

# COUNTY OF NEVADA

STATE OF CALIFORNIA

## BOARD OF SUPERVISORS



Vice Chair Heidi Hall, 1<sup>st</sup> District

Edward C. Scofield, 2<sup>nd</sup> District

Dan Miller, 3<sup>rd</sup> District

Sue Hoek, 4<sup>th</sup> District

Chair Richard Anderson, 5<sup>th</sup> District

Julie Patterson-Hunter, Clerk of the Board

### ORDER AND DECORUM OF BOARD BUSINESS FOR 2019

#### 1. PUBLIC PARTICIPATION IN BOARD MEETINGS

Even though items on the Board agenda may not be noticed as public hearings, the public's participation in the affairs of government assists in keeping the public educated through the governing process and has value. Consideration will be given to this value while the Chair reserves the privilege to recognize members of the public. Board members assistance in calling attention to public members they desire to be recognized is encouraged. The following rules of conduct for receiving public comment shall apply to all meetings of the Board of Supervisors.

- a. **Matters on the agenda:** The Board shall allow public comment on items appearing on the agenda when the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item and may limit any individual desiring to address the Board to no less than three (3) minutes. Comments by the public must be relevant to the item on the agenda being considered by the Board.
- b. **Matters not on the agenda:** At regular meetings of the Board, members of the public shall be allowed to address the Board of Supervisors on matters not appearing on the agenda which are of interest to the public and which are within the subject matter jurisdiction of the Board. Pursuant to the Ralph M. Brown Act, the Board shall not take any action or discuss any matter not appearing on the agenda although staff may be asked to briefly respond to or follow up on such items.

The Chair of the Board may limit the total amount of time allocated for public comment; provided, however, the Board will allocate at least fifteen (15) minutes for receiving public comment during any Board meeting. The Chair of the Board may limit any individual desiring to address the Board to no less than three (3) minutes. Time to address the Board will be allocated on the basis of the order in which the requests were received.

- c. **Public Hearings:** All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Chair of the Board may limit the total amount of time allocated for the public hearing and may limit any individual desiring to address the Board to not less than three (3) minutes. Any person may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

Whenever a public hearing is conducted, the public hearing is closed and the matter is continued to a subsequent meeting for Board deliberation and/or action, the Board shall not allow public comment and/or testimony on that item at the subsequent hearing. However, at the initial public hearing, prior to taking action, the Board may, at its sole discretion, elect to continue the matter and reopen the public hearing. At the subsequent hearing, all information will be considered. The Board may also, at

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website: <http://www.mynevadacounty.com/nc/bos>

the initial public hearing, prior to taking action, announce that the public hearing is being continued for specific information and the public testimony will only be heard on new information specific to the Board's direction. If, after the public hearing is closed and the Board later decides to reopen the public hearing for public testimony, appropriate notices must be published.

**d. Order and Decorum:**

- i. Address the Board from the podium. Speakers are encouraged but not required to give their name and city of residence before addressing the Board. Speakers shall direct their comments to the Board, not the audience or staff.
  - ii. Comment on specific matters before the Board with reasons for the position taken.
  - iii. The Chair may, at his or her discretion, allow up to five (5) minutes for those who are serving as a spokesperson for a group or organization.
  - iv. A speaker may not yield time to another speaker.
  - v. No individual may speak more than once during the Public Comment period or on an item on the agenda unless recognized by the Chair as having new information.
  - vi. In the interest of civil discourse, the rules specified in this Order and Decorum of Board Business and Robert's Rules of Order, to the extent such Rules are not in conflict with the Brown Act, shall apply at all Board meetings. It shall be the responsibility of the Chair to ensure public comments are conducted in such a manner that avoids disruptive activity, promotes mutual respect, keeps comments focused on issues, and avoids personal attack.
  - vii. Applicants, applicant representatives and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for not more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings), unless different rules for conducting the hearing are provided by County code. Time limits may be modified at the Chair of the Board's discretion.
- e. **Special Meetings:** At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

**2. PROMPTNESS AT MEETING TIME**

Board members are requested to observe timely appearance at Board functions in respect to the public, staff and Board. With assistance from the Clerk of the Board, department staff and presenters will be scheduled in order to support the timely work of the Board. Board members are requested to notify the Clerk of the Board relative to their absence or anticipated late arrival as soon as such situation is known.

**3. INTRODUCTION OF ITEMS REQUIRING BOARD ACTION**

All items will be introduced and staff will be requested to highlight supporting information verbally. Ample time will be provided for Board members to request additional information from the Department Head advancing the action item. If the supporting information is incomplete or inaccurate, the item, with the consent of the Board, will be referred back to the Department for reevaluation and reintroduction. If sufficient information to support an action is presented and all Board members have had an opportunity to examine and question the staff relative to the facts supporting the merits, then action is appropriate.

After a motion is made and seconded, further discussion may take place to determine the relative benefit of the motion to the Department and the public. Once the benefits are assessed through Board discussion, the Chair will call for the vote, or the Board majority calls for the question. If the information necessary to support the question of relative benefit is insufficient, a motion to continue would be in order.

**4. AGENDA ITEMS**

No issues shall be placed on the agenda that are beyond the jurisdiction and authority of a California county or that are non-essential to county government.

**5. USE OF E-COMMUNICATION AT PUBLIC MEETINGS**

Board members shall not use E-Communication during a public meeting of the Board at which he or she is in attendance. In the event of an urgent family matter, a Board member wishing to respond to a telephone call or text message during the meeting shall do so during a recess or shall excuse him or herself from the meeting to place the return call or text in a manner that does not disrupt the meeting. E-communication is defined as “electronic text or visual communication and attachments distributed via e-mail, websites, instant messaging, text messaging, twitter, or comparable services.”

**6. LAST MINUTE SUPPORTING DOCUMENTS**

Last minute supporting documents by staff put Board members at a disadvantage by diluting the opportunity to study the documents. All late submission of supporting documents must be justified in writing stating the reasons for the late submission. The Clerk of the Board will apprise the Board of late submission documents and their justification when appropriate. Bona fide emergency items involving public health and safety requiring action by the Board will be excluded.

**7. CONSENT CALENDAR PROCEDURE**

All consent items will be considered as the first order of business.

Department Heads, or their designated representative, will be present during the consent calendar to answer any questions.

If the Department Head is unable to be in attendance, the County Executive Officer will respond to questions and the item may be postponed until later in the day or the following meeting, if necessary.

If a member of the public requests an agenda item be pulled, it will be addressed at that time to the best ability of those staff and Board members present.

**8. REQUEST FOR INPUT OR DIALOGUE**

Requests by Board members during a meeting for the opportunity to speak, for public input, or for additional staff input, should be made through the chair.

**9. MOTIONS**

Once a motion is made, seconded, and under discussion, no other motion shall be made on the subject matter until a vote on the main motion has occurred.

**10. AMENDMENT OF MOTIONS**

Once a motion has been made and seconded, it may only be amended by the motion maker with the concurrence of the second.

**11. VOTE**

Three votes of the Board, unless a greater number is otherwise required by law, are required to constitute a Board action. A tie vote on a motion affecting the merits of any matter shall be deemed to be a denial of the matter.

When a four-fifths vote of the Board is required, the agenda and staff will so state.

**12. VOICE VOTE**

The Board shall act by voice vote on all matters before it with the exception of resolutions and ordinances, which require a roll call vote. A Board member may ask for a roll call vote on any voting matter. Any supervisor present who does not vote or abstain audibly shall be recorded as voting "yes."

**13. DISQUALIFICATION/ABSTENTION**

Any Supervisor may abstain from voting on any matter. If it is determined, in consultation with the County Counsel or the FPPC, that a Supervisor has a legal conflict on any matter, then the Supervisor shall be disqualified from discussing or voting on that matter. A disqualification/abstention from voting on the merits of any matter shall be announced by the Supervisor audibly. The Supervisor may state the reason for disqualification/abstention. However, any Supervisor disqualifying him/herself due to a legal conflict of interest shall state the reason, shall completely abstain from participating in discussion on the matter and shall leave the room until the Board has completed its discussion and action on that matter.

Abstention/Disqualifications shall not count as a vote for or against a matter for which a vote is taken. This section applies to all elected and appointed officials serving on any board, committee or commission of the County of Nevada. (Ord. 1558, 2/14/89)

**14. ABSENCE OF A CONTROLLING RULE**

In the absence of a controlling rule, and after inquiring of counsel, the Chair or acting Chair may give procedural directions to accommodate conduct of the business of the Board.

**15. ABSENCE FROM HEARING**

A Supervisor who is absent from all or a part of a public hearing, or where actions require findings or are quasi-judicial, may vote on the matter heard if the Supervisor states he or she has reviewed all evidence received during the absence and has also listened to the clerk's recording of the proceedings.

**16. MOTION FOR RECONSIDERATION**

When additional information has surfaced at a meeting after a motion has duly passed or failed, a motion for reconsideration may be accepted only if the motion for reconsideration is advanced or seconded by a Board member who was in the majority vote on the motion for which reconsideration is being requested. The new or additional information should be presented during discussion after the motion for reconsideration has been duly seconded.

The Chair may reschedule an item if the participating public was present when originally considered and departed before reconsideration.

**17. INDIVIDUAL BOARD MEMBER AGENDA REQUESTS**

All individual Board items should be discussed with the Chair before agenda review. Individual Board items not budgeted or related to a current Board Objective should first be introduced by the individual board member in concept and in seeking full Board direction to staff.

Any Board members' agenda item shall be submitted through the agenda review process prior to scheduling with the Clerk of the Board. All items will be reviewed for completeness. Sufficient supporting documents must be provided in a timely manner before being placed on the agenda so that appropriate Department Heads may become involved. Items must meet the established scheduling requirements. No more than two items per Board member will be considered at a Board meeting.

An action taken at a prior meeting should not be reconsidered without consent by a Board member who voted in the majority at that prior meeting.

**18. ESTABLISHMENT OF COMMITTEES AND COMMISSIONS**

Staff to prepare a short cost benefits analysis before the Board acts to create a committee or commission.

**19. WORKSHOPS**

Study sessions in the form of workshops will be held as needed. The goal will be to gain in-depth information, allow full discussion and assist the Board in clear understanding of the complex issues of County government.

**20. OUT OF STATE TRAVEL**

The Chair will consider and be responsible for approval of all individual Board members' out-of-state travel requests unless already budgeted for that fiscal year.

**21. ATTENDANCE AT CONFERENCES**

Board members may, without the approval of the Chair and at County expense, attend regularly scheduled annual conferences held by CSAC or RCRC, and any meeting or conference of a committee for which they have been appointed as the Board's designated representative or alternate. Board members shall obtain a CSAC Supervisor Credential during their first term as a member of the Board of Supervisors. Upon enrollment for the CSAC Supervisor Credential, Board members may apply to the Chair for funds to attend other conferences that relate to County business. The Chair may approve such requests that are within the Board's budget. Requests above the Board's budget must be approved by majority vote of the entire Board. All payments and reimbursements for travel expenses will comply with the County's travel policy.

**22. CHAIR AND VICE CHAIR YEARLY SELECTION PROCEDURE**

Selection of the Chair and the Vice Chair will be by a majority vote of the Board of Supervisors, the Chair's leadership will reflect the will of the majority. The Chair will not serve consecutive terms unless all other Supervisors decline to serve as Chair. (Policy adopted on 1/7/03)

**23. ROLE OF CHAIR**

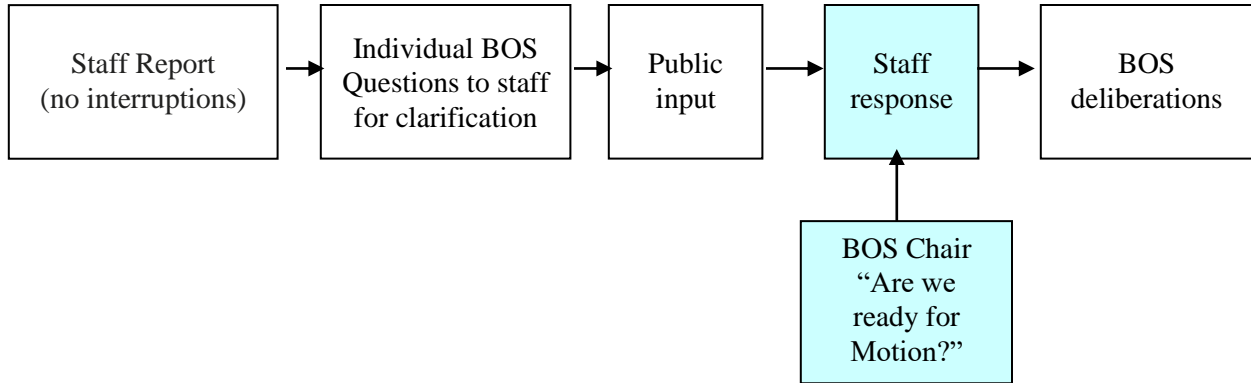
- Run meeting and associated duties within meeting
- Preside over ceremonial situations
- Committee appointments
- Approve agendas
- Execute all ordinances, Board resolutions and Board proclamations
- Execute all Board-approved contracts, unless signing authority is otherwise delegated by the Board

**ROLE OF VICE CHAIR**

- All of the above in absence of Chair

## 24. CONDUCT OF PRESENTATIONS AND ROLES

- Procedure for presenting staff reports.



## 25. EXPECTATIONS REGARDING ORGANIZATIONAL CULTURE

### EXPECTATIONS OF BOARD MEMBERS

- Always focus on what's best for the County, and represent the entire County as well as your individual District.
- Board members are elected by their District and should be the first to communicate with their District constituents on matters that affect only that District from a supervisor's role. Other supervisors should respect this and only engage in another supervisor's district only after discussing the matter with that District's supervisor. The Brown Act is applicable here.
- Maintain good Board relationships and visibly demonstrate respect for, and fairly represent, each other.
- Be sensitive to your public image and conduct at all times.
- Be respectful, open, candid, honest, and fair:
  1. Explain your perspective, rationale, and reasoning.
  2. Remember that respect for debate, differing opinions, and reasoning mitigates polarization.
  3. Demonstrate that it is fine to disagree but not to be disagreeable.
  4. Don't be inhibiting or limiting.
  5. Value the staff as individuals, and demonstrate mutual respect.
  6. Let staff know of questions you have on an agenda item or staff's recommendations with grace.
- Do your homework, be prepared when bringing an item to the Board, be as concise as possible, and don't repeat comments previously made by another Supervisor.
- Recognizing that the Board is the staff's first priority:
  1. Provide clear direction to the staff.
  2. Prioritize the level of importance of issues and feel free to go directly to the County Executive or his/her key staff.

3. Primarily go to the County Executive's office or a Department Head first to clear with a Department Head before going to a front-line employee on a new issue.
  4. Ask questions, but let the staff know the difference between an informational or rhetorical question.
  5. Think carefully before proposing a new program or changing a policy.
  6. Recognize that venting to staff is welcome but does not constitute policy direction, which comes from the full Board.
  7. Recognize the sensitivity of personnel matters, direct all personnel concerns or complaints to the County Executive's Office, and do not publicly discuss personnel issues.
- H. Briefly provide Supervisor report back's during announcements.
- I. **No Surprises.** Keep each other informed with each other or staff.
- J. When interacting with individuals or other agencies:
1. Verify facts regarding complaints or concerns with staff.
  2. Clarify that you are one of five decision makers.
  3. Do not commit without checking with County staff first.
  4. Respectfully refer a member of the public with an issue to the appropriate Supervisor or District Representative.

## **EXPECTATIONS OF STAFF**

- A. Provide good service and show respect to the public.
- B. Accept full ownership for your Department or work area.
- C. Present good staff reports: pros and cons
1. Give pros, cons, alternatives, and a recommendation.
  2. Present accurate, quality visuals.
  3. Don't raise more questions than you can answer during a staff report.
  4. Stay well organized and manage the time.
- D. Apprise the Supervisors in advance of:
1. Meetings and special projects in their Districts.
  2. Any controversial issues or conversations; don't surprise the Board, especially on any "hot button" issues.
  3. Agenda items that affect their District.
  4. Any "bad news."
  5. Deadlines that are slipping and why.
  6. Problems facing the staff, especially known problems.
- E. Set realistic deadlines, be proactive with regard to issues that need resolving, and produce timely documents.
- F. Work cooperatively, demonstrate cooperation among staff, support each other, and be sensitive to each other's workloads.
- G. Be loyal to the County and be sensitive to your public image and conduct at all times.
- H. Feel comfortable going directly to Board members.

I. Do not participate in political activity while on duty.

Approved: February 12, 2019

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Richard Anderson, Chair of the Board