



Board of Supervisors

LAKE COUNTY

CALIFORNIA

RULES OF PROCEDURE

■

GENERAL PROTOCOL

■

COMMITTEES POLICY

ADOPTED XX/XX/2018

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
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1. APPLICABILITY OF RULES

Rule 1. Application

The Rules in sub-sections 1 through 8 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.

Rule 12. Minutes of Previous Meetings

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The minutes of previous meetings shall be agendized 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 an 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 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 later 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.

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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.
- Pursuant to Government Code §25123, ordinances shall generally become effective 30 days from the date of final passage.
- 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

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:

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- 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

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 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 within twelve (12) months, except by a $\frac{4}{5}$ th vote of the Board.

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.

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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 4/5^{ths} 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 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 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 3. 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.

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Rule 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 5. 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 6. 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 7. 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 8. Board Member Training

The CAO will arrange for training of new Board members to enhance their understanding of County operations.

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).

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Rule 9. 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.

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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

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appoint County employees as voting members to those advisory boards which are intended to consist of independent citizens and/or community members.

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.

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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 immediate family member is a director or officer.

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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.

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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. Approval of the Consent Agenda
7. Timed Items – Taken Up On or After Their Scheduled Time
 - a. Public Input
 - b. Other Timed Items
8. 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. Supervisor's Weekly Calendar, Travel, Reports, and Future Agenda Items
 - c. Other Non-Timed Items
9. Closed Session – May Be Taken Up Anytime at the Discretion of the Chair
10. 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.

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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 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.

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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.

OFFICERS AND THEIR DUTIES

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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

- Motions to close, limit, or extend the limits of discussion or debate

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- 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