances as they may change during each appointee's term of office.

All applicants shall state on their application for appointment what affiliation, if any, they or their immediate family member has with public service agencies. Additionally, all applicants shall certify prior to their participation as a voting representative of the Board of Supervisors that they have read this rule and the County's Conflict of Interest Policy and can serve free of any conflict of interest. The certification will be made by an applicant/nominee by signing the application for their appointment. Further, should any conflict of interest arise during the appointee's term of office, the appointee shall so declare and abstain from participation on the proceeding and business as it relates to the area of conflict.

For those boards, commissions and committees which recommend funding allocations to the Board of Supervisors, no member shall participate in any discussions or decisions related to an agency of which the member or the member's immediate family member is a director or officer. Additionally, unless state law or regulation require otherwise, any such member shall also refrain from participation in discussions or decisions related to proposals which are in direct

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competition with a proposal submitted by the agency of which the member or member's immediate family member is a director or officer.

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7. Appendices

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7. APPENDIX A:

VOTING REQUIREMENTS

The following document identifies Board of Supervisors' actions that require more than a majority vote. The intent of this list is to provide a quick and efficient resource guide for County attorneys and staff in identifying actions that may require more than a majority vote by its Board. Therefore, this list should not be used as a substitute for legal research or cite checking. In addition, County attorneys and staff should conduct further research to determine if the voting requirement identified in this list requires a 2/3rds, 4/5ths, or unanimous vote of its entire Board membership, or of just the members that are present at the Board meeting. Ultimately this list is an evolving document, may not be exhaustive, and will be updated periodically.

7. APPENDIX A - Voting Requirements

Subject	Vote	Code	Description
Off Agenda Action	Unanimous	Gov Code §54954.2(b)(2)	To consider an item not on the Agenda, the Board must make findings that the need to take action arose after the Agenda was posted. The vote requires at least four votes of the Board if two-thirds of the members are present. If less than two-thirds are present, it requires a unanimous vote.
Airport	4/5	Gov Code §26021	Property acquisition for airport purchases by purchase, condemnation or lease; resolution for County aid.
Airport	4/5	Gov Code §26026	Contribute money to the United States for the acquisition or improvement by the United States or any of its authorized agencies of airports in the county.
Bonds		Gov. Code §§26880, 26885, 26946, 29917, 53595.20, 53345.8; Sts. & Hwys Code §§9132, 5227, 10355, 9534.5; Ed. Code §15145; Pub. Util. Code §§99100, 99102, 99118, 99119	There are many special voting requirements and other processes required for bonds. Please check with counsel.
Bridges	4/5	Pub. Contract §20405(c)	Modify the plans, specifications and working details of bridge construction contracts.
Budget	4/5	Gov Code §29088	Changes to proposed budget after budget hearing but prior to final budget.
Budget	4/5	Gov Code §29125	The following transfers and revisions to the adopted appropriations require a 4/5 vote: (1) between funds; or (2) transfers from appropriation for contingencies.
Budget	4/5	Gov Code §29127	Adopt resolution necessary to appropriate and expend funds necessary to meet specific emergencies.

Budget	4/5	Gov Code §29130	Make available for appropriation any of the following fund balances: a) Restricted, committed, assigned, and unassigned fund balances, excluding the general reserves and nonspendable fund balance; b) Amounts that are either in excess of anticipated amounts or not specifically set forth in the budget derived from any actual or anticipated increases in financing sources.
Collections	4/5	Gov Code §26220(a) and (b)	a) Assign for the purpose of collection any or all delinquent bills, claims and accounts, and any or all money judgments taken in the name of the County. b) Assign for the purpose of collection any or all delinquent or unsecured taxes.
Condemnation/Eminent Domain	4/5	Code of Civ. Pro §1245.240	Adopt a resolution of necessity prior to commencing an eminent domain proceeding.
Contracts	4/5	Pub. Contract Code §20128	Modify terms of a construction contract.
Contracts	4/5	Pub. Contract Code § 20135	Alter or change in any manner the plans and specifications previously adopted by the Board for the erection, alteration, construction, or repair of any public building or structure, where such alteration or change increases cost.
Contracts	4/5	Pub. Contract Code §20136	Adopt an order to alter or change a contract that is for the erection, construction, alteration or repair of any public building or other structure.
Contracts	4/5	Pub. Contract Code § 20137	Contracts for the erection, construction, alteration, or repair of any public building or other structure: the Board may authorize a change if it does not exceed 10% of the original contract price.
Contracts	4/5	Pub. Contract Code § 20150.10	Adopt a resolution declaring that a project can be performed more economically by county personnel, or that in the Board's opinion a contract to perform the project can be negotiated with the original bidders at a lower price than that in any of the bids, or the materials or supplies furnished at a lower price in the open market.
Contracts	4/5	Pub. Contract Code § 22038(a)(2)	After rejection of bids, adopt a resolution that declares that a project can be performed more economically by the employees of the agency.
Contracts	4/5	Pub. Contract Code §22050(a)(1)	In the case of an emergency, repair or replace a public facility, take any directly related and immediate action

			required by that emergency, and procure the necessary equipment, services and supplies for those purposes, without giving notice for bids to let contracts. (See also Pub. Contract Code §22035.)
Contracts	4/5	Pub. Contract Code §22050(b)(1)	Adopt a resolution or ordinance that delegates to the appropriate county administrative officer, chief engineer or other nonelected agency officer, the authority to order any action pursuant to the emergency powers described in (a)(1) above.
Contracts	4/5	Pub. Contract Code §3400(c)(4)	Use of specific brand/trade name (without “or equal”) in the invitation of bids or requests for proposals in order to respond to an emergency declared by a local agency by a four-fifths vote.
Counsel	4/5	Gov. Code § 25203	Employ counsel to assist the district attorney, county counsel or other counsel for the county or public entity for which the Board is the governing body.
Flood Control, Maintenance and Sanitation District	4/5	Gov. Code § 23014	Adopt a resolution appropriating any of its available moneys to a revolving fund (not to exceed \$500,000) to be used by any county sanitation district, county flood control district, or county district maintenance district located wholly within the county for certain purposes.
Legislation	4/5	Gov. Code §25123(d); Elec. Code §9141(a)(4)	Adopt ordinances that are for the immediate preservation of the public peace, health or safety, which contain a declaration of the facts constituting the urgency, in which case the ordinance shall take effect immediately.
Parks	Unanimous	Gov. Code §25583	Adopt a resolution of intention to abandon a park or a portion of a park and fix a time when it will meet to take final action.
Parks	4/5	Gov. Code §25553	Find that the enlargement or improvement of the public park, beach, golf course or recreation ground is of general county interest or that the cost of maintenance is increased by reason of use by residents of the county outside of the city, such that the Board may determine to extend aid to city parks.
Planning	4/5	Gov. Code §65858	Adopt as an urgency measure, an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal. Any extension of time on the interim ordinance also requires a 4/5 vote.

Planning	4/5	Pub. Util. Code §§ 21676, 21676.5	Overrule an airport land use commission's determination.
Property	Unanimous	Gov. Code §25363	Cash sale or lease of any property not required for public use at a noticed public auction (4/5ths vote); sale or lease at an unadvertised, private sale can be authorized by simple majority, but only after the Board unanimously finds that the value of the property does not exceed \$500, monthly rental value is less than \$75 or it is a product of a County farm.
Property	Unanimous	Gov. Code §25550 & §25550.5	Conveyance of county property to city for public park purposes.
Property	4/5	Gov. Code §25365(a)	Convey to another governmental agency within the county any real or personal property.
Property	4/5	Gov. Code §25365(b)	Exchange real property with any person, firm or corporation for the purpose of removing defects in the title or where the real property is not required for county use and the county to be acquired is required for county use.
Property	4/5	Gov. Code §25515.2(c)	Action to approve any sale, lease, lease with option to purchase, development or contract agreement for public property after a request for proposals.
Property	4/5	Gov. Code §25536(a)	Enter leases, concession or managerial contracts involving leasing or subleasing county-owned, leased or managed property devoted to or held for certain purposes.
Property	4/5	Gov. Code §25536(c)	Sell or lease county-owned property without complying with Article 8 "Sale or Lease of Real Property" if the county repurchase or leases back the property as part of the same transaction. Pledge specific revenues as security for the payment of obligations incurred in the repurchase or leaseback of the property.
Property	4/5	Gov. Code §25536.5	Approve an agreement to amend a lease, sublease, concession or managerial contract entered to permit a permanent improvement or alteration of property at the expense of the lessee or concessionaire and to permit a credit on rentals or other reimbursement.
Property	4/5	Gov. Code §25526	Adopt a resolution declaring intent to sell or lease property.
Property	4/5	Gov. Code §53867	Determines that property cannot be sold for a sum at

			least equal to the total of the amount paid, all accrued penalties and delinquencies, and necessary expenses incurred, the local agency may sell the property or lien for less than such total but not less than the fair market value of the property or lien.
Roads	Unanimous	Sts. & Hwy Code §1026(c)	County aid to road districts: order the expense of material for highway construction to be paid out of the county general fund.
Special Assessment Districts	4/5	Sts. & Hy. Code §§ 2808.5, 2808.6, 2808.7	There are several statutory special vote requirements related to special assessment districts. Please consult with County Counsel.
Special Purpose District	Unanimous	Gov. Code § 26909, subd. (b)	Approve a unanimous request made by the governing board of a special district to replace an annual audit with another specified audit.
Streets and Highway	4/5	Sts. & Hwy. Code §942	Let county equipment used in the maintenance and construction of county roads, when such equipment is not in use upon the roads under the jurisdiction of the board, and may charge for the use thereof a rental, and arrange the basis of compensation, in keeping with the general conditions prevailing in the county in which the transaction is made.
Streets and Highway	4/5	Sts. & Hwy. Code § 969.5	Adopt a resolution that determines that the general county interest demands the improvement or repair of a privately owned road.
Streets and Highway	4/5	Sts. & Hwy. Code § 1070	Determine that the public convenience and necessity demand the acquisition or construction of a new county highway or improvement, repair or maintenance of any existing county highway, and the expense of such new highway or the expense of improving, repairing, or maintaining such existing highway is too great to pay out of the road fund of the district (such that the Board may adopt a resolution to make such acquisition or do such work and charge the expense to the county general fund, the road fund of the county, or the district fund of any district benefited).
Streets and Highway	4/5	Sts. & Hwy. Code § 1627	Adopt a resolution that establishes a "county highway right of way acquisition revolving fund" for acquiring rights of way for county highway purposes through purchase or condemnation.

Streets and Highway	4/5	Sts. & Hwy. Code §§ 1680, 1686	Adopt a resolution that determines that certain activities are of general county interest and that county aid may be extended to cities for city streets.
Streets and Highway	4/5	Sts. & Hwy. Code § 1700	Adopt a resolution that declares any highway lying in whole or in part within a city to be a county highway for one or more of the following purposes: acquisition of rights-of-way, construction, maintenance, improvement, or repair.
Tax	4/5	Gov. Code § 53724	Approve an ordinance or resolution that proposes a tax that is subject to approval by the voters pursuant to Government Code section 53722.
Tax	4/5	Rev. & Tax. Code § 7285	Approve ordinance proposing a transactions and use tax for general purposes.
Tax	4/5	Rev. & Tax. Code § 7285.5	Adopt ordinance regarding a transactions and use tax for specific purposes.

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8. APPENDIX B.

ORDER OF BUSINESS AT THE BOS MEETING

The order of business at each regular Board of Supervisors meeting, except for such times as may be set apart for consideration of special items, shall be as follows:

1. Call to Order
2. Moment of Silence
3. Pledge of Allegiance
4. Consideration of Extra Items Not Appearing on the Posted Agenda
- ~~5. Current Construction Projects – Contract Change Orders~~
- ~~6.5.~~ Approval of the Consent Agenda
- ~~7.6.~~ Timed Items – Taken Up on or After Their Scheduled Time
 - a. Public Input
 - b. Other Timed Items
- ~~8.7.~~ Non-Timed Items – May Be Taken Up Anytime at the Discretion of the Chair
 - ~~a. Board Members Referrals to Staff~~
 - ~~i. Request for New Referral~~
 - ~~ii. Referral Analysis Presentation~~
 - ~~b.a.~~ Supervisor's Weekly Calendar, Travel, Reports, and Future Agenda Items
 - ~~c.b.~~ Other Non-Timed Items
- ~~9.8.~~ Closed Session – May Be Taken Up Anytime at the Discretion of the Chair
- ~~10.9.~~ Adjournment

The first BOS meeting of the calendar year inserts the Installation of New Board Members, as applicable, and the Election of Officers immediately following the Pledge of Allegiance.

~~Current Construction Projects – Contract Change Orders to be placed on Non-Timed portion of the agenda.~~

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9. APPENDIX C

**PROCEDURAL RULES FOR COUNTY ADVISORY BOARDS, COMMISSIONS AND
COMMITTEES**

**BASED ON ROBERTS' RULES OF ORDER (ABRIDGED)
AND RALPH M. BROWN ACT**

**MEETINGS - TIME AND PLACE OF
REGULAR AND SPECIAL MEETINGS**

REGULAR MEETINGS: The Advisory Board, Commission or Committee shall provide by bylaws or other rule the time for regular meetings, which shall be held at least annually. If the day of any regular meeting falls on a holiday, such regular meeting shall be held at the same hour on the next business day.

ADJOURNMENT OF REGULAR MEETING: Any regular meeting may be adjourned to a time and place specified in the order of adjournment.

LACK OF A QUORUM: If less than a quorum is present at any meeting, the members present may adjourn the meeting to a time and place specified in the order of adjournment.

NOTICE OF ADJOURNMENT WHERE NONE OF THE MEMBERS ARE PRESENT: If all members are absent from any regular or adjourned regular meeting, the Clerk or Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given to each of the members of the Advisory Board, Commission or Committee in the manner required for special meetings.

POSTING OF NOTICE OR ORDER OF ADJOURNMENT: A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular or adjourned regular meeting was held and within twenty-four (24) hours after the time of adjournment.

SPECIAL MEETINGS: A special meeting may be called any time by the Presiding Officer or by a majority of the members of the Advisory Board, Commission or Committee.

SPECIAL MEETINGS, NOTICE: The Presiding Officer or a majority of the members must deliver written notice of a special meeting to each member of the Advisory Board, Commission or Committee personally or by mail at least twenty-four (24) hours before the time of such meeting as specified in the notice. A copy of the notice shall also be filed with the Clerk of the Board of Supervisors and posted by said Clerk for public inspection in the County Courthouse, at least 24 hours prior to the time of the meeting.

NOTICE, CONTENTS: The notice shall specify the time and place of the special meeting and business to be transacted. No other business shall be considered at a special meeting.

MEETINGS SHALL BE PUBLIC: All meetings of the Advisory Board, Commission or Committee

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shall be open and public. Advisory Boards, Commissions and Committees do not have the authority to conduct closed meetings.*

BUSINESS

ORDER OF BUSINESS: The following is usual:

- (1) Call to order;
- (2) Reading and approval of the minutes of the previous meeting;
- (3) Reports of officers and standing committees;
- (4) Reports of special committees;
- (5) Unfinished business;
- (6) New business
- (7) Adjournment

* However, the law permits the Mental Advisory Board to conduct a closed session exclusively for purposes of interviewing Mental Health Director candidates.

BRINGING UP A MATTER: A matter is brought up either by a member, or by the presentation of a communication.

MOTIONS MUST BE STATED BY THE CHAIR: After a motion has been made, the Chair must restate the motion. The Chair alone puts the motion before the Advisory Board, Commission or Committee. He must either rule it out of order, or state the question on it so that the members may know what is before them for consideration and action.

MODIFICATION OF A MOTION BEFORE DISCUSSIN OR DEBATE: Before a motion is stated or ruled out of order, no discussion or debate or other motion is in order, but members may suggest modifications of the motion, and the mover has the right to make modifications or to withdraw his motion. After the motion is stated by the Chair, the mover cannot modify or withdraw his motion without consent of the Advisory Board, Commission or Committee.

DEBATING THE MOTION

WHAT MAY BE DISCUSSED OR DEBATED: All resolutions, committee reports, communications, and all motions, except undebatable motions (footnote 1) may be discussed or debated before final action is taken on them.

DISPOSAL OF MOTION WITHOUT DISCUSSION OR DEBATE: The Advisory Board, Commission, or Committee may by a two-thirds vote decide to dispose of a resolution, committee report, communication, or motion without discussion or debate.

SUBJECT MATTER OF DISCUSSION OR DEBATE: The discussion or debate, by a two-thirds vote, may be limited to any extent desired. The maker of the motion is entitled to close the discussion or debate.

VOTING ON THE MOTION

CALLING THE QUESTION: When the discussion or debate appears to the Chair to be finished, he should inquire as to whether the Advisory Board, Commission or Committee is ready for the

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question. If, after a reasonable pause, no one claims the floor, the Chair may proceed to put the question, i.e., to take the vote on the question.

ORDER OF VOTE: The Chair must first call for the affirmative and then the negative votes.

STATEMENT OF THE QUESTION: In stating the question, the Chair should make perfectly clear what the question is that the Advisory Board, Commission or Committee is to decide.

MAJORITY VOTE: When a quorum is present, a majority vote, with certain exceptions, (footnote 3) is sufficient for the adoption of any motion that is in order.

THE VOTE: On a tie vote the motion is lost.

DUTY OF THE CHAIR TO VOTE: The Chair, as a member of the Advisory Board, Commission or Committee, has the same duty as any other member to vote on every question submitted to the Advisory Board, Commission, or Committee.

VOTE MUST BE ANNOUNCED: Announcing the vote is a necessary part of putting the question, and the vote does not go into effect until announced.

METHOD OF ANNOUNCING THE VOTE: In announcing the vote the Chair should state first whether the motion is carried or lost; second, what is the effect, or result, of the vote; and third, what is the immediately pending business, if any.

MOTIONS

MAIN MOTION: This motion is necessary to bring up a particular subject. It cannot be made when any other question is before the Advisory Board, Commission or Committee, and it yields to all privileged, incidental, and subsidiary motions, i.e., any of those motions can be made while a main motion is pending. A main motion is debatable, subject to amendment and can have any subsidiary motion applied to it. Generally, a main motion requires for its adoption a majority vote.

SUBSIDIARY MOTION (footnote 4): This motion is applied to another motion for the purpose of disposing of it. Thus, by means of this motion, the original motion may be changed, it may be referred to a committee, action may be postponed, etc. When applied to any main motion, it supersedes the main motion and must be decided before the main motion can be acted upon. With the exception of the motion to amend and those motions affecting the limits of discussion or debate, the subsidiary motion cannot be applied to a subsidiary, incidental, or privileged motion. And with certain exceptions (footnote 5), the subsidiary motion may be amended. A motion to amend anything which has already been adopted is not a subsidiary motion but is a main motion.

INCIDENTAL MOTION (footnote 6): This motion arises with relation to a pending motion and therefore must be decided before the motion out of which it arose is acted upon. It yields to a privileged motion and to the motion to lay on the table. It is undebatable and cannot be amended.

PRIVILEGED MOTION (footnote 7): This is the highest ranking motion used to bring an important and urgent matter before the Advisory Board, Commission or Committee. Although it has no relation to the pending question, it takes precedence over all other motions, and thus it is undebatable and, with certain exceptions (footnote 8), cannot have any subsidiary motion applied to it.

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OFFICERS AND THEIR DUTIES

PRESIDING OFFICER (CHAIR): The Chair's duties are generally as follows: To open the session, by taking the chair and calling the members to order; to announce the business before the Advisory Board, Commission or Committee in the order in which it is to be acted upon; to recognize members entitled to the floor; to state and to put to vote all questions which are regularly moved or which arise in the course of the proceeding and to announce the result of the vote; to protect the Advisory Board, Commission or Committee from the annoyance of frivolous or dilatory motions by refusing to recognize them; to assist in the expediting of business in every way compatible with the rights of the members, as by allowing brief remarks when undebatable motions are pending, if he thinks it is advisable; to restrain the members when engaged in discussion or debate, within the rules or order; to enforce the observance of order and decorum among the members, deciding all questions of order unless when in doubt he prefers to submit the question for the decision of the Advisory Board, Commission or Committee; to inform the Advisory Board, Commission or Committee on any point of order or practice pertinent to pending business; to authenticate, by his signature when necessary, all the acts, orders, and proceedings of the Advisory Board, Commission or Committee.

THE VICE CHAIR: The Vice Chair, in the absence or incapacity of the Chair, shall perform the duties of the Chair. Should the office of the Chair become vacant, the Vice Chair shall perform the duties of the Chair until a new Chair has been elected.

SECRETARY OR CLERK: The secretary is the recording officer and the custodian of the records. He/she is also obligated to keep a roll of the members and to call the roll, to notify officers and committees of their appointments and to furnish committees with all papers referred to them. He/she should send out all proper notices of all called meetings and conduct the correspondence of the organization. The secretary should prepare an agenda for each meeting. In the absence of the Chair and if there is no Vice Chair, the secretary should call the meeting to order and preside until the election of Chair, pro tem, which should take place immediately.

ELECTION AND TERMS OF OFFICERS

The Chair, and Vice Chair shall be elected from among the Members of the Advisory Board, Commission or Committee. The contact person shall be the secretary. Members may appoint such other officers (permanent, acting or temporary) as may be appropriate. The Members may fix and determine the qualifications, and duties of the officers.

The Chair and Vice Chair shall be elected each year at the annual meeting of the Advisory Board, Commission or Committee. Should any of the offices of Chair or Vice Chair become vacant, the Members at the next regular meeting shall elect a successor for the unexpired term. The Chair and Vice Chair shall hold such offices until successors are elected and assume office.

FOOTNOTES

1. Undebatable Motions:
 - Adjourn
 - Take a recess
 - Suspension of the rules
 - Objection to the consideration of a question

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Motions to close, limit, or extend the limits of discussion or debate
Amend an undebatable motion
Dispense with reading the minutes

2. Motions that Open the Main Question to Discussion or Debate:

Postpone indefinitely
Reconsider a debatable question

3. Motions Requiring a Two-Thirds Vote:

Amend (annul, repeal, or rescind) any part of the standing rules order previously adopted; previous notice is also required
Amend or rescind a standing rule, a program or order of business, or a resolution, previously adopted, without notice being given at a previous meeting or in the call for the instant meeting
Take up a question out of its proper order
Suspend the rules
Limit or extend the limits of discussion or debate

4. Subsidiary Motions:

(Arranged in the order of their precedence; when one of these motions is the immediate question, every motion above it is in order and every one below it is out of order.)

5. Unamendable Subsidiary Motions:

The previous question
Postpone indefinitely

6. Incidental Motions:

Questions of order
Suspension of the rules
Objection to the consideration of a matter
Requests growing out of business pending or that has just been pending; as, a parliamentary inquiry, a request for information, for leave to withdraw a motion, to read papers, to be excused from a duty, or for any other privilege

7. Privileged Motions:

Fix the time to which to adjourn (if made while another question is pending)
Adjourn (when qualified)
Take a recess (if made when another question is pending)
Raise a question of privilege

8. The Following Privileged Motions Can Be Amended:

Fix the time to which to adjourn
Take a recess

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10. FORMS

The following forms are used in connection with the County of Lake's Rules of Procedure:

Agenda Item Template.....	1.10.2
Extra Agenda Item Template.....	1.10.3
Change Order Regular Agenda Item Template	1.10.4
Change Order Extra Agenda Item Template	1.10.5

Memorandum

Date:

To: The Honorable _____, Chair, Lake County Board of Supervisors

From:

Subject:

Executive Summary: (include fiscal and staffing impact narrative):

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 and/or Fiscal Crisis Management Plan (check all that apply):

☐ Not applicable

☐ Well-being of Residents
Upgrades

☐ Public Safety

☐ Infrastructure

☐ Technology

☐ Economic Development
Generation

☐ Disaster Recovery

☐ County Workforce

☐ Revenue

☐ Community Collaboration ☐ Business Process Efficiency

☐ Clear Lake

☐ Cost Savings

If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:

Which exemption is being requested?

How long has Agreement been in place?

When was purchase last rebid?

Reason for request to waive bid?

Recommended Action:

Memorandum

Date:

To: The Honorable _____, Chair, Lake County Board of Supervisors

From:

Subject: EXTRA ITEM: (a) Consideration of an Extra Agenda item for the reasons listed and; (b) Consideration of (Insert title or brief description of item)

Executive Summary: (include fiscal and staffing impact narrative):

(a) This item is being submitted as an “extra” agenda item. The justification for this request to consider an item not on the posted agenda is as follows:

This item came to the attention of this department subsequent to the posting of the current agenda and there is a need to take action before the next agenda.

(Insert justification)

(b) (Insert detailed description of item)

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 and/or Fiscal Crisis Management Plan (check all that apply):

☐ Not applicable

☐ Well-being of Residents
Upgrades

☐ Public Safety

☐ Infrastructure

☐ Technology

☐ Economic Development
Generation

☐ Disaster Recovery

☐ County Workforce

☐ Revenue

☐ Community Collaboration

☐ Business Process Efficiency

☐ Clear Lake

☐ Cost Savings

If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:

Which exemption is being requested?

How long has Agreement been in place?

When was purchase last rebid?

Reason for request to waive bid?

Recommended Action:

(a) Staff requests that the Board of Supervisors take action by motion to accept this item for consideration as an “extra” agenda item

(b) Staff recommends that the Board of Supervisors (Insert requested action)

Memorandum

Date:

To: The Honorable _____, Chair, Lake County Board of Supervisors

From:

Subject: Consideration of Change Order #____ (Insert project title, change order amount and revised total contract amount)

Executive Summary: (include fiscal and staffing impact narrative):

(Insert detailed description of need for change order)

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 and/or Fiscal Crisis Management Plan (check all that apply):

☐ Not applicable

☐ Well-being of Residents
Upgrades

☐ Public Safety

☐ Infrastructure

☐ Technology

☐ Economic Development
Generation

☐ Disaster Recovery

☐ County Workforce

☐ Revenue

☐ Community Collaboration

☐ Business Process Efficiency

☐ Clear Lake

☐ Cost Savings

If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:

Which exemption is being requested?

How long has Agreement been in place?

When was purchase last rebid?

Reason for request to waive bid?

Recommended Action:

Staff recommends that the Board of Supervisors (Insert requested action).

Memorandum

Date:

To: The Honorable _____, Chair, Lake County Board of Supervisors

From:

Subject: EXTRA ITEM: (a) Consideration of an Extra Agenda item for the reasons listed and; (b) Consideration of Change Order #____ (Insert project title, change order amount and revised total contract amount)

Executive Summary: (include fiscal and staffing impact narrative):

- (a) This item is being submitted as an “extra” agenda item. The justification for this request to consider an item not on the posted agenda is as follows:

This item came to the attention of this department subsequent to the posting of the current agenda and there is a need to take action before the next agenda.

(Insert justification)

- (b) *(Insert detailed description of need for change order)*

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: _____ Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 and/or Fiscal Crisis Management Plan (check all that apply):

☐ Not applicable

☐ Well-being of Residents
Upgrades

☐ Public Safety

☐ Infrastructure

☐ Technology

☐ Economic Development
Generation

☐ Disaster Recovery

☐ County Workforce

☐ Revenue

☐ Community Collaboration

☐ Business Process Efficiency

☐ Clear Lake

☐ Cost Savings

If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:

Which exemption is being requested?

How long has Agreement been in place?

When was purchase last rebid?

Reason for request to waive bid?

Recommended Action:

- (a) Staff requests that the Board of Supervisors take action by motion to accept this item for consideration as an “extra” agenda item
- (b) Staff recommends that the Board of Supervisors *(Insert requested action)*

11. MISCELLANEOUS BOARD POLICY

1. Sovereign Nation Request for placement in U.S. Land Trust

There are many benefits to trust acquisitions for tribes.

The use of trust land is governed by tribes and generally not subject to state laws, though certain federal restrictions still apply. Many federal programs and services are also available only on trust lands.

Tribes may benefit from:

- New Market Tax Credits
- Indian Employment Tax Credits
- Tax-Exempt Financing
- Discounted Leasing Rates
- Federal Contracting Preferences
- Foreign Trade Zone Customs Duty Deferral, Elimination or Reduction
- State/County Land Use Exemption
- Accelerated Depreciation for Business Property on Indian Reservations

These benefits have allowed tribes to enhance housing opportunities for their members, realize the energy development capacity on their lands, negotiate the use and sale of natural resources, and protect tribal ways of life including subsistence hunting and agriculture.

All federally recognized American Indian tribes and individuals are eligible to apply for a fee-to-trust land acquisition. An applicant must submit a specific written request for the Secretary of the Interior to take land into trust for the benefit of an applicant. Tribes may submit a tribal resolution to satisfy this requirement.

“Trust land” is land to which the title is held in trust by the United States on behalf of an individual American Indian or Tribe. Today there are over 56 million acres of land held in trust by the United States for the benefit of Tribal communities.

Trust land is a legal status that grants certain benefits, protections, and limitations, including but not limited to:

- Many programs and services offered by the Bureau of Indian Affairs (BIA) are available on trust land.
- Trust land is not subject to state or local taxes. However, Tribes may assess taxes on trust land for services they provide.
- Trust land cannot be alienated or encumbered (for example, sold, gifted, leased, etc.) without approval of the Secretary of the Interior.

Placing land into trust is an important function of the BIA. Trust lands establish Tribal jurisdiction and strengthen Tribal sovereignty.

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2. Discretionary Cannabis Funding Protocols

- a. Fund Allocation:** The Board of Supervisors Discretionary Spending Fund is allocated \$500,000, split evenly across the 5 county districts. This resulting \$100,000 would be available to at the discretion of each Supervisor to spend wherever the greatest need exists within their district.

The Cannabis Tax allocation shall be regularly reviewed during County budget cycle. The purpose of the review is to determine whether or not the Cannabis Tax allocations specified should be revised to most effectively service the goals of the County.

- b. Board Requests:** Requests from Supervisors pursuant to the policy will be approved by the CAO up to signature authority, or if controversial, the item will then be placed on the next available Board of Supervisors agenda for consideration.

3. Proclamations on the Board of Supervisors Agenda

Proclamations are ceremonial documents issued by the County of Lake Board of Supervisors. They honor and celebrate events, recognize achievements, and/or increase public awareness. Presentations are made at a scheduled time during regular meetings.

Criteria & Guidelines - Proclamations may be issued for a specific day, week, or month that holds local significance and is recognized by a state or federal government agency or a notable non-profit organization.

Submitting a Request - Requests should be made in writing to a County Supervisor or the Clerk of the Board at least 30 days in advance to allow time for review, approval and production. Provide information on the event or organization to be recognized with the day, week or month to be proclaimed.

Upon approval of the request, send the composed proclamation to County Administration staff, limited to one page (if possible), to be formatted for presentation.

4. Letters of Support or Opposition

A. Legislation: Full Board of Supervisors endorsements or opposition to legislation must come before the Lake County Board of Supervisors for approval. Additionally, the Chairman of the Board of Supervisors or individual Supervisors may periodically provide letters of support or opposition as needed based on any benefit or detriment to the County of Lake or specific District issues.

The process of placing a letter of support/opposition on the Board of Supervisors Agenda:

1. Provide a memo with the legislation and your position for the general public's awareness.
2. Place the letter on Board of Supervisors' letterhead, including a signature line for the Chairperson to sign.
3. Attach any additional documentation related to the legislation or provide links to the information within the memo.

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B. Grants: Full Board of Supervisors support for a Grant application must come before the Lake County Board of Supervisors for approval. The letter of support advocates for a project, program, or organization and is used to supplement a grant proposal and provides additional evidence to support the proposal's objectives, methods, and potential impact.

The process of placing a letter of grant support on a Board of Supervisors Agenda:

1. Provide a memo with grant information and reason for support for the general public's awareness.
2. Place the letter on Board of Supervisors' letterhead, including a signature line for the Chairperson to sign.
3. Attach any additional documentation related to the grant.
4. Distribution of the letter is the responsibility of the requestor unless otherwise specified.