

DRAFT

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF BOARD OF) RESOLUTION NO. 09-
SUPERVISORS AGENDA POLICY)
AND PROTOCOLS FOR THE)
CONDUCT OF MEETINGS)

WHEREAS, the principal purpose of a prepared agenda is to assist the Board of Supervisors in the expeditious conduct of its business and to inform the public, news media, County departments, and other interested parties of matters scheduled for consideration by the Board at a particular meeting; and

WHEREAS, the Board of Supervisors is committed to encouraging participation in its actions by providing adequate notice of items it is to consider and allowing the public an opportunity to address the board; and

WHEREAS, the Board of Supervisors is committed to complying with the provisions of the California Open Meetings Statute, (the Ralph M. Brown Act, Government Code Section 54950 et seq.)

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDERED AND RESOLVED that the Board of Supervisors hereby adopts the following policies:

1. Agenda Preparation. Each item of business to be considered at a regular meeting must appear on the agenda for that meeting, except as provided in paragraph 11 of this Resolution. The agenda shall include a brief general description of each item of business to be transacted or discussed. The description will be written to reasonably inform the public about the nature of the item. All written material pertaining to an item on the agenda of the Board of Supervisors must be submitted in compliance with procedures established by the Clerk of the Board office and delivered to the Clerk of the Board office no later than 4:30 p.m. on the Thursday, twelve days prior to the Board hearing . Where there is a holiday observed by the County preceding the date of the Board meeting, the Clerk of the Board may, upon giving reasonable notice, accelerate the deadline to provide adequate time for the preparation and distribution of the agenda and associated materials.

2. Agenda Publication. The agenda for each regular meeting shall be available by 8:00 a.m. on the Thursday preceding the meeting. By that hour, copies shall be available to the news media and public in the Clerk of the Board office. [The agenda and associated materials are available on the County of Santa Barbara Website by Friday of each week preceding the meeting date.](#)

3. Agenda Posting. The agenda for each regular meeting shall be posted on a posting board at or near the public entrance to the County Administration Building, 105 East Anapamu St. and on a bulletin board outside of the Board hearing room. Agendas will also be available at the Fifth District Supervisors' office, located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria [and at the Fourth District Supervisors' office located at 100 E. Locust Street, Suite 101, Lompoc.](#)

4. Public Hearing Notices. A public hearing on a specific agenda item shall be set for a specified time, and each written or published notice regarding that hearing shall announce its date and time.

5. Order of Business. Board of Supervisors' business at a regular meeting shall be conducted in the following order except as otherwise directed by the Board or the Chair:

Closed Session

Roll Call

[Invocation](#)

Pledge of Allegiance

[Report from Closed Session](#)

Consideration of Ex Agenda Items

Approval of Minutes of prior meeting(s)

Administrative Agenda

Public Comment

[Board Member Reports](#)

Departmental Agenda

Planning Items and Public Hearings.

[6. Any meeting of the Board may be adjourned to any date and time when necessary for the transaction of business. Any adjourned meeting of the Board is part of a regular meeting.](#)

Special meetings of the Board may be called pursuant to and in accordance with Section 54956 of the Government Code. The Clerk shall prepare the notice and call of any special meeting. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such special meeting. Emergency Meetings of the Board are conducted pursuant to Section 54956.5 of the Government Code.

Annual Budget Hearings are not regular meetings of the Board of Supervisors and are conducted pursuant to Government Code Section 29080 et. Seq. Emergency Meetings are conducted pursuant to Government Code Section 54956.5

7. Public Participation. Members of the public are invited to comment on matters appearing on the Administrative Agenda, during the Public Comment Period and during Public Hearings that appear on the Departmental Agenda. Time limits, Board protocol and appropriate decorum during a meeting of the Board of Supervisors are discussed as follows.

8. Public Comment Period. At each regular Board meeting at the conclusion of the Administrative Agenda (except as otherwise directed by the Chair or the Board), the Board shall allow any member of the public to address the Board on any matter within the jurisdiction of the Board of Supervisors. The public may address the Board via video teleconferencing from the Board Hearing Rooms located in the County Administration Building and the Betteravia Government Center by submitting a speaker slip to the Clerk of the Board. The total amount of time for public testimony shall be no more than 15 minutes except as directed by the Chair. The Chair, with consensus of the Board, may establish reasonable regulations including, but not limited to, limiting the amount of time allocated for public testimony on particular issues and for each speaker. Any person wishing to address the Board must complete and deliver to the Clerk of the Board or designee a "Request to Speak" form prior to the time that the "Public Comment" period commences; the form shall include a description of the subject the speaker wishes to address. A speaker shall not be heard during the "Public Comment" portion of the meeting on a matter listed on the printed agenda. Comments on agenda items are appropriate during the period allotted for discussion of the specific item. Comments shall be directed to the Board of Supervisors as a whole and not to individual Board members, County Staff or to members of the public. The Board shall not take action on any item not appearing on the agenda unless the action is authorized through Ex-Agenda Procedures outlined in Section 9 of this resolution. However, the Board hereby gives the Chair the authorization to refer matters raised during the "Public Comment period" to the appropriate County staff.

9. Administrative Agenda. The Administrative Agenda shall be composed of items, which are complete and sufficient for Board decision making based on the department's request and County Executive Officers' recommendation per Section 2-21(b) of the County Code. As such, these matters will generally not require discussion. An Administrative Agenda item shall be open for discussion on the request of a member of the Board or member of the public. Items on the Administrative Agenda are approved by one roll call vote of the Board members present. [Members of the Board may request a separate vote on any Administrative Agenda item or request additional information.](#)

10. Addendum. An item may be added to the agenda after the agenda has been posted but at least seventy-two hours prior to the regular meeting and may be considered by the Board as a regular agenda item. In order to be added as an Addendum, an item shall contain time sensitive information that precludes it from being placed on the next regularly scheduled Board agenda. All documentation should be submitted to the Clerk of the Board, allowing sufficient time for preparation of the Addendum, distribution and posting on the Internet to be accomplished prior to the end of business on Friday, prior to the Board meeting. The Board may then act upon the Addendum as a regular agenda item.

11. Ex Agenda Items. Except as provided in this paragraph, no action shall be taken at a regular meeting on any item that does not appear on the posted agenda. [As necessary,](#) an item may be added to the agenda after the agenda has been posted, and within seventy-two hours of the hearing [due to an emergency situation as defined by Government Code Section 54956.5 and](#) upon a determination by a four fifths vote of the Board (or a unanimous vote if less than four members of the Board are present); the vote shall be on a motion stating that the need to take action arose after the agenda was posted. Any such motion shall be accompanied by distribution of a written statement on a form provided by the Clerk of the Board office, to be included in the record, stating the facts upon which it can be determined that the need to take action arose after the agenda was posted. In addition, action may be taken on an item not on the posted agenda under the circumstances stated in Government Code Section 54954.2(b)(1) [emergency] and 54954.2(b)(3) [continued regular meetings].

12. Time Limits. In the interest of fairness to all persons wishing to speak and to other individuals and groups having business before the Board of Supervisors, speakers wishing to address any matter on the agenda shall limit comments to three minutes on any individual item. In addition, The Chair, with consensus of the Board, may adopt reasonable regulations including, but not limited to, modifying the amount of time allocated for testimony on particular issues and for each individual speaker. Any member(s) of the public who requests to speak on more than one Administrative Agenda item will be allowed a total of 5 minutes, in one single comment period, for comment on all of the items on which he or she wish to comment.

No speaker shall be allowed to yield all or part of their time to another, and no speaker will be credited with time requested but not used by another. Speakers shall not read into the record, comments written by an individual not in attendance at the meeting. Public speakers shall direct their comments to the Board of Supervisors. Responses to questions from the public shall be at the discretion of the Chair. The Chair shall refer questions of Board members to the appropriate County staff. As requested by a member of the Board through the Chair, the County Executive Officer may call upon County staff based upon a particular area of expertise to respond to questions raised by the members of the Board. No action or discussion shall occur on any item not on the posted agenda, except that Board members or staff may briefly respond to statements made or questions posed by persons exercising rights under Public Comment (Government Code Section 54954.2).

13. Public Hearings and Requests to Speak on Agenda Items. A person who wishes to address the Board shall complete a "Request to Speak" form and deliver it to the Clerk of the Board prior to the scheduled time for commencement of the item. The Chair may adopt reasonable regulations , as noted in Section 10 of this resolution. No person should shall substantially repeat the testimony given by a previous speaker but may indicate concurrence with the views expressed earlier. No speaker shall enter into or remain in an area of the Hearing Room that is not open to the public or approach the Board of Supervisors dais without consent.

14. Continuances - The Board may grant a continuance for good cause upon request by board member or other interested person. Requests for continuance should be made in advance of the meeting, and in writing. The Clerk of the Board may note on the agenda that a request for a continuance will be made if known to that office at the time the agenda is prepared. If the Board grants a continuance a new date will be fixed and publicly announced.

15). Publication, Approval and Correction of the Minutes – The published minutes are generally available on Thursday following the Tuesday meeting in print at the County Administration Building in Santa Barbara, at the Betteravia Government Center in Santa Maria and on the County of Santa Barbara website. The minutes shall be provided to each member of the Board in advance of the next meeting when they are to be approved. When a member of the Board wishes to correct the minutes, said member should contact the Clerk of the Board in advance of the meeting with the requested correction. The Clerk of the Board will verify the correction by watching/listening to the digital recording of the meeting. Upon verification of an error in the minutes, the Clerk of the Board will provide the correction to the Board in advance of the meeting. If time constraints prevent this procedure, the Board should continue the approval of the minutes until the next meeting and direct the Clerk of the Board to verify the accuracy of the Minutes.

16. Decorum in the Board Meetings – While the Board is in session, all persons shall preserve order and decorum. Any person making personal, impertinent, lewd, slanderous or profane remarks, making disruptive noises or becoming disruptive in any manner during the meeting shall be barred by the Chair from further participation/attendance at the meeting unless permission for continued attendance is granted by a majority vote (as requested by a member of the Board) of the Board. The Board meetings shall abide by the following rule of civil debate:

We may disagree, but we will be respectful of one another

17. Enforcement - The Sheriff (or duly assigned representative) shall act as ex-officio sergeant-at-arms of the Board of Supervisors. The sergeant-at-arms shall carry out all orders and instructions of the Chair for the purpose of maintaining order and decorum in the Boardroom.

Upon instructions of the Chair, it shall be the duty of the sergeant-at-arms to eject from the Boardroom any person or persons in the audience who use slanderous or profane language, or who interrupts and refuses to keep quiet or take a seat when asked to do so by the Chair or otherwise disrupts the proceedings of the Board.

Placards, banners, signs, flags, or other large objects are not permitted in the Board of Supervisors Hearing Room unless such items are required as a component of a presentation before the Board. No weapon of any kind, or any item that could be construed to be a weapon, is allowed in the Boardroom. Any individual found to be in violation of this provision shall be ejected from the Boardroom and subject to prosecution for a violation of State Law or the Santa Barbara County Code.

Resolutions 72-1008, 86-642, 90-206, 92-398 and 03-282 of the Board of Supervisors are hereby rescinded.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____ 2009 by the following vote:

AYES:

NOES

ABSTAIN:

ABSENT:

JOE CENTENO

Chair, Board of Supervisors

ATTEST:

MICHAEL F. BROWN
CLERK OF THE BOARD

By _____ Deputy Clerk of the Board

APPROVED AS TO FORM: DENNIS MARSHALL COUNTY COUNSEL

By _____ Deputy County Counsel