

SECTION ONE

PROCEDURES GOVERNING
ADVISORY BOARDS COMMISSIONS AND COMMITTEES

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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 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 DEBATE: Before a motion is stated or ruled out of order, no 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 DEBATED: All resolutions, committee reports, communications, and all motions, except undebatable motions (footnote 1) may be debated before final action is taken on them.

DISPOSAL OF MOTION WITHOUT 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 debate.

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

VOTING ON THE MOTION

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

OFFICERS AND THEIR DUTIES

PRESIDING OFFICER (Chairman): 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 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 Chairman, in the absence or incapacity of the Chairman, shall perform the duties of the Chairman. Should the office of the Chairman become vacant, the Vice Chairman shall perform the duties of the Chairman until a new Chairman 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 Chairman and if there is no Vice Chairman, the secretary should call the meeting to order and preside until the election of Chairman, pro tem, which should take place immediately.

ELECTION AND TERMS OF OFFICERS

The Chairman, and Vice Chairman 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 Chairman and Vice Chairman shall be elected each year at the annual meeting of the Advisory Board, Commission or Committee. Should any of the offices of Chairman or Vice Chairman become vacant, the Members at the next regular meeting shall elect a successor for the unexpired term. The Chairman and Vice Chairman 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
Motions to close, limit, or extend the limits of debate
Amend an undebatable motion
Dispense with reading the minutes

2. Motions that Open the Main Question to 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 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

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. 84-393

RESOLUTION ADOPTING BOARD OF SUPERVISORS POLICY PERTAIN-
ING TO THE TERM OF APPOINTMENT OF MEMBERS OF BOARDS,
COMMISSIONS, AND COMMITTEES APPOINTED BY THE BOARD OF
SUPERVISORS

RESOLVED by the Board of Supervisors of the County of Lake, State of California, that the following policy pertaining to the term of appointment of members of boards, commissions and committees appointed by the Board of Supervisors, is hereby approved and adopted:

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."

Regardless of whether the term of appointment is specified or unspecified at the time of appointment, the term of all advisory board, commission and committee members shall expire on the first Monday in January of every odd-numbered year. Likewise, the term of all special district board members who serve at the pleasure of the Board of Supervisors shall expire on the first Monday in January of every odd-numbered year. Upon said expiration, members may apply to the Board of Supervisors for reappointment. 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 attached hereto as Exhibit "A".

On or about the third week of November of every even-numbered 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.

This policy shall not apply to any County advisory board, commission or committee or special district board where the members' term of appointment is mandated by State or federal law or regulations; however, the members of any such boards, commissions and committees may voluntarily comply with the spirit of this resolution by submitting their resignations on the first Monday in January of every odd-numbered year.

BE IT FURTHER RESOLVED that all previous Board resolutions, actions, or approved bylaws of such advisory board, commission or committee are hereby superceded and rescinded to the extent of any conflict with this policy and no further.

THIS RESOLUTION was passed and adopted this 17th day of October, 1984, by the following vote:

AYES: Supervisors Larson, Wilcox & Couch
NOES: Supervisor Combs

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POLICIES & PROCEDURES

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 to discourage appointment of County employees to those advisory boards which are intended to consist of independent citizens and/or community members.

Adopted by the Board of Supervisors on 10/14/86 and amended on 4/12/94)

POLICIES & PROCEDURES

ADVISORY BOARD, COMMITTEE AND COMMISSION CONFLICT OF INTEREST POLICY

Policy

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 their spouse 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 spouse has a financial interest.

The purpose of this policy 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 spouse is) a director, or officer of an agency or organization which competes in the funding process before that board, commission or committee.

The Clerk of the Board of Supervisors shall provide all applicants for County boards, commissions and committees with copies of this 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 spouse 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 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 spouse 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 competition with a proposal submitted by the agency of which the member or member's spouse is a director or officer.

Adopted by the Board of Supervisors on 2/13/07



**APPLICATION FOR
APPOINTMENT TO COUNTY OF LAKE
ADVISORY BOARD, COMMISSION OR COMMITTEE**

Name of Applicant: _____

Home Address: _____

City: _____

Zip: _____

Mailing Address: _____

City: _____

Zip: _____

Occupation: _____

Email: _____

Home Phone : () _____

Work Phone: () _____

Supervisory District: _____

Name of Board/Committee/Commission(s) you are interested in serving on: _____

Board/Committee/Commission category under which you are applying, if applicable: _____

List past or present County appointments, as well as any other public service appointments, or elected positions held (please list dates served).

Please briefly explain why you would like to serve, what special qualifications or expertise you may have for the position and any other information you would like to include as part of your application:

List community organizations to which you belong:

Convictions and Penalties - Have you ever been convicted of a felony? If yes, give date(s), location(s) and penalties. (Convictions are evaluated for each position and are not necessarily disqualifying.)

List any affiliation you or your spouse has with public service agencies:

I certify that the above information is true and correct, and I have read the Lake County Advisory Board, Committee and Commission Conflict of Interest Policy. I agree to abide by that policy and to the best of my knowledge, I have no conflict of interest.

(Signature)

(Date)

PLEASE RETURN COMPLETED FORM TO:

Clerk of the Board of Supervisors
255 N. Forbes St.
Lakeport, CA 95453
Fax (707) 263-2207
1-10

APPOINTED: YES ___ NO ___
APPOINTED ON: _____
TERM EXPIRES ON: _____
(4/09)

