

Sonoma
County
Board of
Supervisors

Board Rules of Procedures



~~November 2022~~ March 2024

RULES OF PROCEDURE

OF THE BOARD OF SUPERVISORS SONOMA COUNTY, CALIFORNIA

PURPOSE

The Institute for Local Government recommends local governments establish a set of rules and procedures for facilitating the decision-making process in a smooth and fair manner. The purpose of these Rules of Procedures (“Rules”) is to foster understanding and respect for the democratic process, facilitate compliance with applicable laws, encourage public participation, provide guidance on decorum, and enhance effective and efficient management of Board meetings.

GENERAL

Rule 1. Applicability of Rules

These Rules are adopted pursuant to Government Code §25003. The Rules shall apply to the Board of Supervisors of the County of Sonoma whether sitting as the Board of Supervisors of the County or as the governing board of any other district, commission, authority or board.

These Rules are intended to expedite the transaction of business of the Board in an orderly fashion, and are deemed to be procedural only. The failure to strictly observe application of the Rules shall not affect the jurisdiction of the Board or invalidate any action taken at a meeting that is otherwise held in conformity with the law. Except as otherwise provide by law, these Rules, or any one of them, may be suspended by a majority of the Board. These Rules supersede and replace all rules of procedure previously adopted by the Board.

Rule 2. Definitions

In interpreting these Rules:

- “Board” refers to the Board of Supervisors of Sonoma County, whether sitting as the Board of Supervisors of the County or as the governing body of any other district, authority or board.
- “Board member” refers to a member of the Board.
- “Chair” and “Vice Chair” refers to the Board members elected to those respective offices.
- “Clerk” refers to the Clerk of the Board of Sonoma County.
- “County Administrator” refers to the County Administrative Officer of Sonoma County.
- “Discrimination Free Environment” refers to the Board’s policy and commitment to maintaining a professional work environment, including at meetings of the Board of Supervisors, that is free from discrimination and harassment, including but not limited to discrimination and harassment based on a protected category. This commitment is set forth more fully in the County of Sonoma’s nondiscrimination policy. The nondiscrimination policy is designed to encourage professional and respectful behavior and to prevent discriminatory and harassing conduct in the workplace.

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MEETINGS

Rule 3. Regular Meetings and Annual Calendar

Regular meetings generally shall be held on each Tuesday of every month except the Board shall generally not meet on any fifth Tuesday of a calendar month, or on any Tuesday following a Monday holiday. In addition, any meeting may be cancelled upon the order of the Chair, or by a majority of the members of the Board.

Regular meetings shall commence at 8:30 a.m. and shall be held at the Board of Supervisors Chambers at 575 Administration Drive, Suite 102A, Santa Rosa, California, unless the time, date and location are changed by a majority vote of the Board, and so noticed. Business shall normally be conducted between 8:30 a.m. and 5:00 p.m., but may continue past 5:00 p.m., without objection from the Board members present.

Every regular meeting shall include consent and regular items. Most items considered by the Board shall be placed on the consent calendar. Generally, consent items will not be commented on except for by the Chair. Any Board member can ask to remove an item from the consent calendar to the regular calendar.

Gold Resolutions may be presented for commendatory or ceremonial purposes following the consent calendar. Resolutions shall not be placed on the Board's agenda which express political or legislative opinions or intentions which are governed by the guiding principles of the Board's annually adopted legislative platform. However, exceptions shall be made for policy positions where a majority of the Board makes a finding that such resolution is timely and ~~related~~ to legislation or programs which directly impact matters within the jurisdictional authority of the Board and that were not foreseen by the legislative platform. Upon such finding, the proposed resolution shall be first forwarded to staff for analysis and comment before being placed on the Board's agenda for consideration. Individual Board Members can sign on to a political resolution in their own capacity as an individual Supervisor outside of a Board meeting.

Regular calendar items should be reserved for policy considerations, major funding decisions, ordinances, public workshops and land use hearings or other public hearings required by law. For each item on the regular calendar, the best practice will be as follows: (1) staff will give a presentation; (2) Board members may then ask questions of staff; (3) the Chair will allow time for public comments; and (4) Board members will comment and consider taking action.

At times, it may be necessary to clarify the Board's desired action. If a Board member believes it is necessary to clarify an action taken by the Board, the Board member may make a motion to clarify the vote. Another Board member may second the vote. At that point, the Board shall clarify the action taken.

At other times, it may be necessary to call the question. This should be a last resort. If a Board member believes there has been a sufficient amount of discussion on a particular item already, the Board member may call the question to end the debate. If another Board member seconds the vote, the Board shall take a vote on the requested action.

An annual calendar of meetings shall be adopted by the Board before the last meeting of the previous year. The calendar will include all known regular meetings.

Rule 4. Special Meetings, Budget Hearings, Workshops and Planning Meetings

Special meetings may be called at any time by the Chair, or by a majority of the members. Upon the call of a special meeting, the Clerk will prepare and distribute, at least 24 hours before the time of the special meeting, written notice to each member and to a local newspaper of general circulation. The notice shall specify the time and place of the special meeting and the business to be transacted or discussed. No other business shall be considered at these meetings (Government Code §54956).

Budget Hearings, Workshops, Study Sessions and Planning Meetings may be called by the Chair or by a majority of the Board at times and locations in accordance with the law and specified notice provisions.

Rule 5. Emergency Meetings

Emergency meetings may be called by the Chair or by a majority of the Board, in the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, or response to natural or other disaster. Upon the call of an emergency meeting, the Clerk shall give notice of the meeting, and comply with posting requirements (Government Code §54956.5).

Rule 6. Closed Sessions

Closed sessions of the Board can be called by the Chair or by a majority of the Board, for those purposes allowed by law (Government Code §54956.7).

Prior to holding any closed session, the Chair shall announce the session in an open meeting, and shall provide an opportunity for public comment on items on the closed session agenda. There will not be public comment on items not on the agenda at a special closed session meeting. During the closed session the Board may consider only those items on the agenda. At the conclusion of the closed session the Board shall report, in an open meeting,

as required by law, action taken (Government Code §54957.1).

ELECTIONS, POWERS, AND DUTIES OF THE CHAIR, VICE-CHAIR, AND CHAIR PRO-TEMPORE

Rule 7. Annual Selection of Chair and Vice Chair

At its first regular meeting, after January 1 of each year, the Board shall nominate and elect from its membership a Chair, Vice Chair, and a Chair Pro-Tempore. The Chair shall call the meeting to order and the first order of business shall be the election of officers for the ensuing calendar year. The Chair, Vice Chair, and Chair Pro-Tempore shall serve until the election of their successors.

Rule 8. Powers of Chair, Vice-Chair, and Chair Pro-Tempore

The Chair shall serve as presiding officer of the Board, rule on questions of procedure, appoint Board Members to committees and special assignments, and execute official Board records and documents presented by the County Administrator/Clerk. The Chair is authorized to send legislative and other communications consistent with the legislative platform.

In the absence or unavailability of the Chair, the Vice-Chair shall call the meeting to order and serve as presiding officer. The Vice-Chair shall have and exercise all powers and duties of the Chair for meetings over which he or she is called to preside, including executing official board records and documents, and at ceremonial and official functions, which the Chair cannot attend.

If both the Chair and the Vice-Chair are absent or unable to participate, the Chair Pro-Tempore shall call the meeting to order, serve as the presiding officer, and shall have and exercise all power and duties of the Chair for the meeting over which he or she is called to preside and at ceremonial and official functions, which the Chair or Vice Chair cannot attend.

AGENDAS AND AGENDA MATERIALS

Rule 9. Meeting Agenda

At least 72 hours before a regular meeting, the Clerk shall post an agenda. The agenda shall consist of a brief statement of each item to be considered by the Board (Government Code §54950). The agenda shall indicate the time and location of the meeting and shall be posted as required by law. The Chair and the County Administrator control the agenda with input from the Vice Chair. Any member who is not able to address agenda scheduling concerns through the Chair or County Administrator may raise the issue at a Board meeting and limit the discussion to scheduling on an upcoming Board agenda. Consistent with the Brown Act, the Board may not discuss or debate the substance of the issue. The Board, by majority vote, may act to add an item to a future agenda.

Rule 10. Addendums/Supplemental Agenda Items

The Clerk shall prepare, post, and distribute all addendums/supplemental agendas when there has been an item added, continued, deleted, and/or modified since the distribution of the initial meeting agenda.

Rule 11. [Adherence to Use of Clerk of the Board Required Agenda Form Procedures and Deadlines](#)

[The Clerk of the Board may prescribe templates for use by Departments/Agencies when requesting a proposed item be placed on the Board of Supervisor's agenda. The Clerk of the Board may also establish procedures, including timelines, for the submission of such items. All Departments/Agencies shall conform to the Clerk of the Board's procedures and templates, which shall be made available electronically to Departments/Agencies on the County's Intranet or by other means. Non-conformance with this rule shall not invalidate an action of the Board of Supervisors on an item on its agenda.](#)

Without amendment to these Rules, the County Administrator may change agenda procedures, including procedures and templates established by the Clerk of the Board, as appropriate to meet County business needs.

All Departments/Agencies shall use agenda form templates, as prescribed by the Clerk, when submitting items to be placed on the Board's agenda for consideration. The Clerk shall make prescribed forms, deadlines and applicable resource documents available. Without amendment to these Rules, the County Administrator may change agenda forms/procedures.

When submitting an item for consideration by the Board, it is the responsibility of the originating Department /Agency to provide all required information, and follow all required procedures, including timelines, established by the County Administrator and Clerk.

Rule 12. Department/Agency Agenda Responsibilities

When submitting an item for consideration by the Board, it is the responsibility of the originating Department /Agency to provide all required information, and follow all required procedures, including to meet all timelines, established by the County Administrator and Clerk. Originating Departments/Agencies shall submit sufficient copies to meet the distribution and processing requirements of the Clerk.

Rule 13. Review and Filing of Agenda Items

All agenda items, regardless of the official capacity in which the Board is acting, require review by the County Administrator's Office prior to submission to the Clerk for placement on the agenda. Agenda items are to be submitted to the County Administrator's Office complete, with all back-up materials, and in accordance with all procedures, ~~into~~ requirements and instructions as established by the County Administrator, Clerk of the Board.

The County Administrator may ask for additional information, clarification, and may determine not to place any item on the agenda. Without amendment to these Rules, agenda submittal instructions may be amended or additional requirements imposed to ensure appropriate review and Brown Act compliance.

Rule 14. Supplemental Correspondence and Information

Prior to and During the Board Meeting -

Agenda materials distributed, via mail, email, or hand delivered by the public to a majority of the Board or their staff, that is distributed or redistributed to another County employee, must be forwarded to the Clerk for public review.

At the Board Meeting –

Documents, including PowerPoint handouts, distributed to Board members by County employees or Board members themselves at the meeting, shall be kept to a minimum. When necessary to distribute materials at the meeting, 25 copies shall be provided to the Clerk for distribution to: Board members, County Administrator, County Counsel, and the Clerk, with remaining copies available for distribution to and the general public. If large numbers of the public are anticipated to attend the Board Meeting on a matter and new information will be distributed to the Board members, then the number of copies should be increased provided to the Clerk to anticipate the number needed make available for the Board members, County Administrator, County Counsel, the Clerk, and the general public. Members of the public may not present PowerPoint materials to the Board.

However, in quasi- adjudicatory hearings, the parties may prepare a PowerPoint and submit the presentation to Permit Sonoma Department/Agency staff and the Clerk of the Board for review at least 30 days before the hearing in compliance with Rule 21 and Rule 22 below.

Any supplemental correspondence or written information related to an agenda item which is provided to three or more Board members, and/or members of their staffs, shall be concurrently filed with the Clerk and made a part of the official record. This Rule shall not apply to attorney-client privileged communications.

Sufficient copies of supplemental correspondence and information should be delivered to the Clerk and the Clerk shall make the appropriate distribution to the Board, County Administrator CAO and County Counsel.

Rule 15. County Council Approval as to Form

All agenda items which require County Counsel's approval shall be reviewed and approved by Counsel, prior to submittal to

~~the County Administrator Office. County Counsel shall provide instructions to departments and agencies on what items require such approval.~~

CONDUCT OF BUSINESS

Rule 16. Order of Business

The Order of Business for Regular meetings is attached to these Rules as Appendix A. The Board shall conduct business in the order specified in the posted agenda or as modified as determined necessary by the Chair. The Board may permanently modify or amend the Agenda Order by majority vote.

Rule 17. Board Member; Notification of Absence

If any Board member is unable to attend a meeting of the Board, all reasonable efforts shall be made to notify the Chair, County Administrator, and the Clerk, in writing and as soon as possible to ensure there are sufficient members present to consider all agenda items.

Rule 18. Quorum and Action

Three members of the Board shall constitute a quorum sufficient to transact business. In the absence of a quorum, the remaining members or the Clerk may adjourn the meeting to another date and time in accordance with Government Code §54944 and shall post a Notice of Adjournment.

Rule 19. Matters Not on the Agenda/Emergency Items

No action shall be taken on any item not appearing on the posted agenda except: Upon a majority vote of the Board that an emergency situation exists as defined in Government Code §54956.5; Upon a determination by a four-fifths (4/5) vote of the Board, or if less than four-fifths (4/5) of the members are present, a unanimous vote of those members present, that 1) there is a need to take immediate action, and 2) the issue arose subsequent to the agenda being posted.

Any requests to hear a matter not on the agenda or emergency item shall be communicated to the Chair, County Administrator, County Counsel and Clerk as soon as the need becomes known.

Rule 20. Consent/Regular Calendar Items

Agenda items on the Consent Calendar are routine in nature, consistent with adopted Board policy, and do not require individual consideration. The Consent Calendar will be enacted by one motion for approval of the recommended actions. There will be no separate discussion of these items prior to the time the Board votes on the motion unless any member of the Board requests removal of a specific item from the Consent Calendar for separate discussion and action. Any Board member may ask the Clerk to record a "no" or "abstention" vote on any Consent Calendar item.

Agenda items on the Regular Calendar require separate discussion and/or action and may include, but are not limited to changes in policy, items that require the Board to consider options and provide direction, requests for new or unbudgeted positions, introductions or adoption of a proposed Ordinance, Public Hearings, and other matters as required by law.

Rule 21. Public Hearings

Public hearings may be legislative or quasi-adjudicatory in nature. Upon receipt of a request by a Department/Agency or Board member for a public hearing, the County Administrator or Clerk may set the

hearing without action of the Board unless the Board is required by law to schedule the hearing. In that event, the matter shall be placed on the Consent Calendar to set the hearing.

Public Comment at a Public Hearing

Subject to the Chair's right to maintain order, any person wishing to speak at a public hearing shall be heard. Except for closing comments allowed an applicant and the appellant in the case of an appeal (a quasi-adjudicatory hearing), each speaker shall speak only once. Each speaker's presentation at a public hearing shall be relevant and to the point, and shall be as brief as possible; visual and other materials may be used as appropriate. The Chair may establish a time limit for presentations.

When speakers use or submit to the Board visual or other materials, such materials shall become part of the file and identified and maintained as such. When CDs, DVDs, thumb drives, USB memory sticks, or other portable electronic media (e-media) are submitted to the Board, at least one hard-copy of the information stored on the e-media must be provided to the Clerk. Speakers with lengthy presentations are encouraged to submit them in writing.

Members of the public may not present PowerPoint materials to the Board unless a department head has authorized a joint presentation. However, in a quasi-adjudicatory hearing, the parties may submit PowerPoint presentations to Permit Sonoma staff and the Clerk of the Board for review at least 30 days in advance of the hearing in compliance with Rule 22 below.

Comments after Close of the Public Hearing

The closing of a quasi-adjudicatory public hearing signifies the point after which the Board will no longer accept or consider any additional communication on the matter that was the subject of the hearing. As used in this Rule, "communication" includes oral communication; written communication such as documents, letters, and photographs, and any type of electronic communication, including e-mails, e-mail attachments, graphic images, spread sheets, text messages, and social media messages.

Should the Board close a public hearing and continue its deliberations to a subsequent meeting, or announce a tentative decision, by motion or other proceedings, and defer its action on a final decision to a subsequent meeting to allow preparation of appropriate findings and/or conditions of approval, any written or electronic communication received by a Board member or the Clerk after the close of the hearing on the matter that was the subject of the hearing shall be placed in a separate file kept by the Clerk and labeled to indicate it was received after the close of the hearing. Late written and electronic communication shall not be given to Board members, nor should Board members retain copies.

Reopening the Public Hearing

Should County staff determine that communication received after the close of a quasi-adjudicatory public hearing should be considered by the Board prior to its rendering a final decision on the matter that was the subject of the hearing, County staff shall recommend to the Board that the hearing be reopened. If the Board concurs, the Board shall reopen the hearing, following appropriate notice, for the limited purpose of receiving testimony and evidence on the new information, including the disclosure of ex parte communications. See Rule 44 concerning Communications Outside of Public Hearings (Ex Parte Communications) generally.

PROCEDURE AND VOTING

Rule 22. Quasi-Adjudicatory Hearings

In addition to the procedures in Rule 21, and consistent with Rule 44, the following requirements apply to quasi-

adjudicatory hearings.

Board members shall maintain their impartiality and avoid reaching a final decision in quasi-adjudicatory matters prior to the close of the public hearing. Board members may, however, express tentative opinions and concerns prior to their final decision, as this facilitates robust exploration and discussion of issues with which the Board is concerned. Consistent with the duty of impartiality and the conduct of a fair hearing, Board members are encouraged to explain to those seeking commitment on a vote or project that they cannot make a decision until they have considered all the information presented at the hearing.

Board members shall base their decisions solely on the public record and the information received at the public hearing. Board members may meet with interested parties and go on site visits prior to the public hearing. Where such contacts or site visits occur outside of a public hearing (ex parte), the chair shall have Board members disclose these contacts or site visits, and any material facts learned from the contacts or site visits that are not in the staff report or public record, prior to the opening of the public hearing. This is to ensure all interested parties have an opportunity in the course of the public hearing to respond to any non-public and specific factual information that may have been learned by Board members prior to the hearing.

The Chair has authority to structure quasi-adjudicatory proceedings to fairly address any situation where new and unanticipated issues of importance arise in the hearing.

Notwithstanding Rule 14, all written communications from interested parties with members of the Board regarding quasi-adjudicatory matters shall be submitted to the Clerk for public review. See also Rule 44 concerning Communications Outside of Public Hearings (Ex Parte Communications) generally.

Rule 23. Order and Decorum

The Chair shall preserve order and decorum and shall decide all questions of order and procedure subject to an appeal to the Board. The nature of any appeal shall be briefly stated and the Chair shall have the right to state the reason for his or her decision.

A Board member wishing to speak shall refrain until he or she has been recognized by the Chair. While a member is speaking, members shall be respectful and shall not engage in or entertain private discussions. Consistent with the purpose of the Rules, members are encouraged to 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.

Rule 24. 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, ~~Members~~the Board, 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; ~~and~~
- 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;
- Adhere to speaking time limit; ~~and~~-
- Adhere to the Board's policy and commitment of maintaining a Discrimination Free Environment.

Rule 25. Use of Electronic Devices and Documents

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://sonoma-county.legistar.com/Calendar.aspx> or may request to view the documents in electronic or 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 on matters that are listed on the Board agenda.

Rule 26. Motions – General

Any motion for action shall require a second before being acknowledged by the Chair. The Clerk shall enter into the minutes the motion and the names of the moving and seconding members. After a motion is stated by the Chair, it shall be open for debate 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 shall enter into the minutes the vote of each member on each motion.

Rule 27. Voting

It shall take at least three affirmative votes of the Board to pass any motion (Govt. Code §25005), except where supermajority four-fifths (4/5) votes or unanimous votes are required by law. Appendix B contains a list of common items that require a four-fifths (4/5) or unanimous vote. Appendix B may be updated without amending these Rules. An abstention shall count as neither an "aye" nor a "no" vote. A supervisor who is absent from all or a part of: (1) a public hearing, (2) an item that requires findings, or (3) an item that is quasi-judicial in nature, may subsequently vote on the matter if the supervisor has reviewed all evidence received during his/her absence, listened to the Clerk's recording or read a true and complete transcript of the proceedings, and so states on the record.

Rule 28. Roll Call Votes

Roll call votes shall be taken to act on any agenda items when there is not a unanimous action. A record of the roll call vote shall be included in the minutes by the Clerk of the Board.

Each roll call vote shall be made in an order determined by the Clerk or directed by the Chair ~~but generally shall first include: the maker of the motion; the member who seconded the motion; the balance of the members present; with the Chair called last, unless the Chair made, or seconded, the motion.~~

Rule 29. Conflicts of Interest

Any member with a disqualifying conflict of interest must, in compliance with the Political Reform Act:

- ~~Publically~~Publicly state the nature of the conflict in sufficient detail to be understood by the public;
- Recuse himself/herself from discussing and voting on item; and
- 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.

The member may be allowed to address the Board as a member of the public. Disclosure of a conflict shall be noted in the official Board minutes. The member must also comply with all other applicable conflicts of interest laws.

Members may not have a financial interest in a contract approved or considered by the Board. In these cases, disclosure and recusal does not remove the conflict and such a contract is considered void (Government Code

§1090). The member is encouraged to discuss possible conflicts with County Counsel prior to the meeting.

Rule 30. Motion to Rescind

A motion to rescind any action or motion shall require four-fifths (4/5) 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 been taken which cannot be changed.

Rule 31. Motion to Reconsider

Any Board member who votes in the majority on a question, as well as any Board 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.

A motion to reconsider shall require a majority vote. A motion to reconsider, if lost, shall not be renewed nor shall any subject be reconsidered a second time within twelve (12) months except by a four-fifths (4/5) vote of the Board. A motion to reconsider is not in order if action has been taken which cannot be changed.

Rule 32. 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 33. Ordinances

It is the intent of the Board of Supervisors to provide meaningful time for public review of ordinances prior to the Board's consideration of the ordinances. For non-routine ordinances, this review period may be several weeks in length. The County Administrator will, in consultation with the Chair, County Counsel, and Department Heads, set this review period greater than that legally required based on the significance and potential impact of the proposed ordinance.

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

The first reading will become the primary meeting 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 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. Other ordinance hearing procedures may be used as required by law.

Rule 34. Planning Matters – Request for Continuance

Any Board member may, at his or her sole discretion, continue a planning matter within his/her District from one agenda to another regular meeting of the Board.

Rule 35. Planning Matters – Original Jurisdiction

Any member may request the Board to exercise original jurisdiction over a use permit or other planning application, as authorized under the County Code, except in cases where state law requires a recommendation of the Planning Commission prior to action by the Board on the matter. A request to exercise original jurisdiction shall be filed in writing with the Clerk, or made orally at a Board meeting, prior to any decision by a lower-level decision maker approving or denying the subject application. A request to exercise original jurisdiction need not state the reasons for the request but shall be brought as a noticed agenda item to the full Board for majority approval.

DUTIES OF COUNTY STAFF DURING BOARD MEETINGS

Rule 36. County Administrator

The County Administrator shall be present during Board meetings and shall provide such information as necessary to assist the Board members in their deliberation and decision making. The County Administrator may delegate this responsibility to the Assistant County Administrator or to a Deputy County Administrator.

Rule 37. County Counsel

County Counsel shall be present during Board meetings, and shall serve as advisor to the Board on appropriate rules to comply with legal requirements. All questions of law shall be referred to County Counsel for his or her opinion. County Counsel may delegate this responsibility to the Assistant County Counsel or a Deputy County Counsel.

Rule 38. Clerk of the Board

The Clerk or Deputy Clerk 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 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. The Clerk shall record all regular meetings of the Board by audio or visual means or both. Regular meetings may also be broadcast or webcast.

Rule 39. Sheriff

The Sheriff, or a representative of the Sheriff's Office, shall, at the discretion of the Chair or a majority of Board members, be in attendance at meetings of the Board, for the purpose of maintaining order and upholding the law.

Rule 40. Department and Agency Directors

Department and Agency Directors, or a designee, having any matter on the agenda for consideration by the Board, whether consent or regular, shall be available for the purpose of providing information to the Board and shall also attend any Board meeting when requested to do so by a Board member or the County Administrator.

COMMITTEES

Rule 41. Board Committees/Assignments and Reporting Requirements

The Clerk shall maintain a list of Board Committees and Assignments. Annually, the incoming Chair shall review

the list of Committees and Assignments and shall determine which members to appoint for the upcoming year. The list of appointments shall be adopted by the Board at their first meeting in January. The County Administrator, in coordination with the Clerk of the Board and the Chair, shall consider whether any committees are no longer necessary and if so, request staff to bring an item to disband the unnecessary committees to the full Board to consider.

All members who are assigned to special projects, committees, and separate boards or commissions shall provide regular reports to the full Board regarding their activity in connection with the special projects, committees, and separate boards or commissions. (Government Code §53234, et. seq.).

Committee members shall call Board committee meetings as needed provided they are held in conformance with the law. The County Administrator's Office and County Counsel shall serve as support staff to all Standing and Ad Hoc Committees consisting of members of the Board of Supervisors. Other department heads and/or staff may also support as requested by the committee.

Rule 42. Standing Committees

Standing committees are those which have continuing jurisdiction over a particular subject matter or whose meeting schedule is fixed by resolution or action of the Board. Even if comprised of less than a quorum of the Board, a standing committee is subject to the Brown Act.

The Chair shall appoint members to each standing committee. Generally, appointments shall occur at the Board's first regular meeting in January. All standing committees shall be appointed for the calendar year, and the members shall continue as committee members until their successors have been appointed.

Rule 43. Ad-Hoc Committees

Ad-Hoc committees are not subject to the Brown Act. They may be formed by the Chair or by Board action, shall be solely composed of members of the Board, consist of less than a quorum of the Board, address a limited or single issue, for a limited time, and be dissolved once the specific task assigned is completed

Ad-Hoc Committees are encouraged to conclude their business at the end of each calendar year. Ad-Hoc Committees should only be renewed if there is a need to continue it for a limited time. If there is a need for a long-term committee to meet, it shall be a Standing Committee subject to the Brown Act.

The Clerk will maintain a current index of Ad-Hoc Committees and their purpose. The best practice is to have no more than five (5) Ad Hoc Committees at any one time. The County Administrator shall make quarterly reports about Ad Hoc Committee activities in a written consent item to update the full Board.

Rule 44. Communications Outside of Public Hearings (Ex Parte Communications)

This rule provides clarity on the legal parameters surrounding Board members receipt of communications outside of a hearing. The parameters are different depending on the nature of the item before the Board. Some items are "legislative" in nature, like an ordinance amendment, and others are "quasi-adjudicatory", like an appeal of a particular project.

Legislative Actions

In considering legislative actions such as ordinances, the Board sits in a legislative capacity – making and changing local law. Interested citizens and parties often seek to provide their comments on proposed laws or changes to existing laws to lawmakers outside of a public hearing. The Board member should fully disclose such communications received outside of the hearing. Any member receiving communications or information from a member of the public outside of or after the close of a public hearing on a legislative item should forward it to the Clerk of the Board. Communications received outside of a public hearing, including oral communications, should be disclosed publicly at the next opportunity, which is typically before the public hearing or the re-opening of a public hearing where applicable, and prior to final decision at an open meeting.

Quasi-adjudicatory Actions

In making a decision in quasi-adjudicatory capacity (i.e. making a decision on a land use application such as a use permit, or an appeal thereof), the public communication limitations are more restrictive. If a member of the Board chooses to receive ex parte communications on a proposed project or appeal outside of a public hearing, the Board member must fully and publicly disclose all communications received outside of the hearing in sufficient detail to allow the other side and the public to respond. The Board member choosing to receive ex parte communications must not refuse ex parte communications from one side if accepting from the other. Any Board member receiving ex parte communications, written or oral, outside of a public hearing on a quasi-adjudicatory item must forward it to the Clerk of the Board and disclose it publicly on the record at the first opportunity before opening the public hearing, or re-opened public hearing, depending on the timing of receipt of the ex parte communication.

Final action must be delayed until the other side and the public have had an opportunity at a public hearing or at a re-opened public hearing to respond to the substance of the disclosed ex parte communication. For example, if the Board holds a public hearing and defers action to a later date, Board members cannot receive ex parte communications between the close of the hearing and the final decision. If Board members have ex parte communications, the public hearing must be re-opened to allow the other side and the public an opportunity to respond. The need to reopen the public hearing will not be triggered if communications directed to Board members are forwarded to the Clerk and not retained by the Board members.

A Board member can refuse all ex parte communications.

OTHER

Rule 45. Board Member Referrals to Staff

Board member referrals that are anticipated to involve significant staff time (generally 8 hours or more) or other resource commitment and/or are a departure from established County or departmental policy require Board approval prior to starting work. Board approval shall be obtained through any action of the Board that reflects the majority support of the Board.

Annually there will be two paths to bring new policy initiatives to the Board's agenda. The first path will be at the beginning of the calendar year when the Board reviews its priorities for the upcoming twelve months. The second path will be available mid-year after budget hearings. After budget hearings, the County Administrator will schedule a discussion to review the remaining six months of the year at which point a Board Member may try to add a new policy by majority vote. The County Administrator will place an informational item on the consent agenda for the referral, to include what existing projects and resources will be impacted by the new

referral, and what resources are needed to carry out the new referral. Based on this information, 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. An Ad Hoc Committee can also make a referral for staff work, in consultation with the [County Administrator CAO](#) but without requiring a majority Board vote.

This policy shall not prevent an individual Board member from requesting verbal or written information that may require minor staff time, or pulling information that is contained in existing Departmental reports. The staff time threshold is not intended to preclude a group meeting or discussion where a cumulative time from all attendees surpasses the 8 hour threshold. 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 [County Administrator CAO](#) or to relevant Department/Agency Heads with a copy to the [County Administrator CAO](#).

Rule 46. Action Summaries and Recordings of Meetings

The Clerk shall prepare and distribute Action Summaries (“minutes”) of Board meetings. The minutes shall consist of the brief statement of each item posted on the agenda and supplemental agenda plus all motions, resolutions and ordinance numbers related thereto, all votes recorded thereon, and the final action taken by the Board. The minutes shall be made available internally and to the public and shall be placed on the Internet.

The Clerk shall maintain the official audio record of each Board meeting and will make these recordings available for listening by the public at no charge. The Clerk shall also maintain the official audio/video record of any meeting broadcasted. These audio/video records will also be made available to the public for viewing at no cost.

PARTICIPATION OF THE PUBLIC

Rule 47. Public Comment / Time Limits

Members of the public have the right to address the Board on any item within the subject matter jurisdiction of the Board and the Board shall not prohibit public criticism of the policies, procedures, programs, or services of the County of Sonoma, or of the acts or omissions of the Board. (Government Code §54954.3). Members of the public shall direct their comments to the Chair who may, at his or her discretion, request a response from staff. The time public comment is taken will be published on the agenda 72 hours in advance of the meeting. Time limitations are at the discretion of the Chair, and may be reduced or extended.

Public comments on items on the agenda will be called prior to the Board taking action on the item.

Under the Public Comments portion of the meeting, members of the public will be allowed to address the Board regarding any item not on the agenda. Under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen. No action may be taken on items not on the agenda unless authorized by law.

No attendee of a Board of Supervisors meeting, at any meeting site or virtually, shall engage in conduct that disrupts the orderly conduct of the meeting, including but not limited to using loud, discriminatory or threatening language, whistling, clapping, stamping feet, or speaking over or interrupting the recognized speaker.

Rule 48. Orderly Conduct

The Chair may determine when orderly conduct of a meeting is not feasible owing to a threat of force or disruptive behavior by persons in attendance.

Threat of Force

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The Chair may order an individual to be removed from a Board of Supervisors meeting when the individual is engaging in behavior that constitutes use of force or a “true threat of force,” meaning a threat that has sufficient indicia of intent and seriousness that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.

Disruptive Conduct

(1) The Chair may order an individual to be removed from a Board of Supervisors meeting when the individual is engaging in behavior that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, which may include but is not limited to failing to comply with these Rules of Procedure.

(2) Continued use of loud, threatening, profane, or abusive language or “discriminatory or harassing remarks” that impedes the orderly conduct of the meeting may also be grounds for removal if the conduct interferes with the Board’s ability to accomplish its functions in a reasonably efficient matter by causing a distraction from the Board’s business, chilling public participation, interfering with the ability of those present to listen and understand the business and proceedings of the Board, and may constitute or contribute to employment discrimination. “Discriminatory or harassing remarks” is speech, the content of which may be legally protected, at a Board of Supervisors meeting that disparages an individual or group based on a protected class or violates the Board’s and the County’s Non-Discrimination Policy.

(3) Prior to ordering the removal of the individual for disruptive conduct, the Chair shall warn the individual that their behavior is disrupting the meeting and shall follow the procedures for addressing disruptive discriminatory or harassing remarks, below, if applicable.

(4) The Chair may request that person(s) disrupting the meeting leave the chambers/meeting room. If order cannot be restored, the Chair may order the chambers/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. The Chair may also call a recess and reconvene when order has been restored.

Procedure for Disruptive Discriminatory or Harassing Remarks

When a person makes discriminatory or harassing remarks, as defined above, that disrupts, disturbs, impedes, or renders infeasible the orderly conduct of a meeting, the presiding officer shall take the following actions:

(a) The presiding officer shall stop the speaker and remind the speaker of the County’s Non-Discrimination Policy. The Chair shall state that the County and the Board do not condone comments in violation of the County’s Policy and that the speaker’s language is unwanted and unwelcome and impedes the orderly conduct of the meeting by interfering with the Board’s ability to accomplish its functions in a reasonably efficient matter by causing a distraction from the Board’s business, chilling public participation, interfering with the ability of those present to listen and understand the business and proceedings of the County and Board, and may constitute or contribute to employment discrimination.

(b) The Chair shall state that any County, or any other district, authority or board employee present may be excused from attendance at the meeting during the speaker’s remarks.

(c) The Chair shall hold the speaker’s time and the speaker may resume speaking after the Chair’s admonishment, unless the speaker’s comments continue to disrupt, disturb, or impede the orderly conduct of the meeting. If the speaker continues to disrupt, disturb, or impede the orderly conduct of the meeting, the Chair may prohibit the speaker from further commenting or may order the speaker to be removed from the meeting.

(d) After the end of the speaker's comments, any Board member may make a brief response to such comments, if desired.

(Govt. Code § 54957.95.)

Rule 49. Security and Prohibition of Banners/Signs or other Hazardous Objects

The Board has the power to implement security measures in the chambers/meeting room. The Board Chambers are protected by security screeners to maintain the public's safety. Signs, posters, banners or other hazardous objects which could impair the safety of individuals in the event of an emergency are prohibited in the chambers/meeting room. Any large object/container that may be deemed a hazardous object which could impair the safety of individuals in the event of an emergency may be prohibited in the chambers/meeting room.

Appendix A. Order of Agenda

~~Generally, business at Regular meetings shall be transacted in the following order. As determined necessary by the Chair, business on a particular day may be reordered. The Board may permanently modify or amend the Agenda Order by majority vote.~~

Rule 50. Appointments to Countywide Boards and Commissions

For all Board appointments requiring the approval of the Board of Supervisors, the procedures set forth in this Rule 50 shall be followed. The Clerk of the Board shall regularly advertise all available openings on boards and commissions in accordance with current communication channels identified by the joint recommendation of the Office of Equity and the CAO's County Administrator's Office Central Communications division. The Clerk of the Board shall also post the vacancy information on the County's Maddy Act page on the County's website. The Clerk of the Board shall convene selected staff members to review prospective applications on a quarterly basis, or as needed. When the recommendation is brought forward to the Board, the agenda materials shall include all applications reviewed by staff. The Clerk of the Board shall notify all applicants when the agenda is posted for the appointment, however, applicants shall not be required to be present for consideration by the Board.

Appendix A. Order of Agenda

Generally, business at Regular meetings shall be transacted in the following order. As determined necessary by the Chair, business on a particular day may be reordered. The Board may permanently modify or amend the Agenda Order by majority vote.

I. 8:30 A.M. CALL TO ORDER

II. PUBLIC COMMENT ON CLOSED SESSION ITEMS

III. CLOSED SESSION CALENDAR

IV. RECONVENE FROM CLOSED SESSION

V. _____

~~VI. PLEDGE OF ALLEGIANCE~~

~~VII. APPROVAL OF THE AGENDA~~

(Items may be added or withdrawn from the agenda consistent with State law)

~~IV.~~VIII. **CONSENT CALENDAR**

~~V.~~IX. **REGULAR CALENDAR**

~~VI.~~I. **PUBLIC COMMENT ON CLOSED SESSION ITEMS**

~~VII.~~I. **CLOSED SESSION CALENDAR**

~~VIII.~~ **RECONVENE FROM CLOSED SESSION**

~~IX.~~I. **REPORT ON CLOSED SESSION**

X. **1:30 P.M. -- GOLD PRESENTATIONS** *(All other Gold Resolutions presented at other locations will be approved as part of the Consent Calendar)*

XI. **2:00 P.M. -- PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA, BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD**

XII. **REGULAR AFTERNOON CALENDAR**

XIII. BOARD MEMBER REPORTS ON ASSIGNED BOARDS, COUNCILS, COMMISSIONS OR OTHER ATTENDED MEETINGS

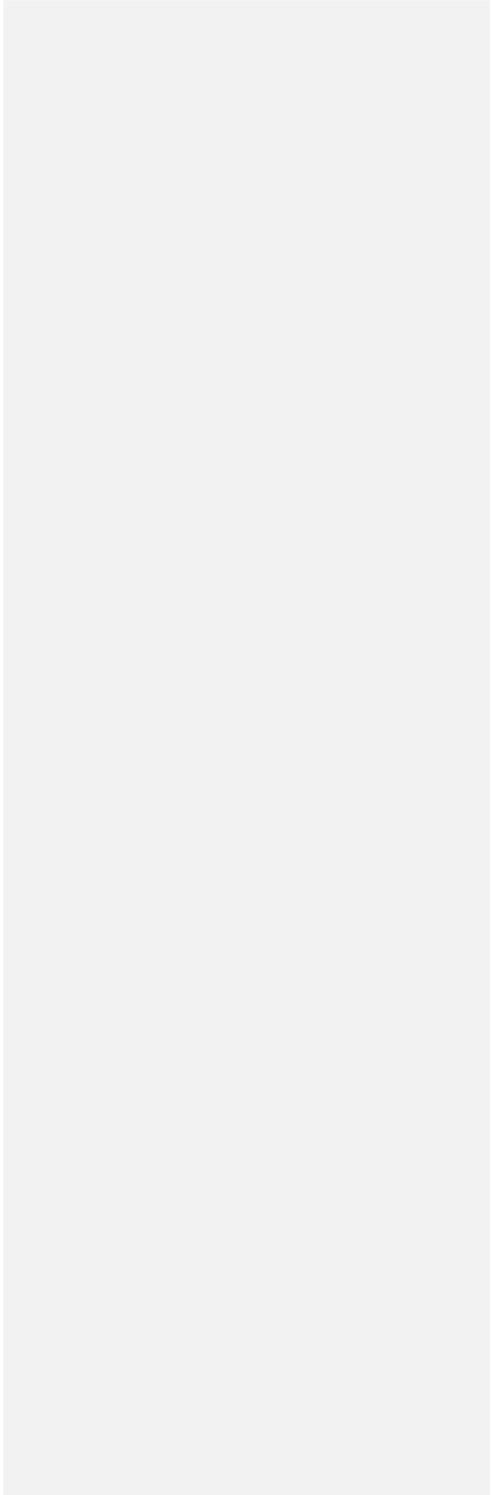
XIV. REPORT ON CLOSED SESSION

~~XIII.~~

~~XIV.~~XV. **ADJOURNMENTS – Meeting Adjourned in the Memory of (Moment of Silence and Reading of Names, City)**

NOTE: *The next regular meeting will be held on March 8, 2019.*

APPENDIX B. 4/5ths and Unanimous Vote 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	Override 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.

Appendix C – Governance Standards

Governance is the act of transforming the needs and desires of the community into policies that direct the organization. The way in which those responsible for governance set direction related to policy, budget and finance, human resources, collective bargaining, facilities and advocacy is critical to the success and health of the County. The integrity of the County is dependent upon the responsible and professional manner in which each Board member, the Board collectively, the County Administrator, and the County executive team fulfill their governance obligations.

The community elects Board members to set and monitor the direction of the County. High performing Boards have four essential characteristics that are the building blocks of effective governance:

1. **Maintaining a Unity of Purpose:** Represents a common focus, goals, and values about the organization and the community that transcends individual differences and political purpose.
2. **Governing within the role as a Board:** Represents a respect for the essential and distinct roles of the Board, the County Administrator, County Counsel, and the County's executive team.
3. **Creating a positive governance culture:** Represents the norm and expectations of tone and of the way people in an organization treat each other with respect and decorum.
4. **Structuring work for effective governance:** Represents the formal structure and processes used by the Board and the County Administrator in their functioning as a team; how they operate and do business.

One of the most important governance relationships that exist is that between the Board of Supervisors and the County Administrator. It is essential that this relationship be clearly defined, collaborative and based upon mutual trust and respect. Such a relationship ensures the best governance results. It is especially important for the Board to establish and maintain a strong communication relationship with the County Administrator. In particular, it is important for the Board to honor, affirm and celebrate the

value of those who work for the County; provide direction through the County Administrator and County Counsel; and seek significant staff resources through discussion with the County Administrator and full Board for consideration.

Generally, governance is about setting policy by defining the “what” of the organization, and administration is focused on the “how” policy gets implemented. If the Board is focused on long-term outcomes, it tends to be strategic; if it is about short-term objectives or incremental steps, it tends to be administrative. Since the line between policy and administration can vary from topic to topic or issue to issue, it is essential that the County Administrator and the Board have a clear, mutually agreed upon understanding of how their roles and responsibilities will be defined.

Accordingly, the primary role of the County Board of Supervisors is to collectively set the strategic direction and policies for the organization, which ensures fiscal sustainability, sets forth strategies for addressing the community’s pressing issues, supports harmony and success within the organization, and defines the objectives of the Strategic Plan. The primary role of the County Administrator is to implement the direction and policy set by the Board, advise the Board’s strategy deliberations, implement the County’s strategic plan, and safeguard the public’s resources.

More specifically, the primary responsibilities of the Board of Supervisors are to:

Set the strategic direction for the County. Ensure a long-term vision is established for the County ~~and~~ identify strategic priorities; ~~Staff is charged with tactical decisions to support the strategic direction.~~

Establish the governance structure for the County. Appoint the County Administrator, County Counsel, and ~~some certain~~ Department/Agency Heads; aAdopt the County Budget; aAdopt ordinances and policies; aAttend and advise numerous boards, commissions and committees; and wWork with affiliated elected officials.

Provide support to the County. Provide clear and consistent direction; sSupport/advocate for programs and policies adopted by the Board; pProvide policy direction that supports programs and aligns resources; sSupport staff carrying out the Board’s direction; and hHold itself accountable for high quality governance and adherence to protocols and policies.

Ensure accountability. Hold the County Administrator accountable for achieving the goals set by the Board; mMonitor and assess the effectiveness of policies and programs approved by the Board; and mMonitor the fiscal health of the County.

Demonstrate community leadership. Engage and involve county residents and other stakeholders in appropriate and meaningful ways in setting the goals, objectives and major programs of the County; cCommunicate clear information about County policies, the fiscal condition of the organization and progress on goals; iIdentify ~~cross-cutting~~intersecting issues through ongoing interaction with a wide variety of stakeholders; bBecome and remain immersed in the needs and concerns of residents; rRepresent the needs of individual districts as well as the needs of the county as a whole; and bBe visible and accessible.

SPECIFIC NORMS AND EXPECTATIONS

Behavioral Norms for all County leaders (examples)

1. Treat everyone with dignity and respect.
2. Attend Board meetings, fully prepared, on time, and focused.
3. Strive to build trust in every interaction by demonstrating empathy, speaking personally, and giving the benefit of the doubt.

4. Use “I statements” – provide feedback in the spirit of sharing information; take ownership for your feelings.
5. Refrain from being judgmental; stay curious, inquire, and assume that everyone is operating with the best intentions.
6. Refrain from ~~publically~~publicly criticizing any County employee’s performance.
7. Reflect positive cultural norms and values in public forums.
 8. Ultimately, we rise and fall as one. Take mutual credit for successes and losses.
 9. Comply with the County’s Contracting Principles to reaffirm the County’s commitment to conducting fair, open and competitive procurements for key safety net programs. The Contracting Principles are attached to these Board Rules as Appendix D.

Supervisor’s Mutual Expectations (examples)

1. Refrain from exercising the “Power of 1”.
2. Represent the needs of our County as well as the needs of our Districts.
- ~~3.~~ Operate from a list of shared priorities, goals, and strategic priorities.
- ~~3-4.~~ Speak up and be clear about perspectives; do not acquiesce by remaining silent when you disagree.
- ~~4-5.~~ Show respect for issues in each other’s Districts and policy positions.
- ~~5-6.~~ Consult with another Supervisor to gain perspective on unique issues and needs in all Districts.
- ~~6-7.~~ Demonstrate sensitivity of each other’s needs.
- ~~7-8.~~ While respecting transparency and legal requirements, always aim to work out differences directly with peers versus involving ~~CAO~~the County Administrator or others.
- ~~8-9.~~ When the needs of other Districts inhibit consensus, strive for compromise.
- ~~9-10.~~ Depending on the circumstances, understand that being in the minority may be appropriate politics.
- ~~10-11.~~ After a difficult vote, be prepared to respect the majority point of view. Comment on ~~one’s~~ own thought process and intention.

Supervisor relationship with CAO

1. Engage ~~CAO’s~~the County Administrator’s office whenever significant ~~staff~~ resources are required.
2. Engage ~~the County Administrator’s~~ CAO’s office whenever more than a nominal amount of ~~financial~~ resources are required.
3. Include the ~~County Administrator’s~~ CAO’s office when making requests of Department Heads.
4. Strive to be clear about your District’s needs.
5. Support the County Administrator by providing direct, specific, timely non-punishing feedback - positive and corrective.
6. Be clear with ~~the County Administrator~~ CAO about intentions and goals for policy and projects.
7. Respect ~~the County Administrator’s~~ CAO’s role in having to make decisions, influence, and/or control department resources.
8. Understand and accept that some of the ~~County Administrator’s~~ CAO’s input and information may be unwelcome at times.

CAO-County Administrator’s relationship with Supervisors

1. Facilitate the Supervisor’s success and the Board’s Success.
2. Calendar and conduct a timely, annual strategic planning process with clear deliverables and quarterly updates.
3. Support Department Heads in delivering work product to meet the Board’s needs. ~~Facilitate,~~ and ~~usher~~ work through; be the gatekeeper, when necessary.
4. Strive for positive working relationships with all members of the body equally regardless of personality, philosophy, positions on issues, etc.
5. Work for “evenhandedness” recognizing that communication preferences may require spending more time with certain Supervisors.

6. Strive to understand the intentions of Supervisor's goals.
7. Provide information equally to all members of the body.
8. Minimize surprises for the Board.
9. Be engaged with community leaders and organizations to inform and improve services to best meet the needs of the community.
10. Help hold Supervisors accountable for their commitments and actions.

Supervisor relationship with Department Heads

1. Understand the level of effort before chartering or requesting work and refrain from the Power of 1.
2. Strive to be clear about scope, urgency, expectations of the assignment and include [CAO-the County Administrator](#) (cc) when it is not a constituent issue.
3. Stay open to further clarifying details, providing specifics, and revising assignment.
4. Leave project management and implementation to Departments and analysts.
5. Bring Department Head performance issues and performance feedback to the [County Administrator's CAO's](#) office first.
6. Respect Department Head professional judgment even if the perspective is unwelcome (e.g. refrain from Power of 1).

Supervisor relationship with Other Staff

1. Individual Supervisor work requests to staff should be in the form of gathering information (as opposed to directing work).
2. Include the Department Head when requesting work from department staff.
3. If Supervisors have concerns and/or specific information needs, provide staff a 'heads-up' in advance of Board meetings so staff can be prepared to address them.
4. Manage questions or issues about staff competence *privately* with appropriate Department Head.

4- Appendix D: Safety Net Contracting Principles

<https://sonomacounty.ca.gov/CAO/News/Contracting-Principles-Letter-from-the-Safety-Net-Departments/>