

COUNTY OF RIVERSIDE, CALIFORNIA
BOARD OF SUPERVISORS POLICY

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Policy:

Board policy regarding the establishment, appointments to, governance, and periodic review and dissolution of the Board of Supervisors' various advisory boards, commissions, and committees ("advisory groups") is summarized and contained in a resolution entitled "Adopting Uniform Rules and Procedures for Advisory Committees, Board and Commissions of the County of Riverside." A copy of the most recent version of this resolution is attached, and shall be replaced with successive versions of the resolution as approved by the Board from time to time in the course of county business.

Reference:

- Minute Order dated 03/11/1975
- Minute Order 3.16 of 05/31/1983
- Minute Order 3.14a-b of 04/20/1993
- Minute Order 3.13 of 09/19/1995
- Minute Order 3.29 of 11/17/1998
- Minute Order 3.2 of 02/16/1999
- Minute Order 3.5 of 04/05/2005
- Minute Order 3.7 of 11/07/2006

Board of Supervisors

County of Riverside

RESOLUTION NO. 2005-148
ADOPTING UNIFORM RULES AND PROCEDURES FOR
ADVISORY COMMITTEES, BOARDS AND COMMISSIONS
OF THE COUNTY OF RIVERSIDE

WHEREAS from time to time the Board of Supervisors and its related governing bodies establish advisory groups to inform the Board on particular issues or subjects of interest to the Board; and,

WHEREAS it is in the best interest of the County that these advisory groups are appointed, organized and governed within a uniform framework of consistent Board policy;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on April 5, 2005, that:

The following uniform rules and procedures for the establishment and operation of advisory committees, boards and commissions of the County of Riverside, including all districts, county service areas and other agencies governed by the Board of Supervisors, are hereby adopted, as follows:

1. **APPLICABILITY:** These rules and procedures shall apply to and control all advisory committees, boards and commissions (herein for convenience referred to as “advisory groups”), except as otherwise provided by or pursuant to the law, ordinance or resolution under which the advisory group is established. This resolution does not apply to certain committees, boards and commissions of the County that have independent legal status as separate public entities.
2. **LIMITATION ON AUTHORITY:** Unless otherwise authorized by law that specifically provides for the establishment and function of a particular advisory group, advisory groups generally shall have no executive, administrative, or operational functions. Their function shall be solely to study and make recommendations to the Board of Supervisors within the scope of the subject matter specified in the statute, ordinance or resolution establishing them, or as specifically referred to them by the Board of Supervisors. Advisory groups shall not be empowered, nor assume by their appointment to be empowered, with authority on behalf of the County to decide matters of county policy; oversee or enter into any contract; procure materials or services; recruit, hire, direct, manage, review or terminate staff, or involve themselves in any other way in personnel

matters; seek, inquire about, or negotiate regarding the purchase, sale or lease of property; nor to speak on behalf of the County. Advisory groups shall not have, nor assume to have, any authority to raise funds or solicit revenues, nor to incur indebtedness, nor to expend county resources of any type. Any resources necessary for the support of an advisory group's meetings shall be approved by the Board of Supervisors as part of the departmental budgetary process. The Board of Supervisors shall specifically approve any other special or extraordinary expenditures requested by an advisory group.

3. **SCOPE OF INTEREST:** The scope of each advisory group's interest and activity shall be limited to that specified in the law, ordinance or resolution establishing or providing for the advisory group. If not so specified, the scope shall be as indicated by the title of the advisory group and directive from the Board of Supervisors.
4. **DURATION:** In proposing establishment of an advisory group, the proponents shall consider the duration necessary for the advisory group to accomplish its mission in light of the advisory group's purpose and scope. In instances where it is not justified that an advisory group exist indefinitely, the Board shall include a sunset clause in the document establishing the advisory group specifying a definite sunset date. Where applicable, existing advisory groups whose establishing documents do not contain sunset clauses shall have such clauses added either at the next convenient opportunity, or upon policy review of all advisory groups. Once such a sunset date occurs, an advisory group shall be considered dissolved and shall cease to meet unless or until an extension of time and a new sunset date is approved by the Board of Supervisors.
5. **STRUCTURE:** The number and qualifications of members, the method of their nomination and appointment, and their terms of office should normally be set forth in the statute, ordinance or resolution providing for or establishing the advisory group. If not so specified, provisions shall be as follows:
 - a. **Number.** The number of members shall be five.
 - b. **Length of Terms.** Terms of appointment for each appointee shall, at the recommending Board member's discretion, be for not less than two years and not more than four years from the last preceding July 1, except that a majority of the members first appointed shall

be appointed for half the term of the remainder of the members, and ex officio members shall serve while they hold office.

- c. **Residence requirements.** The Board of Supervisors shall make their best effort to nominate and appoint persons who are both registered voters and either reside or own businesses within the supervisorial district they are appointed to represent. In the event an appointee no longer resides or owns a business in the supervisorial district that they were appointed to represent, it is that appointee's responsibility to notify the secretary of their advisory group and the office of that supervisorial district in writing. In the event appointees move their residences or businesses from one supervisorial district to another, or the boundaries of supervisorial districts change, Board members retain discretion whether or not to allow their appointees to serve out their term as representatives of the supervisorial district that they were appointed to represent. Upon taking office, newly elected members of the Board of Supervisors shall have discretion whether or not to retain appointees representing their supervisorial district where such removal does not conflict with any provisions of a duly enacted ordinance, including amendments thereto, of Riverside County, or conflict with any provisions of statute or regulation. Appointees may be under the age of eighteen if appointed to a youth advisory group all of whose members are eighteen or under at the time of appointment pursuant to the law, ordinance or resolution under which said advisory group is established.
- d. **Nomination.** Members of the Board of Supervisors may nominate, screen, interview and recommend for Board appointment eligible persons in such manner as best suits the Board member's interests. Appointments shall be made consistent with this resolution.
- e. **Vacancies.** A vacancy shall exist under the following conditions:
- (1) The expiration of a term;
 - (2) The written resignation, death or loss of residence requirements of an incumbent;
 - (3) When a member fails to attend three consecutive meetings of the advisory group, such absence is not excused by the advisory group, those facts are reported by the secretary of the advisory group to the Board of Supervisors, and said Board declares

the vacancy. Vacancies shall be filled for the unexpired term of the prior incumbent. If more than one vacancy exists, the appointing authority may specify the vacant position and term there being filled by each appointee. Otherwise, the longest unexpired term shall be filled by the person first appointed, and in successive order to the shortest term. Vacancies shall normally be filled in accordance with the Maddy Local Appointive List Act of 1975.

- f. **Reappointment.** To encourage varied citizen participation in advisory groups, the Board of Supervisors shall generally seek new appointees to replace individuals who have served for eight consecutive years. Board members retain the discretion to reappoint individuals regardless of the length of time served on any advisory group.
 - g. **Removal of a member.** Members of advisory groups serve at the pleasure of the Board of Supervisors. Notwithstanding a specified length of a term for a member, the Board may remove any member at any time for any reason.
6. **CLERK OF THE BOARD:**
- a. **Coordination.** The Clerk of the Board shall prepare and maintain information clearly and concisely summarizing the purpose, scope, history and sunset dates of the Board's various advisory groups. The Clerk of the Board shall also maintain and update a master list of all appointees to each advisory group, including the history of each appointment and the expiration dates of their terms.
 - b. **Notification.** The Clerk of the Board is responsible for notifying members of the Board of Supervisors of the dates when appointees' terms expire, and of any vacancies as they arise.
 - c. **Policy Review.** By November of each even-numbered year, the Clerk of the Board shall prepare and forward to the Executive Office an updated summary of Board-appointed advisory groups for policy review, including a listing of any advisory groups whose sunset dates will occur within the subsequent two year period. The Executive Office shall return to the Board by the end of December that year with recommendations regarding each advisory group, including recommendations regarding any advisory group scheduled to sunset.

7. **ELECTED OFFICERS:** Each advisory group shall choose a chair and a vice chair. This shall be done at least annually at the first meeting on or after July 1. To limit the length of consecutive terms an individual may serve as chair or vice chair, and to provide a rotation system that allows for an orderly selection process consistent with the intent of Board Policy A-3, as may be amended from time to time in the conduct of county business, advisory groups shall elect officers as follows:
- a. Whenever possible and appropriate, the vice chair from the previous year shall be automatically nominated as chair the subsequent year.
 - b. Neither the chair nor vice chair shall occupy the same office for more than one year at a time, and a person who serves as chair one year shall not serve as vice chair the following year.
 - c. Elected officers serve at the pleasure of the remaining members, who may remove them as officers at any time by affirmative vote of a quorum.
 - d. In the event the chair vacates that office for any reason, the vice chair automatically assumes the office of chair, and shall call for an election at the next meeting of the advisory group to fill the office of vice chair in the manner specified above.
8. **SECRETARY:** Each advisory group will normally be related to or affiliated with a specific county department. The head of that department, or his designee, shall serve as secretary of the advisory group, and as such shall be responsible for carrying out the duties of that office outlined below.
9. **DUTIES:** Aside from executing official correspondence of the advisory group, the elected officers of an advisory group shall have no executive or administrative authority. The duties of the officers and members generally are as follows:
- a. **Chair.** It is the responsibility of the chair to:
 - (1) Be thoroughly familiar with the advisory group's rules of order, by-laws, enabling resolutions, and relevant county policies, practices, protocols and procedures, including this resolution;

- (2) Inform the members, when necessary or referred to for that purpose, on pertinent points of order or practice;
 - (3) Open and call official meetings of the advisory group to order;
 - (4) Announce the business of the day;
 - (5) Recognize members entitled to the floor;
 - (6) State, call for and put to vote all questions moved or necessary in the course of the proceedings, and to announce the results of the vote;
 - (7) Expedite business in every way compatible with the rights of the members;
 - (8) Restrain members engaged in debate within the rules of order; and,
 - (9) Enforce on all occasions the observance of civility, order and decorum among the members and others in attendance.
- b. **Vice Chair.** It is the responsibility of the vice chair to preside in the chair's absence. In cases of the chair's illness, resignation, or death, the vice chair of an advisory group is first in line to assume the office of chair for the remainder of the unexpired term. Advisory groups should nominate and elect a vice chair who is both competent and willing to perform the duties of the chair.
- c. **Secretary.** It is the responsibility of the secretary to:
- (1) Keep the official records of the advisory group;
 - (2) Record in the formal minutes the actions of the group;
 - (3) Keep a roll of the members and call roll when required;
 - (4) Post notice of public meetings in accordance with the Brown Act;
 - (5) Format, compile, prepare, post and distribute meeting agendas and materials to the members of the advisory group in accordance with the Brown Act;
 - (6) Post signage for meeting locations;
 - (7) Conduct correspondence for the group as necessary and appropriate;
 - (8) Maintain in good order the advisory group's rules of order, by-laws, enabling resolutions; and,

- (9) Be familiar with relevant regulations, policies, practices, protocols and procedures, including this resolution and Board Policy, as may be amended from time to time in the conduct of county business. Furthermore, in the event of a disturbance or circumstance that, in the secretary's sole judgment, constitutes a risk to security, safety, or public order, the secretary shall be responsible and have the authority to take such measures deemed necessary at the time.
- d. **Members.** It is the responsibility of each appointee to county advisory groups to respect and uphold county policies, practices, protocols and procedures. It is the responsibility of each appointee to conduct themselves at all times with appropriate civility, respect and decorum, mindful that their conduct before the public reflects upon the integrity of the County and the Board of Supervisors.
- e. **Representation.** An advisory group, its officers, or the members of an advisory group, shall not represent the County to any state, county, city, special district or school district, agency or commission, nor to any other organization or members of the public, on any matter unless specifically authorized to do so by the Board of Supervisors.
- f. **Public Information.** Advisory groups, their officers, and their members shall coordinate in advance through the appropriate designee within the Executive Office all contacts with the press and any press releases. Advisory groups, their officers and their members shall refer all inquiries by the press regarding county operations, events or other county business to the appropriate county staff.
10. **BY-LAWS:** Advisory groups shall not be required to adopt by-laws. Any by-laws which an advisory group adopts shall contain the provisions for rules of order and procedure governing the functions of the advisory group, and shall neither duplicate nor conflict with the rules contained in this resolution, nor with any statute, ordinance or resolution providing for or establishing the advisory group or governing its conduct. The by-laws adopted by any advisory group shall be reviewed and approved as to form by County Counsel and submitted to the Executive Office for approval by the Board of Supervisors in accordance with Board Policy A-5, as may be amended from time to time in the conduct of county business. In instances where existing advisory group

by-laws, policies, or procedures are inconsistent with this resolution or any other county policy, this resolution and Board Policy shall take precedence. If an advisory group does not adopt by-laws, they shall refer instead to this resolution and applicable Board Policy.

11. **MEETINGS:**

- a. **Ralph M. Brown Act (Brown Act).** All advisory groups and their members shall conduct themselves in accordance with the Brown Act.
- b. **Rules of order and procedure.** Robert's Rules of Order may be used as a general guide for the conduct of advisory groups. When necessary for orderly conduct, an advisory group may outline specific rules of order and procedure in their by-laws.
- c. **Quorum.** A quorum shall consist of a majority of the total number of members of the advisory group established by the Board of Supervisors, whether filled or vacant. Any action of the advisory group shall require affirmative votes of not less than a quorum. An advisory group cannot give unanimous consent when a quorum is not present. Formal actions taken when a quorum is not present are not valid. If a quorum is not present at the noticed meeting time, the chair or vice chair shall wait a few minutes before taking the chair. The only business an advisory group shall transact in the absence of a quorum is to:
 - (1) Take measures necessary to obtain a quorum;
 - (2) Fix the date and time to which to adjourn;
 - (3) Adjourn or take a recess; and/or,
 - (4) Continue the entire agenda to the next meeting.
- d. **Date and time.** Each advisory group shall establish by standing order dates and times for their regular meetings, which shall be at least quarterly. Advisory groups shall choose dates and times to avoid conflicts with county holidays and other official standing meetings of the County that would prohibit or limit participation. Meetings shall begin promptly at, but no sooner than, the publicly noticed meeting time.
- e. **Canceling meetings.** An advisory group may dispense with any regular meeting by an affirmative vote of a quorum of the advisory group made at any preceding regular meeting.

- f. **Location.** In order to assure the safety of and consistent accessibility by the public, advisory groups shall establish by standing order one or two locations at which to hold their regular meetings. These locations shall be within the County of Riverside and on the grounds of publicly maintained facilities, such as county offices or administrative centers, public libraries, or public schools. Meetings of advisory groups should not be held in any location or facility that requires, or which good manners would imply, that attendees purchase goods or services (including meals or refreshment) as a condition of attending the meeting, unless with the prior unanimous consent of the advisory group and the concurrence of the department with which they are affiliated. No one attending such a meeting of an advisory group shall be compelled, nor made to feel compelled, to patronize the establishment before, during or after the meeting. All meeting locations must meet the safety requirements stated below.
- g. **Safety.** Pursuant to Board Policy C-12, as may be amended from time to time in the conduct of county business, in the conduct of county business it is the goal of the Board of Supervisors to assure, as far as possible, safe, accessible and healthful working conditions for county staff, members of advisory groups, and the general public. Consequently, all regular and special meetings of advisory groups and their subcommittees shall be held at such locations and in such a manner to assure the safety of and provide the greatest possible accessibility feasible to all attendees. This includes adequate and accessible parking, accessibility from parking to the meeting rooms, adequate and accessible restroom facilities available to both men and women, and meeting rooms of adequate size and seating with multiple exits easily accessible and available in an emergency to all attendees. No person shall be allowed to stand or sit in such a way that blocks doorways or exits. Consistent with Board Policy A-2, as may be amended from time to time in the conduct of county business, smoking in the meeting room of any advisory group is strictly prohibited before, during and after advisory group meetings.
- h. **Agenda.** The secretary shall be responsible for formatting, compiling, preparing, posting and distributing the agenda of each meeting of an advisory group in accordance with the

Brown Act. The agenda shall contain the following elements in the simplest format possible to communicate most efficiently and effectively with the public:

- (1) The name of the advisory group;
- (2) The date, time and place of the meeting;
- (3) A sequentially numbered list of brief general descriptions of each item of business to be transacted or discussed at the meeting. In order to facilitate efficient compiling and preparing of the agenda and agenda packet, and subsequent preparation of the meeting minutes, the secretary may choose to establish forms and formats in which submittals to the agenda must be made.

i. **Restrictions on non-agenda items.** The Brown Act generally prohibits any action or discussion of items not on the agenda, with three exceptions:

- (1) When a majority makes a finding of an “emergency situation” as defined under the Brown Act;
- (2) When two-thirds of the members present (or all members if less than two-thirds of the members are present) make a finding there is a need for immediate action which arises after the agenda is posted; or,
- (3) When an item appeared on and was continued from a meeting held not more than five days earlier. Within the provisions of the Brown Act, an advisory group may briefly respond to comments or questions from members of the public, provide a referral to staff or other resources for factual information, or request that an issue be placed on a future agenda.

j. **Closed sessions.** There should be no circumstances in which a typical county advisory group will need to hold closed sessions as provided for under the Brown Act. Any advisory group having such need must adhere strictly to the provisions of the Brown Act in conducting such meetings when so authorized by the Board and approved in advance by County Counsel.

k. **Taking items out of order.** An advisory group may, on passage of a motion, take any matter on their agenda out of the order listed on that agenda.

- l. **Abstentions.** If an advisory group is unable to make a decision on any matter when presented because of an abstention vote, the advisory group shall adjourn consideration of the matter until their next regular meeting.
- m. **Conflicts of interest.** Consistent with the provisions of Board Policy A-2, as may be amended from time to time in the conduct of county business, an advisory group member who has a financial, economic or direct personal interest in a governmental decision before them, upon identifying a conflict of interest or potential conflict of interest, immediately prior to consideration of the matter shall:
 - (1) Publicly identify the financial, economic or direct personal interest that gives rise to the conflict of interest or potential conflict of interest in sufficient detail to be understood by the public, except that disclosure of the exact street address of a residence is not required; and,
 - (2) Recuse themselves from discussing, voting and officiating on the matter; and,
 - (3) May be requested to leave the room until after the discussion, vote, and any other disposition of the matter is concluded; and,
 - (4) Notwithstanding the above, may speak on the issue in the same manner as a member of the audience during the time that the general public speaks on the issue. In accordance with the spirit of the Political Reform Act (Government Code Section 87100, et seq.), a vote to abstain is not appropriate in matters in which an advisory group member has, or has reason to know they have, a financial, economic or direct personal interest. No advisory group member shall count toward a quorum, nor shall they in any way make, participate in making, nor use their appointment to influence the making of a governmental decision in which they have, or have reason to know they have, a financial, economic or direct personal interest. Governmental decisions include, but may not be limited to, decisions of the advisory group on which they serve, of county staff, or of the Board of Supervisors.
- n. **Minutes.** The secretary shall be responsible for taking, preparing and keeping the formal written minutes of all meetings. The minutes shall contain the following elements:

- (1) The kind of meeting (such as regular or special);
 - (2) The name of the advisory group;
 - (3) The date and place of the meeting;
 - (4) The fact of the presence and names of the chair presiding and the secretary, or their substitutes;
 - (5) Whether the minutes of the previous meeting were approved;
 - (6) Points of order and appeals, whether sustained or lost, and all motions (except those withdrawn) including the name of the maker and seconder of the motion and names of those voting for, against and abstaining; and,
 - (7) The times the meeting started and adjourned. In consideration of the use of county resources and in keeping with recognized rules of order, transcriptions of the deliberations or discussions of a meeting shall not be required as part of official meeting minutes. The secretary shall forward a copy of the minutes to the Clerk of the Board of Supervisors promptly after the minutes are prepared and signed by the secretary; it shall not be necessary to await approval of the minutes by the advisory group.
- o. **Public communications.** Any member of the public wishing to speak to an advisory group on an agenda item before a vote is taken may notify the secretary in writing of their request to speak. Any member of the public may also speak to any advisory group during the time designated on the advisory group's agenda for oral communications from the audience. If they choose, they shall be allowed to communicate with assistance, such as a translator. The chair may use discretion in limiting the time allotted each speaker as necessary to maintain order and/or expedite the business of the advisory group. Any member of the public may also submit comments in writing on any agenda item before a vote is taken.
- p. **Decorum.** The chair of an advisory group shall maintain decorum, focus and civil discourse in the conduct of public business while a meeting of an advisory group is called to order.

- q. **Removal from meetings.** Consistent with Board Policy A-2, as may be amended from time to time in the conduct of county business, the chair of an advisory group shall order removed from the meeting room any person who commits the following acts in respect to a regular or special meeting of the advisory group:
- (1) Disorderly, contemptuous or insolent behavior toward the advisory group, any member thereof, or of staff, that disrupts the orderly course of such a meeting; or,
 - (2) A breach of the peace, boisterous conduct, or violent disturbance that tends to interrupt the due and orderly course of such a meeting; or,
 - (3) Disobedience of any lawful order of the chair, which shall include an order to be seated, or to refrain from addressing the advisory group; or,
 - (4) Any other unlawful interference with the due and orderly course of such a meeting.
- Any person so removed shall be excluded from further attendance at the meeting from which they are removed, unless permission to attend is granted by a motion adopted by a majority vote of the advisory group.
- r. **Adjourning meetings.** Advisory groups shall conclude all regular meetings by adjourning to a location, time, and date certain, which may be either before or after the date of the next meeting of the advisory group.

12. **REPORTS AND RECOMMENDATIONS:**

- a. **Reports.** Each advisory group shall by June 30 of each year file with the Board of Supervisors an annual report of its activities, may file a special report whenever the advisory group deems it desirable to do so, and shall file a report when requested to do so by the Board of Supervisors. Advisory groups subject to sunset clauses shall prepare and file a final report to the Board of Supervisors in advance of their specified sunset date. All reports shall be submitted through the Executive Office for placement on the Board of Supervisors' agenda in accordance with Board Policy A-5, as may be amended from time to time in the conduct of county business.
- b. **Recommendations.** The recommendations of each advisory group shall be submitted through the Executive Office for placement on the Board of Supervisors' agenda in

accordance with Board Policy A-5, as may be amended from time to time in the conduct of county business. The recommended motion shall be the motion formally approved by the advisory group. County departments or agencies shall retain the right to include an alternate recommendation for Board consideration. In instances where the staff recommendation differs from the advisory group's, staff shall notify the advisory group of the alternate recommendation and time/date that the Board will consider the matter.

- 13. **FORMAL COMMUNICATIONS:** Formal communications from any advisory group to the Board of Supervisors shall be dated and signed by an officer of the advisory group, and shall fairly and accurately represent the position and/or sentiments of the advisory group as formally reflected in their meeting minutes.
- 14. **COMPENSATION AND EXPENSES:** Each member shall serve without compensation or reimbursement of expenses unless otherwise provided in accordance with statute, ordinance or resolution authorizing the same and specifying the details thereof.
- 15. **DISSOLUTION:** Should it be determined an advisory group does not function consistent with the procedures set forth in this resolution, or any subsequently adopted rules, resolutions, ordinances or laws, the Board of Supervisors may, at any time and in its sole discretion, dissolve the advisory group by resolution. An advisory group with a sunset clause shall dissolve automatically upon their specified sunset date unless the Board of Supervisors amends their sunset clause to extend their sunset date in advance.
- 16. **SUPERCESSION:** This resolution shall supersede Resolution No. 95-290.

ROLL CALL:

Ayes:	Buster, Stone, Wilson and Ashley
Nays:	None
Absent:	Tavaglione
Abstain:	None

The forgoing is certified to be a true correct copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

NANCY ROMERO Clerk of said Board

By _____ Deputy