

Bylaws for the Yolo County General Plan Citizens Advisory Committees

1. The purpose of the appointed General Plan Citizens Advisory Committees (“Citizens Advisory Committees”) is to provide local input and recommendations to the Planning and Public Works Department (“Department”) on implementation of the County General Plan, any local plans, and related land use matters. A Mission Statement (**Attachment A**) has been adopted to guide the committees.
2. All Citizens Advisory Committees shall abide by these Bylaws. Each Citizens Advisory Committee should adopt their own Standing Rules, which may set detailed rules and procedures for their own local committees, so long as they remain consistent with the Bylaws.
3. Standing Rules should be adopted by each Citizens Advisory Committee. The Standing Rules should include detailed rules and procedures for their own local committees, such as the time and location of meetings, time limits for speakers, adjournment time, and any other procedural items not already addressed by these Bylaws. Standing Rules are adopted by a simple majority vote and may be amended by a two-thirds vote at a regularly scheduled meeting, for which public notice has been given in advance of the specific changes to the Standing Rules that are being proposed.
4. Members of the Citizens Advisory Committees are appointed by the Yolo County Board of Supervisors. People interested in becoming a member of a Citizens Advisory Committees must fill out an application at the end of the calendar year and submit it to the Clerk of the Board’s office by December 15. Applications are generally acted upon by the Board of Supervisors in January of each year. The term of membership on the Citizens Advisory Committees shall be two years. The terms of committee members shall be staggered. Members must re-apply to be appointed for consecutive terms.
5. Upon a majority vote, the Board of Supervisors may dismiss committee members at any time during their term. The Board of Supervisors may appoint replacements for members who do not complete their term, as needed, and the replacement will serve the remaining term.
6. Upon a majority vote of the members of the Citizens Advisory Committees, the committee may recommend that the Board of Supervisors dismiss or not re-appoint a member due to three consecutive absences or four absences within a one year period.

7. Interested parties who wish to become a member of a Citizen's Advisory Committee must be either a resident within the CAC comment area, or a resident of Yolo County who owns either land or a business within the comment area. Members must be at least 18 years of age. Only one member of the same household or business (as determined by mailing address) may serve as a member of the committee. A member cannot serve on more than one committee at one time.
8. The size of the Citizens Advisory Committees shall be a minimum of five members and a maximum of 17 members. The size of Citizens Advisory Committees should be an odd number.
9. A chair of the Citizens Advisory Committees shall be nominated and elected by a majority vote of the committee annually, in February of each year or as soon thereafter as may be reasonably possible. Each committee shall also elect a vice chair and a secretary. The vice chair will assist the chair and run the meetings in the absence of the chair. The secretary, or a designated alternate, shall take the minutes for each meeting.
10. A quorum for purposes of conducting business and adopting motions shall constitute a simple majority of the total number of appointed seats on a Citizens Advisory Committee. If a quorum is not present, a meeting can proceed but no motions or actions may be adopted.
11. Roberts Rules of Order shall be used to conduct the meetings and adopt motions. The "Rosenberg Rules" (a summary of Roberts Rules of Order) shall be used to guide the committees in meeting procedures and is attached to these bylaws (**Attachment B**). Motions shall be approved by a majority of those attending. Proxy voting (voting by a committee member not present or by an alternate) is not allowed.
12. The Citizens Advisory Committees are subject to, and shall abide by, the requirements of the State of California Open Meeting law (the "Brown Act"). Meeting notices and agendas must be posted and made public at least 72 hours before a regular meeting, and at least 24 hours for a special meeting. In addition, meeting materials must be available to the public at the time they are distributed to members of the Citizens Advisory Committee. A summary of the Brown Act has been prepared by County Counsel and is attached to these bylaws (**Attachment C**).
13. Written minutes of each committee meeting must be taken by the Secretary of the committee or designated alternate, approved at a following meeting by a quorum of those in attendance of the meeting pertaining to the minutes in question, and made available to the public.

The minutes should include details or a summary of the discussions, actions, and motions approved, at each meeting.

14. A member of the Department shall serve as the liaison to the Citizens Advisory Committee and shall attend all regular meetings. The Planning staff liaison will be appointed by the Planning Director and is subject to change without notice.
15. Subcommittees of the Citizens Advisory Committee may be appointed by the chair. The subcommittee must be chaired by a voting member of the committee. Ad hoc subcommittees (that meet for limited terms and purposes) that do not constitute a quorum of the Citizens Advisory Committee, and do not include any members of the public, are not subject to the Brown Act for purposes of advance meeting notice. Regular standing subcommittees (that are ongoing) are subject to the Brown Act. However, even where not required, every effort should be made to offer advance meeting notice of any subcommittee when practical and feasible.
16. Public notices, background materials, and minutes for a Citizens Advisory Committee meeting should be distributed to committee members at least 72 hours before a regular meeting, and at least 24 hours for a special meeting. Department staff will send out notices and materials one week before each meeting. Meeting agendas, notices, and materials will be sent by e-mail when possible, and by first class mail when e-mail is not available. A committee has the option of tabling an action item and continuing to the next meeting, if materials have not been received in time by its committee members.
17. The agenda for each Citizens Advisory Committee meeting shall be in a consistent format, as determined by the Department. The agenda shall include the County letterhead and the Department contact information. For every meeting, the agenda shall include a time set for Public Comment or Public Requests; Information Items, or Correspondence and Announcements; and Action Items; including a brief description of each Action Item.
18. Citizens Advisory Committee meetings shall generally be scheduled on a monthly basis on the same day of the week each month. All committees shall meet on at least a quarterly basis (four meetings per year). Special meetings may be called as needed. All meetings shall be held in a public or quasi-public place.
19. Mailing and most duplicating costs for the Citizens Advisory Committee are handled by Department staff.

20. The Yolo County Board of Supervisors shall approve a “planning area” and a “comment area” boundary for each Citizens Advisory Committee (**Attachment D**). The “planning area” is the land located within designated community growth boundaries. The “comment area” is a larger area that includes lands adjoining the community growth boundary and within which all discretionary planning applications are referred to the Citizens Advisory Committee. The planning and comment area boundaries for each Citizens Advisory Committee may overlap with the boundaries of an adjacent committee.
21. All discretionary planning applications received by the Department within a comment area shall be referred to the appropriate Citizens Advisory Committee for a recommendation. If an application is located outside an adopted Citizens Advisory Committee comment area, the Department may elect to refer it to the committee that is the nearest geographically to the application location, at its discretion.
22. The review of discretionary planning applications by a Citizens Advisory Committee shall follow the process outlined in the attached “Procedures for Reviewing Discretionary Planning Applications by Citizens Advisory Committees” (**Attachment E**).
23. The chair or other officer of the Citizens Advisory Committee shall communicate any formal recommendation adopted in response to the review of a discretionary planning application to Department staff. The motion, second, and vote on the recommendation shall be recorded in the approved minutes.
24. A Citizens Advisory Committee may submit comments and recommendations to the Department on other planning, growth, and related issues, including proposed zoning ordinances, environmental impact reports, and non-County projects that may affect the committee planning area. The committee may also review and make recommendations for other projects that are referred to it from other County agencies. All recommendations from the Citizens Advisory Committees shall be submitted in writing to the Department, who shall forward them on to the agency or decision-making body, as appropriate.
25. Members of the Citizens Advisory Committee shall be bound by the “Code of Ethics,” adopted by the County, and attached to these Bylaws (**Attachment F**).

ATTACHMENT A

MISSION STATEMENT FOR THE GENERAL PLAN CITIZENS ADVISORY COMMITTEES

The Yolo County Board of Supervisors has charged the General Plan Citizens Advisory Committees with the following mission:

These Citizens Advisory Committees are primarily devoted to General Plan, growth, land use, and other related issues and shall:

- Serve as the main liaison between the community and County agencies, and other interest groups, on issues related to planning and land use;
- Meet publicly, on a regular basis, to receive input from the community and provide a public forum for all local citizens concerned with improving the community, through outreach;
- Maintain the integrity and intent of the adopted Community General Plan and vision for the advisory committee area;
- Represent the interests of the defined citizens committee area or community to the Yolo County policy makers by:
 - fact finding,
 - sharing information
 - facilitating discussion
 - fostering collaborative decision making
 - and presenting policy recommendations
- Review applications for all discretionary permits (i.e., development applications that require Zoning Administrator, Planning Commission, or Board of Supervisors approval) within the defined area of the citizens committee, and make formal recommendations to the County boards.

Rosenberg's Rules of Order:
Simple Parliamentary
Procedures for the 21st Century



MISSION:

To restore and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION:

To be recognized and respected as the leading advocate for the common interests of California cities.



About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts educational conferences and research, and publishes *Western City* magazine.

About *Western City* Magazine

Western City is the League of California Cities' monthly magazine. *Western City* provides lively, interdisciplinary analyses of issues affecting local governance. Its goal is to offer immediately practical ideas, information and bigger-picture policy issues and trends. For more information, visit www.westerncity.com.

"Rosenberg's Rules of Order" first appeared in *Western City* magazine in August and September 2003.

About the Author

Dave Rosenberg is an elected county supervisor representing the 4th District in Yolo County. He also serves as director of community and intergovernmental relations, director of operations, and senior advisor to the governor of California. He has served as a member and chair of numerous state and local boards, both appointed and elected, and also served on the Davis City Council for 12 years, including two terms as mayor. He has taught classes on parliamentary procedure and has served as parliamentarian for large and small governing bodies. In the fall of 2003, Gov. Davis appointed Rosenberg as a judge of the Yolo County Superior Court.

Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century

by Dave Rosenberg

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that hasn't always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules, *Robert's Rules of Order*, which are embodied in a small but complex book. Virtually no one I know has actually read this book cover to cover.

Worse yet, the book was written for another time and purpose. If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook. On the other hand, if you're running a meeting of a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order. Hence, the birth of "Rosenberg's Rules of Order."

This publication covers the rules of parliamentary procedure based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified and slimmed down for 21st century meetings, yet they retain the basic tenets of order to which we are accustomed.

"Rosenberg's Rules of Order" are supported by the following four principles:

1. **Rules should establish order.** The first purpose of the rules of parliamentary procedure is to establish a

framework for the orderly conduct of meetings.

2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate and those who do not fully understand and do not fully participate.

3. **Rules should be user-friendly.** That is, the rules must be simple enough that citizens feel they have been able to participate in the process.

4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

The Chairperson Should Take a Back Seat During Discussions

While all members of the governing body should know and understand the rules of parliamentary procedure, it is the chairperson (chair) who is charged with applying the rules of conduct.

The chair should be well versed in those

rules, because the chair, for all intents and purposes, makes the final ruling on the rules. In fact, all decisions by the chair are final unless overruled by the governing body itself.

Because the chair conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the body in debates and discussions. This does *not* mean that the chair should not participate in the debate or discussion. On the contrary, as a member of the body, the chair has full rights to participate in debates, discussions and decision-making. The chair should, however, strive to be the last to speak at the discussion and debate stage, and should not make or second a motion unless he or she is convinced that no other member of the body will do so.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, published agenda; informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon road map for the meeting. And each agenda item can be handled by the chair in the following basic format.

First, the chair should clearly announce the agenda item number and should clearly state what the subject is. The chair should then announce the format that will be followed.

Second, following that agenda format, the chair should invite the appropriate people to report on the item, including any recommendation they might have. The appropriate person may be the chair, a member of the governing body,

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire to move on.

a staff person, or a committee chair charged with providing information about the agenda item.

Third, the chair should ask members of the body if they have any technical questions for clarification. At this point, members of the governing body may ask clarifying questions to the people who reported on the item, and they should be given time to respond.

Fourth, the chair should invite public comments or, if appropriate at a formal meeting, open the meeting to public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of each public speaker. At the conclusion of the public comments, the chair should announce that public input has concluded (or that the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion from the governing body members. The chair should announce the name of the member who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member who seconds the motion. It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and a vote on the motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion. This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the members of the governing body. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then the “nays” is normally sufficient. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise or unless a super-majority is required (as delineated later in these rules), a simple majority determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days’ notice for all future meetings of this governing body.”

Motions in General

Motions are the vehicles for decision-making. It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus on the motion before them.

Motions are made in a simple two-step process. First, the chair recognizes the member. Second, the member makes a motion by preceding the member’s desired approach with the words: “I move ...” A typical motion might be: “I move that we give 10 days’ notice in the future for all our meetings.”

The chair usually initiates the motion by:

1. Inviting the members to make a motion: “A motion at this time would be in order.”
2. Suggesting a motion to the members: “A motion would be in order that we give 10-days’ notice in the future for all our meetings.”
3. Making the motion.

As noted, the chair has every right as a member of the body to make a motion, but normally should do so only if he or she wishes a motion to be made but no other member seems willing to do so.

The Three Basic Motions

Three motions are the most common:

1. **The basic motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”
2. **The motion to amend.** If a member wants to change a basic motion that is under discussion, he or she would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

3. The substitute motion. If a member wants to completely do away with the basic motion under discussion and put a new motion before the governing body, he or she would “move a substitute motion.” A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

A motion to amend seeks to retain the basic motion on the floor, but to modify it in some way.

A substitute motion seeks to throw out the basic motion on the floor and substitute a new and different motion for it.

The decision as to whether a motion is really a motion to amend or a substitute motion is left to the chair. So that if a member makes what that member calls a motion to amend, but the chair determines it is really a substitute motion, the chair's designation governs.

When Multiple Motions Are Before The Governing Body

Up to three motions may be on the floor simultaneously. The chair may reject a fourth motion until the three that are on the floor have been resolved.

When two or three motions are on the floor (after motions and seconds) at the same time, the *first* vote should be on the *last* motion made. So, for example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee, to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows.

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passes*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be complete. No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) *failed*, the chair would proceed to consideration of the second (now the last) motion on the floor, the motion to amend.

If the substitute motion failed, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would now move to consider the main motion (the first motion) as *amended*. If the motion to amend failed, the chair would now move to consider the main motion (the first motion) in its original format, not amended.

The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee) or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are *not* debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess, which may range from a few minutes to an hour. It requires a simple majority vote.

A motion to fix the time to adjourn.

This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to

be placed on "hold." The motion may contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion may contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call for the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second to the motion, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body. Note that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the

the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions occur when the body is taking an action that effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super-majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," "I move the question," "I call for the question" or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body, such as the chair, nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a two-thirds vote to pass.

pend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

First is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted *in the majority* on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body may second the motion). If a member who voted *in the minority* seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If you are running the British Parliament, Robert's Rules of Order is a dandy and quite useful handbook.

motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super-Majority Votes

In a democracy, decisions are made with a simple majority vote. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means

Motion to object to the consideration of a question. Normally, such a motion is unnecessary, because the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to sus-

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. And at the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every

It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus.

lege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be: "Point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined here help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

Public input is essential to a healthy democracy, and community participation in public meetings is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The rules presented here for conducting a meeting are offered as tools for effective leadership and as a means of developing sound public policy. ■

Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the members of the body. Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body. Can a member of the body interrupt the speaker? The general rule is no. There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be: "Point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privi-

lege relate to anything that would not be considered appropriate conduct of the meeting; for example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

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ATTACHMENT C

BROWN ACT GUIDELINES

Introduction

The Brown Act is a state law that governs open meetings of local government bodies. It seeks to ensure that actions and deliberations of local boards, commissions, and committees—all of which are subject to the Brown Act—occur openly and with public access and input. These Guidelines provide a summary of the key requirements of the Brown Act to help members of local boards, commissions, and committees comply in carrying out their official duties.

These Guidelines were developed by the Citizens' Advisory Committee Procedures Subcommittee during a series of meetings in mid-2009. While the County of Yolo has adopted these Guidelines, they are merely a summary of the law and are not a substitute for the Brown Act itself. They address only the situations that local board, commission, and committee members are likely to encounter. You are encouraged to contact the Office of the County Counsel if a situation arises where you believe that additional guidance is necessary or appropriate.

Guidelines

1. The Brown Act applies to all “meetings.” Any occasion where a majority of the members of a legislative body meet at the same time and place to *hear, discuss, or deliberate* on any matter within your subject matter jurisdiction is a *meeting* subject to the Brown Act.

This means that:

- The Brown Act applies whenever a majority of your board, commission, or committee meeting simply to discuss, deliberate, or acquire information that is within your subject matter jurisdiction—i.e., the specific area(s) of responsibility assigned for consideration by your board, commission or committee.
- This includes even informal gatherings, retreats, and any other occasion on which a majority of your board, commission or committee are present in the same location.
- It also includes telephone calls, *e-mail exchanges*, and other means by which information within your subject matter jurisdiction is exchanged between a majority of your members—often referred to as “serial meetings,” discussed further below.

However:

- The Brown Act does not prohibit or restrict a member of a legislative body (or more than one member, provided no quorum is present) from meeting at any time with interested citizens. The Brown Act protects the constitutional rights of members of the public to contact their government representatives regarding issues of interest.

- Purely social occasions, or other occasions where no official business is discussed, are *not* meetings.
- *Open and public* meetings, conferences, or similar gatherings of other legislative bodies (e.g., the Planning Commission or Board of Supervisors) or other public or private groups (e.g., the Sierra Club) are *not* a “meeting” of your board, council, or commission, even if a majority of your members attend, *so long as* your members discuss matters within your jurisdiction *only as part of the scheduled program*.

2. Subcommittees. As noted in the Introduction, all local government bodies—including advisory boards, commissions, and committees—are subject to the Brown Act. The same is often true for any subcommittees, task forces, and similar subgroups created by a local government body. Like the government body that created them, subcommittees are subject to all of the requirements of the Brown Act.

There is a very limited exception for an advisory committee which *is comprised solely of less than a quorum of the government body that created it*, but only so long as it is *charged with accomplishing a specific task in a limited period of time*. Such committees are referred to as “ad hoc advisory committees.” Please note that if the committee includes members of the general public or another government body, or if it has continuing responsibility for a matter, it is not an “ad hoc advisory committee” within the meaning of this exemption.

3. Notice and agenda requirements. Any “meeting” of a local board, commission, or committee must be held in accord with certain notice and agenda requirements that appear in the Brown Act. Often, a single “notice and agenda” of a meeting will be posted, rather than two separate documents.

How much notice of items to be considered is required?

- At least 72 hours prior to a regular meeting (i.e., meetings held at regular intervals set by your bylaws or other adopted rules).
- At least 24 hours before a special meeting (any meeting other than a regular meeting).
- All agendas must be placed in a location accessible 24 hours a day.

What are the required contents of a notice (agenda)?

- “A brief, general description” of each item to be discussed.

Are there any exceptions to the notice and agenda requirement?

- Brief responses to public comment on items not appearing on the agenda are permitted, as are questions asked for clarification and direction to staff in response to such comments.

- Brief announcements or reports on activities.
- Requests to staff.

4. Rights of the public. Subject to only limited exceptions (that are unlikely to apply to advisory boards, commissions, or committees), members of the public have the right to receive all reports and other documents provided to members of a local government body in connection with an agenda item. Such documents should be made available to the public at the same time they are provided to members of the local government body. Also, during a public meeting, members of the public can address a local board, commission, or committee on any topic—including but not limited to an agenda item—provided:

- The topic is within the jurisdiction of the legislative body.
- They follow established, *non-content based* regulations (meaning, among other things, that you can cut someone off if they go on too long, but you cannot cut someone off if they are critical of a project or position that your board, committee, or commission may support).
- They are not unduly disruptive.
- Commentors and attendees can remain anonymous if they so desire.

5. Closed sessions. It is very unlikely that a local board, committee, or commission will have any basis for holding a closed session meeting. Closed sessions are allowed in limited situations to discuss matters that may require confidentiality. Such situations include the purchase/sale of real property; pending or threatened litigation; personnel matters; and labor negotiations. *Do not hold a closed session without first consulting with the Office of the County Counsel.*

6. Inadvertent violations of the Brown Act. There are some common situations that you need to be particularly alert to, such as informal gatherings and serial meetings, including serial meetings that may be conducted through the use of e-mail.

Be careful in the following situations:

Informal gatherings of a majority of the members of your board, commission, or committee are likely to occur from time to time. This can include attendance at picnics, school events, fundraisers, and other community events. These gatherings, *by themselves*, do not constitute a “meeting” under the Brown Act. However, as noted earlier, a majority of your board, commission, or council must guard against discussing matters that are within your subject matter jurisdiction. The only exception arises for open and public gatherings where such matters are part of a scheduled program of discussion (for example, a political debate).

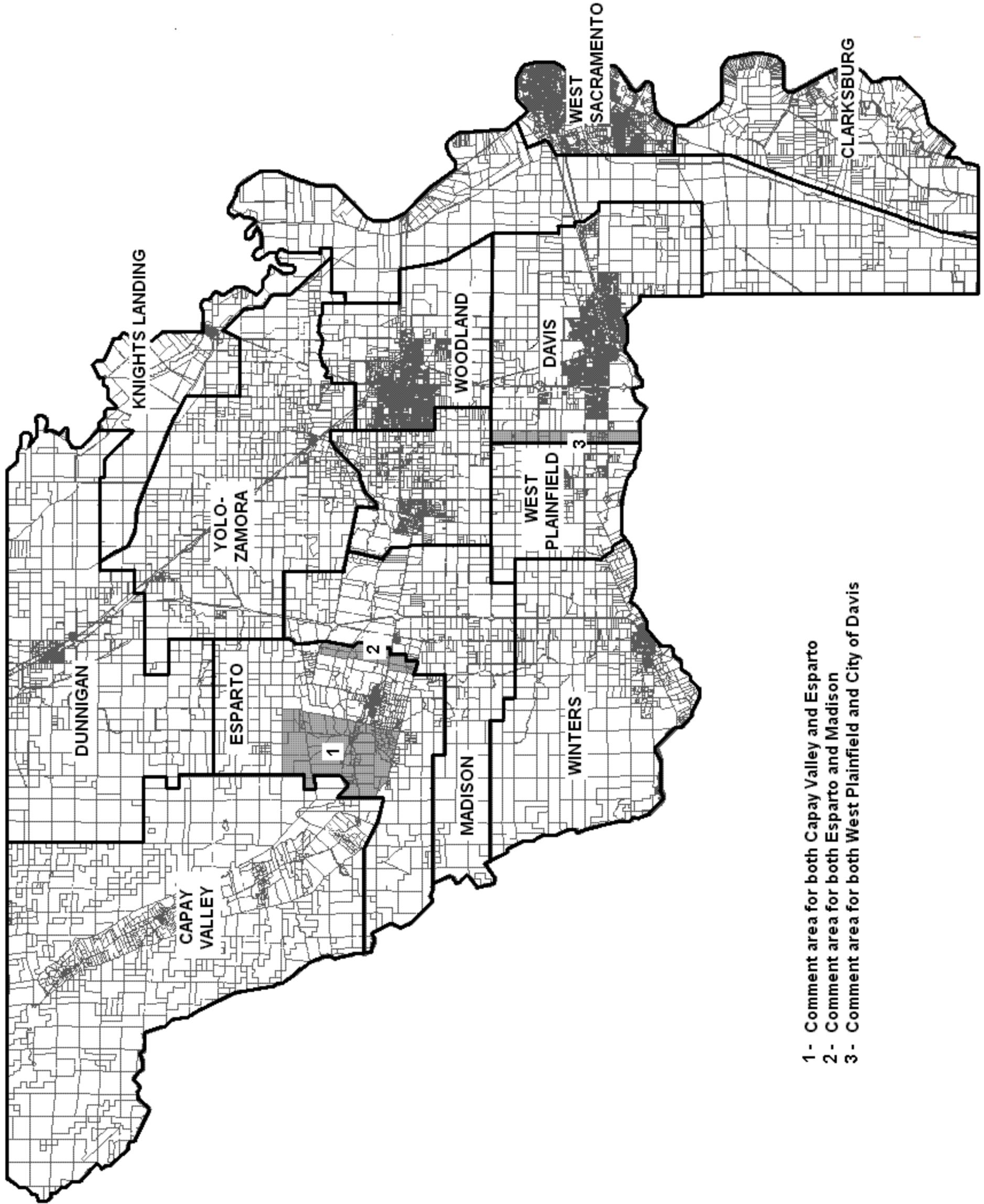
Serial meetings occur when a series of communications are transmitted—electronically or otherwise—between a majority of a board, commission, or committee outside of a public meeting. Inappropriate e-mail communication (discussed briefly in the next bullet point, below) is a common scenario for serial meetings, but a serial meeting can also occur through an intermediary. Thus, you cannot use a member of the public or county staff to poll a majority of your members on an issue or to otherwise transmit information to a majority or your membership.

E-mail exchanges that include substantive comments on issues of public interest are particularly likely to result in an accidental violation of the Brown Act. An e-mail distribution and response list can create a very effective “virtual meeting,” even though it may not involve any simultaneous or real-time interaction among the participants. For this reason, all members of an advisory board, commission, or committee should be very careful about participating in e-mail exchanges with other members on matters within the jurisdiction of the body. Such exchanges could easily develop into serial meetings, and they are discouraged for this reason.

7. Consequences of Brown Act violations. Violations of the Brown Act may result in a misdemeanor if a member attends a meeting where action is taken in violation of the Act. However, such a penalty only applies if a member intends to deprive the public of information it is entitled to under the Brown Act. All other Brown Act violations may still result in civil remedies, such as a lawsuit seeking to undo an action taken in violation of the act, to prevent future violations, or both.

Interested in learning more?

For more information about the Brown Act, the Attorney General has a good pamphlet that discussed the Act. It is available at <http://caag.state.ca.us>, by clicking on “open government,” then clicking on “open meetings,” and then scrolling down to: “The Brown Act: Open Meetings for Local Legislative Bodies.” Please be aware that the pamphlet was prepared in 2003 and there have been some changes—particularly to strengthen rules against serial meetings—in the past few years. You can also call the Office of the County Counsel at (530) 666-8172 as specific questions arise.



- 1 - Comment area for both Capay Valley and Esparto
- 2 - Comment area for both Esparto and Madison
- 3 - Comment area for both West Plainfield and City of Davis

ATTACHMENT E

Procedures for Reviewing Discretionary Land Use Applications by Citizens Advisory Committees

According to the established Mission Statement that applies to all citizens advisory committees addressing General Plan and land use/planning issues in Yolo County, two of the committees' main purposes are:

- To maintain the integrity and intent of the adopted Community General Plan and vision for the advisory committee area;
- To review applications for all discretionary permits (i.e., development applications that require Zoning Administrator, Planning Commission, or Board of Supervisors approval) within the defined area of the citizens committee, and to make formal recommendations to the County boards.

This summary, and the attached flow chart, describe and illustrate the process by which the committees shall review and adopt formal recommendations for discretionary applications. The intent of these written guidelines is to streamline and make the review process more efficient, and to set forth the rules for both the applicant and the committee members.

Definitions:

A “discretionary” application involves a request that the County has the ability to deny. It also requires a public hearing before the Zoning Administrator, Planning Commission, and/or Board of Supervisors. Discretionary development applications include: Minor or Major Use Permits; Variances; Tentative Parcel or Subdivision Maps; Road Abandonments; Mining Permits; Rezonings (Zone Change); General Plan Amendments; County Code amendments and related ordinances; and others.

A “non-discretionary” or “ministerial” application is a request that the County is required to approve, so long as the application meets all minimum standards. A ministerial approval requires no public hearing and is issued directly by county staff, after review and approval by other permitting agencies such as Environmental Health and the fire district. Ministerial development applications include: Building Permits; Site Plan Review approvals; Certificates of Compliance; Lot Line Adjustments; Gas/Oil Well Permits; and others.

Step #1: “Pre-Application” or Early Informal Consultation

The County offers developers the option of submitting a “Pre-Application,” if an applicant is uncertain whether to submit a formal application or if they just want to “test the waters” to determine the staff and community response to an informal proposal. “Pre-applications” are treated by planning staff just as formal applications, and are referred to the appropriate citizens advisory committee (CAC). Individual applicants may also ask to

discuss their development proposals at a CAC meeting prior to an official CAC referral and vote on the application, in order to receive informal advice as to how the community may respond to the type of use or new construction that is being considered. However, early informal consultation with CACs prior to an official CAC referral and vote is not required-but is recommended, especially for large or complicated projects.

Step #2: Application Submitted and “Request for Comments” Notice Sent

After a formal development application is submitted, Planning staff shall send out a “Request for Comments” notice for a discretionary application to the chair of the CAC. The “Request for Comments” notice is mailed or e-mailed to various county and other public agencies, and generally sent as a courtesy to adjacent property owners within 300 feet, and CAC chairs. The “Request for Comments” notice usually includes some of the application materials, but often does not include as much information as is needed for the committee to review the application. It is not necessary for the chair or the CAC to respond to these “Request for Comments” notices; they are simply sent to alert the chair that the formal application has been filed and that planning staff is soliciting early agency comments to determine the completeness of the application, and to identify early issues and possible Conditions of Approval.

Step #3: Application is Reviewed by DRC and is Deemed “Complete”

Discretionary project applications are reviewed by the Development Review Committee (DRC). The DRC is composed of agencies that must review and approve the application, including Planning, Public Works, Building, Environmental Health, the appropriate fire district, etc. The DRC may identify any additional information that is required from the applicant to allow the planner to determine that the application is legally “complete” (ready for processing).

Step #4: Environmental Review and Draft Conditions of Approval are Completed

Discretionary permits are subject to the California Environmental Quality Act (CEQA). County planning staff must evaluate the proposal to determine whether or not it may have a significant adverse effect on the environment. Staff then prepares the appropriate environmental document, whether a Categorical Exemption, an Initial Study/Negative (or Mitigated Negative) Declaration; or an Environmental Impact Report (EIR). Once the CEQA analysis is completed, it is sent out to all relevant local, state, and federal agencies, to interested organizations, and to the chair of the appropriate CAC. “Neg Decs” are sent out for public review for either 20 or 30 days; EIRs must be reviewed for at least 45 days.

During this period, planning staff is identifying issues and collecting comments from various agencies and interested members of the public. The issues and comments are used to prepare the initial draft Conditions of Approval for the project. Any mitigation measures that are identified in the Neg Dec or EIR must be included as Conditions. The Neg Dec or EIR, plus the draft Conditions of Approval, are sent back to the DRC for a second review.

Step #5: Application is Scheduled for CAC Review and Recommendation

At this point in the process, the discretionary application is usually set for review at the next appropriate CAC. The staff will strive to ensure that all discretionary applications are scheduled at the appropriate CAC for a recommendation within 30 days after the CEQA environmental analysis has been completed. In this way CAC review will typically occur concurrently with the CEQA document review, and little or no procedural time is added to the review process. The agenda for the meeting is sent out and posted one week before the meeting, and the applicant or their representatives are asked to attend the CAC meeting. All of the relevant application materials are sent to each member of the CAC at least one week in advance along with the agenda. Application materials for large and complicated project should be sent out at least two weeks in advance. Staff will also attempt to schedule the applications on the Planning Commission agenda no less than two weeks from the CAC review date, to give the CAC enough time to prepare a letter for the Planning Commission hearing.

At the CAC meeting, the committee and members of the public have an opportunity to ask questions of the applicant and staff about all aspects of the proposed development project, including the environmental review and draft Conditions of Approval. The applicant is encouraged to bring large-scale site plans, subdivision maps, or building elevations, to help with the discussion.

During the review and discussion of individual development applications, CAC members should focus on whether the application is consistent with the adopted policies of the relevant community plan and the County General Plan. The CAC should also ensure that the project is consistent with the zoning regulations for the site and is consistent with any adopted design guidelines. The CAC should be careful not to apply any arbitrary standards or design guidelines to the project that are otherwise unrelated to the impacts created by the project.

At the end of the discussion, the CAC generally takes a formal vote to recommend to the hearing body (the Zoning Administrator, Planning Commission, and/or Board of Supervisors) that the project application be approved; approved with revisions to the project design or to the Conditions of Approval; or denied. Members of the Planning Commission and/or Board of Supervisors are often very interested in receiving detailed minutes that describe the CACs discussion and thinking in determining whether or not to support a development application. Occasionally, the applicant may be requested by the CAC to make revisions to the site plan or to other aspects of the project, and return to the CAC for a second review (see below).

Step #6: Application is Revised and Returns to CAC

Some CACs become very involved in reviewing details of a discretionary development application, and encourage the applicant to consider changes or revisions to the project. Sometimes, the requested modifications to a site plan or building design may be relatively minor, and can be incorporated into final design drawings with little effort. Other times, the applicant has invested substantial time and money in the design of a discretionary project, and is hesitant to consider changes, especially if they are significant and will have ramifications to other parts of the project.

It is important for both private applicants and the CACs to understand that applicants are not required to attend multiple CAC meetings. In most cases, individual discretionary

applications should be reviewed by the CAC and recommended for approval (or denial) at a single CAC meeting. If an application is very complicated or large, such as a tentative subdivision map, it may be possible for two reviews to occur during the long county review process. Some substantial applications have been reviewed by a CAC once at the beginning of the environmental review process, and again before the project is scheduled for public hearing. Under no circumstances should an applicant be expected or requested by a CAC to make multiple changes to a project design and then to return repeatedly until the CAC decides to take a formal vote. If the CAC has not voted on a recommendation after a second review of a discretionary application, the public hearing body will be advised by staff that the CAC has no recommendation.

Step #7: Public Hearing

Following the CAC vote, the application is then set for public hearing. Planning staff forwards their recommendation and the CAC recommendation, with attached Conditions of Approval and Findings, to the Zoning Administrator or Planning Commission. Staff may support the CAC recommendation, support with modifications, or may recommend against the CAC recommendation. Where staff and the CAC disagree about a recommendation, staff includes a presentation of the reasons and arguments made on behalf of the CAC, to ensure that the Zoning Administrator, Planning Commission, or Board of Supervisors have all of the relevant information available to them when they make their decision. Staff typically supports the CAC recommendation, and any differences between the staff and CAC recommendation are generally based on policy, legal issues, and/or prior Board of Supervisors direction.

Once a matter has been taken up by the Zoning Administrator, Planning Commission, or Board of Supervisors, it is not referred back to the CAC unless the decision making body specifically requests further CAC input.

ATTACHMENT F

CODE OF ETHICS AND VALUES

Preamble

The proper operation of democratic government requires that those involved in making important decisions be independent, impartial, and accountable to the people they serve. For this purpose, the Citizens' Advisory Committee Procedures Subcommittee held a series of meetings in mid-2009 for the purpose of developing, among other things, a Code of Ethics and Values. The County of Yolo has adopted the Code of Ethics and Values developed by the Subcommittee to promote and maintain the highest standards of personal and professional conduct among those participating on all County advisory boards, commissions, and committees.

The Board of Supervisors is responsible for appointing the members of County advisory boards, commissions, and committees. All such members serve at the will of the Board. They are expected to abide by this Code, understand how it applies to their specific responsibilities and practice its eight core values in their work. Because the County requires public confidence in the recommendations of its boards, commissions, and committees, their decisions and our work must meet the most demanding ethical standards and demonstrate the highest levels of achievement in following this Code.

Statement of Ethics and Values

1. As a representative of the County of Yolo, I will be **ethical**.
 - I am trustworthy and act with the utmost integrity.
 - I am truthful, do what I say I will do, and am dependable.
 - I make impartial decisions, free of bribes, gifts, narrow political interests, and financial and other personal interests that impair my independence of judgment or actions. In particular, except as noted below, I will not participate in deciding any matter that involves any of the following interests:
 - A direct financial interest, meaning that outcome of the matter is reasonably likely to affect my income or the value of my investments (including real property).
 - A real property interest, meaning that my property is either directly involved in the matter or is within 500 feet of the property at issue. If my property is within 500 feet of the property at issue, however, I may participate in deciding the matter so long as I reasonably believe the outcome will not significantly affect my use and enjoyment of my property.
 - If a matter affects the direct financial or real property interests of my immediate family (spouse or dependent children), my business, my employer or other source

of income to me or my immediate family, I will act as though my own financial or real property interests are involved for the purposes of this Code.

If I have any of the foregoing interests or if I otherwise cannot make a decision in an impartial manner, I will recuse myself from all further consideration of the matter, and leave the room prior to any vote. I recognize that I may address the advisory board, commission, or committee regarding the matter prior to leaving the room as part of the public hearing or other opportunity for comment on the matter, provided I have first recused myself from participating in the matter as a member.

- I am fair, distributing benefits and burdens according to consistent and equitable criteria.
- I extend equal opportunities and due process to all parties in matters under consideration. If I engage in unilateral meetings and discussions, I do so without making voting decisions and in a manner consistent with California's open meeting law, the Brown Act.
- I use my title(s) only when conducting official County business on behalf of my board, commission, or committee, for information purposes, or as an indication of background and expertise, carefully considering whether I am exceeding or appearing to exceed my authority.

2. As a representative of the County of Yolo, I will be **professional**.

- I apply my knowledge and expertise to my assigned activities and to the interpersonal relationships that are part of my board, commission, or committee position in a consistent, confident, competent, and productive manner.
- I approach my position and related relationships with a positive attitude.
- I keep my knowledge and skills current and growing relevant to my community service.

3. As a representative of the County of Yolo, I will be **service-oriented**.

- I provide receptive and courteous service to everyone.
- I am attuned to, and care about, the needs and issues of citizens, public officials and county employees.
- In my interactions with constituents, I am interested, engaged and responsive.
- I exhibit a proactive, innovative approach to setting goals and conducting the County's business.

4. As a representative of the County of Yolo, I will be **fiscally responsible**.

- I make decisions after prudent consideration of their financial impact, taking into account the long-term financial stability and related needs of my community, as well as the County and other government entities.
- I demonstrate concern for the proper use of assets (e.g., personnel, time, property, equipment, funds) of the County and other government entities, and follow established procedures.
- I make good financial decisions that seek to preserve programs and services for County residents that are served by my board, commission, or committee.

5. As a representative of the County of Yolo, I will be **organized**.

- I act in an efficient manner, making decisions and recommendations based upon research and facts, taking into consideration short and long term goals and relevant timeframes.
- I will not use procedural or other means for the purpose of delaying action by my board, commission, or committee on matters delegated for our consideration.
- I follow through in a responsible way, keeping others informed, and responding in a timely fashion.
- I am respectful of established County processes and guidelines.

6. As a representative of the County of Yolo, I will be **communicative**.

- I convey the County's care for and commitment to its citizens.
- I communicate in various ways that I am approachable, open-minded and willing to participate in dialog.
- I engage in effective two-way communication, by listening carefully, asking questions, and determining an appropriate response which adds value to conversations.

7. As a representative of the County of Yolo, I will be **collaborative**.

- I act in a cooperative manner with groups and other individuals, working together in a spirit of tolerance and understanding.

- I display a style that maintains consistent standards, but is also sensitive to the need for compromise, “thinking outside the box,” and improving existing ideas when necessary.
- I accomplish the goals and responsibilities of my individual position, while respecting my role as a member of a team.