

# **RULES OF PROCEDURE**



## **BOARD OF SUPERVISORS**

**County of San Luis Obispo  
California**

**(REV. 1/7/2019)**

# **RULES OF PROCEDURE OF THE BOARD OF SUPERVISORS**

## County of San Luis Obispo

In order to provide for more expeditious handling of growing public business, these rules of procedure were originated and adopted by the County of San Luis Obispo Board of Supervisors on July 11, 1876 and amended on May 17, 1961. There were several additional revisions, with the most recent update occurring June 2, 2015. Whenever possible, these rules are to be construed generally.

### I. MEETINGS

- A. The Board of Supervisors shall meet on Tuesdays in regular session per the Board of Supervisors adopted calendar. All meetings will be open sessions in the Board Chambers except as otherwise allowed by law. The Board of Supervisors shall adopt its annual meeting calendar before or at the beginning of each calendar year.
- B. Business shall be conducted from 9:00 A.M. to 5:00 P.M. only, unless extended by unanimous consent of the Supervisors present. Otherwise, business shall be adjourned to 9:00 A.M. of the following day, or on a day and time as designated by the Board. The Board Chairperson shall designate the start time for regular sessions of the Board subject to the approval of a majority of the Board.
- C. The order of business for the Board of Supervisors shall be as arranged by the County Administrator and Board Chairperson, except for matters set for a specific time by the Board.
- D. The County Administrative Officer may cancel a Board meeting if, in his or her discretion, there is insufficient business to warrant convening a scheduled meeting.
- E. The County Administrative Officer may schedule an additional regular Board meeting if, in his or her discretion, the conduct of County business necessitates scheduling such additional regular Board meeting.
- F. A matter not on the agenda will not be considered, save by compliance with applicable legal requirements.

### II. ATTENDANCE

- A. The County Counsel or a Deputy shall be present at all meetings of the Board of Supervisors.

- B. The Clerk of the Board or a Deputy shall be present at all meetings of the Board of Supervisors.
- C. The County Administrator or his/her designee shall be present or immediately available for all meetings of the Board of Supervisors.

### III. PUBLIC COMMENT

- A. All persons desiring to speak on agenda items during the meeting or during the Public Comment portion of the agenda, may be requested to fill out a "Board Appearance Request Form," and provide it to the Clerk of the Board prior to the start of the Board item unless invited to speak by the Chairperson or a member of the Board. Any person appearing at a meeting of the Board of Supervisors to make a presentation shall first be recognized by the Chairperson and requested to give his/her name.
- B. There will be a portion of the agenda set aside for members of the public to directly address the Board on items of interest within the subject matter jurisdiction of the Board. A total of 15 minutes or other reasonable period of time determined by the Board Chairperson will be allocated for each Public Comment period and each individual speaker will be limited to a three-minute presentation or other reasonable period of time determined by the Board Chairperson.

The Chairperson may refer any issues that arise during this period to staff for appropriate action. Comments will be limited to issues over which the Board has jurisdiction and items that were not listed on that day's agenda for public hearing.

- C. Public Comment remarks should be directed to the Chairperson and the Board as a whole and not to any individual thereof. No person will be permitted to make slanderous or profane remarks against any individual.
- D. Any member of the Board may briefly comment at the conclusion of public comment on any issue brought up during the public comment period.

### IV. PROCEDURE

- A. A Board Order applies mainly as a directive to County officers or employees. It need not be reviewed in writing, as it generally applies to one specific act only. Board Resolutions and Ordinances must be reviewed in written form before binding action is taken on them.
- B. At the first regular meeting of the calendar year after the swearing-in ceremony, a Chair and Vice Chair shall be elected by majority vote of the Board and such Chair shall preside for one year. The process for nominating the Chair and Vice Chair shall be on a rotation basis. Beginning in 2019, the rotation shall be District 5, District 3, District 4, District 2, District 1; with the Chair for a

subsequent year serving as Vice-Chair (e.g. 2019 Chair – District 5, 2019 Vice-Chair – District 3). Once completed, the District rotation will start again with District 5 (2024) and continue using the same sequence for Chair and Vice-Chair (District 5, 3, 4, 2, 1). If the person nominated for Chair or Vice Chair declines the nomination, she or he shall be rotated on the list. It is intended, but not mandated, that the Supervisor elected as Vice Chair will succeed the Chair in the following year. In the absence or inability to attend by the Chair or Vice Chair, a Chair protem shall be selected by the members present.

- C. When motions are made by Supervisors, the motion shall be stated to the Clerk by the moving Supervisor.
- D. No question on a motion shall be debated or put unless the motion has been seconded. When a motion is seconded, it shall be stated by the Chairperson or the Clerk before debate.
- E. A motion having been stated by the Chairperson, it shall be deemed to be in possession by the Board, but it may be withdrawn at any time before decision or amendment with the assent of the second.
- F. When a question is under debate, no motion shall be received unless:
  - 1. To adjourn.
  - 2. To lay on the table.
  - 3. To consider the previous question.
  - 4. To postpone to a certain date.
  - 5. To commit to committee.
  - 6. To amend.
  - 7. To postpone indefinitely.These motions shall have preference in the above order.
- G. A motion to adjourn or a motion to fix time of adjournment shall be decided with debate.
- H. A motion to refer or lay on the table until it is decided shall include all amendments to the main question.
- I. A motion to consider the previous question shall preclude all amendment from debate to the main question and shall be put in the form "shall the main question be put to a vote."

- J. A member called to order shall relinquish the floor unless permitted to explain, and the Board, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Chairperson shall be final.
- K. Upon demand of any Board member, or at the discretion of the Chairperson, the vote shall be by roll call, except that the vote on all ordinances or resolutions shall be by roll call.
- L. To the extent any member of the Board has ex parte communications related to the subject matter of a quasi-judicial hearing before the Board, those communications shall be reported to the Board in open public session, including sufficient detail so as to provide adequate information to the other members of the Board and the public as to the substance of the communication. To the extent that a member deems it necessary, the member may also file with the Clerk of the Board a written statement explaining a public ex parte communication. This provision does *not* exempt the member from making a public ex parte disclosure.

V. COMMITTEES

- A. The Chairperson, with majority consent of the Board, shall appoint committees at such times as deemed necessary for the proper conduct of the business of the Board of Supervisors, subject to the provisions of Government Code Sections 54970, et seq.
- B. All orders of the Board relative to committees shall specify the purpose of the committee, the length of time the committee shall serve, and the times and methods by which the committee shall report to the Board.
- C. No committees appointed by the Chairperson of the Board of Supervisors shall include in their membership more than two Supervisors, but may include within their membership any number of other County officials or public members who are not members of Boards and Commissions subject to the provisions of Government Code Sections 54950, et seq.
- D. The County Administrator shall be ex-officio member of all committees appointed by the Chairperson of the Board of Supervisors pursuant to the foregoing rules and is hereby empowered to call meetings of such committees at such times as may be mutually agreed upon by a majority of the members of any such committee.

VI. AGENDAS

- A. Agendas for the Board will be prepared by the County Administrator, and the Administrator shall have discretion as to when and what items shall be included while working closely with the Chairperson of the Board.

- B. Items for a Tuesday agenda shall be submitted to the County Administrative Office in accordance to the standards and timeframes established by the County Administrator.
  - C. Agenda requests referred to in B. above shall be submitted in such form and contain such information as the County Administrator shall prescribe.
  - D. Any item not on the agenda may only be heard by the Board in compliance with applicable laws including Government Code section 54954.2.
  - E. Whenever deemed advisable, in order to provide a guide for Board action, the County Administrator shall recommend a course of action for items other than the Consent Agenda. (See F. hereafter)
  - F. The County Administrator may list such items as deemed advisable together with a recommended course of action for each under a Consent Agenda category. The Board may delete such items from the Consent Agenda in order to change the recommended course of action, and by roll call vote then approve the remainder of the Consent Agenda, or by roll call vote may approve the Consent Agenda as submitted.
- VII. The County Administrator shall occasionally review these rules of procedure and, if appropriate, make recommendations to the Board for revision.