



# STANISLAUS COUNTY FIRE AUTHORITY BOARD OF DIRECTORS

## RULES OF PROCEDURE

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### **RULE 1. TIME AND PLACE OF MEETINGS OF THE BOARD OF DIRECTORS**

- a) Except as otherwise provided in this Rule, a regular meeting of the Board of Directors shall be held quarterly on the first Thursday of March, June, September and December, commencing at the hour of 8:30 a.m. at the Regional Fire Training Center, 1220 Fire Science Lane, Modesto.
- b) The Clerk of the Authority shall maintain the official meeting calendar, and shall post same in the lobby of the Regional Fire Training Center, 1220 Fire Science Lane, Modesto and on the Fire Warden website. Meeting agendas shall also be distributed to the Representative and Alternate Representative of member agencies in electronic format at least 72 hours before the scheduled meeting.
- c) Any meeting of the Board may be adjourned to any other date and time when necessary for the transaction of business. Any adjourned meeting of the Board is part of a regular meeting.
- d) Special meetings of the Board may be called pursuant to and in accordance with Section 54956 of the Government Code. The Clerk shall prepare the notice and call of any special meeting.

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Adopted June 7, 2018

The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such special meeting. A copy of the notice of the special meeting shall also be posted at the places designated in subsection (b) of Rule 1.

- e) In the event the Board determines it advisable to hold a regular meeting at a location other than the Regional Fire Training Center, 1220 Fire Science Lane, Modesto, a notice specifying the location of such meeting shall be posted in the lobby of the Regional Fire Training Center, 1220 Fire Science Lane, Modesto, the Stanislaus County Fire Warden's Office, 3705 Oakdale Road, Modesto, the Fire Warden website, and at the alternate location. Additional notices shall be posted and maintained as set forth in (b) above.

## **RULE 2. AGENDAS FOR MEETINGS OF THE BOARD OF DIRECTORS**

- a) Items for the agenda of any regular meeting of the Board shall be included on the agenda only by the approval of the Chair or the Vice Chair.
- b) During the Board Comments portion of a Board meeting, any Member may request that an item be placed on a future agenda of the Board of Directors. Staff will prepare reports as appropriate and place the item on the agenda for the next meeting of the Board of Directors. At any other time, any Board Member may contact the Chair to request that an item be placed on the agenda of the next meeting of the Board of Directors
- c) As required by the Ralph M. Brown Act, items not on the posted agenda for a meeting shall not be considered by the Board except as follows:
  - (1) Upon determination by a majority vote of the Board that an emergency situation exists. The determination shall be made prior to Board consideration of the emergency item. An emergency situation is limited to:
    - (a) Work stoppage or other activity which severely impairs public health, safety or both.
    - (b) Crippling disaster which severely impairs public health, safety or both.
  - (2) Upon determination by a two-thirds vote of the Board Members present, or a unanimous vote if less than two-thirds of the Members are present, that there is a need to take immediate action and that the need came to the attention of the Authority subsequent to the agenda being posted. The determination shall be made prior to Board consideration of the item.
  - (3) The item was posted for a prior meeting occurring not more than five calendar days prior to the date action is taken on the item and at which prior meeting, the item was continued to the meeting at which action is being taken.

### **RULE 3. ORDER OF BUSINESS FOR MEETINGS OF THE BOARD OF DIRECTORS**

The order of business for regular meetings of the Board shall be:

- a. Pledge of Allegiance
- b. Roll Call
- c. Introduction of Guests
- d. Public Comments
- e. Approval of Minutes
- f. Agenda Items
- g. Reports from each Fire Authority Service Provider
- h. Committee Reports (if necessary).
- i. Announcements
- j. Closed Session and Reporting of Closed Session Actions (if necessary).
- k. Adjournment

The Chair may alter or deviate from this order of business.

### **RULE 4. MOTIONS DURING MEETINGS OF THE BOARD OF DIRECTORS**

- a) Action of the Board shall be taken by motion. Any action of the Board may be proposed by the motion of any Member. Such a motion, if seconded by any Member, shall be on the floor and must be considered, unless a substitute motion has been made, seconded, and adopted. If a motion is not seconded, the motion fails for lack of a second, and shall be so declared by the Chair.
- b) A motion may be withdrawn or amended by its maker at any time before adoption or rejection, with the consent of the second. Absent the consent of the second, the original motion shall remain on the floor. The second to a motion may be withdrawn by the person who seconded such at any time before adoption or rejection of the motion. Upon withdrawal of the second, the motion will be lost for lack of a second and so declared by the Chair unless seconded by another Member.

- c) After a motion has been seconded, any Member may discuss the subject of the motion. The Chair may, on any motion, call for the vote if it appears that further discussion will be repetitious or that a majority of the Members present concur in the call.

## **RULE 5. DECORUM FOR PUBLIC MEETINGS**

- a) Members of the Board shall conduct themselves in an orderly and business-like manner to ensure that the business of the Authority shall be attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process of the Board is maintained at all times. Members of the Board shall maintain a polite, respectful, and courteous manner when addressing one another, Authority staff, and members of the public during the meetings.
- b) Subject to direction by a majority of the Board, the Chair, or in the Chair's absence the Vice Chair, or in their absence any other Member designated by the Board, shall be responsible for resolving all procedural issues and for maintaining the orderly conduct and decorum of meetings. It shall be the duty of the Chair to ensure that the rules of decorum contained herein are observed. The Chair shall maintain control of communication among Board Members, and between Board Members and the public.
- c) Communication by Board Members
  - (1) Board Members should be recognized by the Chair before speaking.
  - (2) A Board Member who is speaking shall remember that the purpose of the meeting is to attend to and resolve Authority business. Board Members shall avoid repetition and shall endeavor to limit their comments to the subject matter at hand. Board Members shall endeavor to express their views without engaging in lengthy debates.
  - (3) When one Board Member is speaking, other Board Members shall not interrupt or otherwise disturb the speaker.
- d) Communication with members of the public addressing the Board.
  - (1) Board Members may question the person addressing the Board at the conclusion of the person's comments. A Board Member wishing to ask questions of a member of the public should first be recognized by the Chair.
  - (2) Board Members shall not engage the person addressing the Board in a dialogue, but shall confine communication to a question and answer format.
  - (3) If a member of the audience has addressed the Board on matters which are not on the agenda, Board Members shall refrain from extended discussions of the matter.

If a Board Member so wishes, he/she may, during the Board Member Comments portion of the meeting, request that the matter be placed on a future agenda.

- (a) Members of the audience shall not engage in disorderly or boisterous conduct, or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the Board meeting unfeasible. A member of the audience engaging in any such conduct shall, at the discretion of the Chair or a majority of the Board Members, be subject to removal from that meeting.
- (b) Members of the public may address the Board of Directors during the Public Comment Period and prior to the consideration of any agenda item. Any person wishing to speak, whether during the Public Comment Period or on an agenda item, shall first complete a request to speak form slip and submit the form to the Authority Clerk prior to the calling to order of the meeting or as soon as possible thereafter.
- (c) No person shall address the Board of Directors without first being recognized by the Chair.
- (d) The purpose of addressing the Board of Directors is to formally communicate to the Board on matters relating to Authority business or citizen concerns within the subject matter jurisdiction of the Board. Persons addressing the Board on an agenda item shall confine the subject matter of their remarks to the particular matter before the Board.
- (e) Each person addressing the Board of Directors shall do so in an orderly manner and shall not engage in any conduct which disrupts, disturbs, or otherwise impedes the orderly conduct of the Board meeting. Any person who so disrupts the meeting shall, at the discretion of the Chair or a majority of the Board Members, be subject to removal from that meeting.
- (f) Persons addressing the Board of Directors shall address the Board as a whole and shall not engage in a dialogue with individual Board Members, Authority staff, or members of the audience.
- (g) A time limit of approximately three minutes per person shall be allocated to all persons addressing the Board of Directors, however, at the discretion of the Chair, an individual speaking on behalf of a group sharing common concerns or opinions may be allocated additional time to speak for the group. A total of approximately thirty minutes will be allocated at the beginning of the meeting for Public Comments, with additional time granted at the discretion of the Chair. If needed, additional time for Public Comments will be provided at the conclusion of the normal business of the Board.

- (h) Upon a violation of the rules of decorum established herein the procedure to enforce the rules is as follows:
1. Warning The Chair shall first request that a person who is violating the rules cease such conduct. If, after receiving a request from the Chair, the person persists in violating these rules, the Chair shall order a recess. Any representative of the local assigned law enforcement personnel who is present at the meeting when the violation occurred shall be authorized to warn the person that his/her conduct is violating the rules and that he/she is requested to cease such conduct. If upon resumption of the meeting the violation persists, the Chair shall order another recess, whereupon the local assigned law enforcement personnel shall have the authority to order the person removed from the meeting and/or cited in violation of Penal Code Section 403.
  2. Motion to enforce If the Chair of the Board fails to enforce the rules of decorum set forth herein, any Board Member may move to require the Chair to do so, and an affirmative vote of a majority of the Board shall require the Chair to do so. If the Chair fails to carry out the will of the majority of the Board, the majority may designate another Board Member to act as Chair for the limited purpose of enforcing the rules of decorum established herein.
  3. Clearing the Room Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a person or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, by a majority vote of the Board Members the meeting room may be ordered cleared and the meeting shall continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this Section 54957.9.
  4. Violation of the California Penal Code A person or persons who substantially impair(s) the conduct of a Board meeting by knowingly and intentionally violating these rules of decorum may be prosecuted under Penal Code Section 403 for disturbing a public meeting. Every person who violates Penal Code Section 403 is guilty of a misdemeanor.

**RULE 6. ELECTION OF CHAIR, VICE CHAIR, and CLERK/SECRETARY OF THE BOARD OF DIRECTORS**

- a) The officers of the Board are the Chair, Vice Chair and Clerk/Secretary. The Chair and Vice Chair must be a designated Agency Representative.
- b) Elections for Chair, Vice Chair, and Clerk/Secretary shall be held at the June meeting of each year. Officers will assume office at the September meeting. Officers serve a one year term but can be re-elected by the Board of Directors.

The following procedure and timeline shall be followed in the election of officers:

- c) March Meeting - Immediately following the March meeting, the Clerk will send an email to Agency Representatives and Alternates to seek out interested candidates for the positions of Chair, Vice Chair and Clerk/Secretary. Nominations must be received by the Clerk/Secretary no later than May 15. Nominations received via email will be brought to the Authority at the June meeting.
- d) June Meeting- Nominations received via email by the Clerk will be announced at the June meeting. Additional nominations may be accepted from the floor at this time. Nominations will then be closed and the Board of Directors will proceed to elect. Voting can be done by a show of hands or by roll call of Member agencies, if deemed appropriate by the Chair.
- e) In the event only one candidate runs for each of the offices in a given election, the Board of Directors shall declare an election and the candidates shall take office at the September meeting.
- f) Each member agency may cast one vote for their candidate of choice.
- g) September Meeting - New officers will assume their offices.

It is the responsibility of all potential candidates to perform due diligence with their governing body to obtain their approval to fill these positions.

**RULE 7. RETENTION OF EXHIBITS AND DOCUMENTARY MATERIAL RECEIVED IN HEARINGS BEFORE THE BOARD OF DIRECTORS**

All exhibits, including documentary materials such as photographs, drawings, maps, letters, petitions, and other physical evidence received by the Board at hearings shall be retained by the Clerk as part of the record of the hearings. To the extent possible, the Clerk may furnish copies of such materials to persons requesting them upon payment of the fee prescribed for copies of public records.

## **RULE 8. CEREMONIAL FUNCTIONS AND PROCLAMATIONS**

The Chair is authorized to represent the Authority at ceremonial functions, proclamation ceremonies, and other similar events when the Board has not otherwise designated one of its Members to represent the Authority.

## **RULE 9. COMMITTEES**

- a) Committees may be established by the Chair or Board of Directors for the purpose of facilitating a thorough review of various issues before presentation to and action by the full Board.
- b) A Business Plan Committee will be formed at the June meeting to work on the following fiscal year Business Plan and make recommendations on services and budget allocations. The Business Plan Committee will be a standing committee appointed annually by the Chair at the June meeting. The Committee will forward Business Plan recommendations to the Board of Directors for a vote of approval to recommend to the Stanislaus County Board of Supervisors.
- c) All committees will provide oral reports in addition to sharing minutes at each Board meeting while they are in existence.
- d) The Chair shall make all appointments to the committees.
- e) The Chair may appoint Members to represent the Fire Authority on outside standing committees that require representation by the Fire Authority.

## **RULE 10. ALTERNATE DIRECTORS**

An Alternate Director may act in the absence of the Director for his or her member agency with 24 hours notice, in accordance with the Joint Powers Agreement, and in that capacity, may attend closed sessions of the Board of Directors.

## **RULE 11. AMENDMENT OF RULES OF PROCEDURE**

No rule of the Board shall be adopted or amended except by resolution adopted by the Board. No rule within this document shall be in conflict with the Joint Powers Agreement of the Stanislaus County Fire Authority.

*Rules of Procedure adopted at regular Fire Authority meeting January 5, 2006 by a unanimous vote.*

*Rule #6 regarding election procedures was amended at the September 7, 2006 meeting by a unanimous vote.*

*Rule #1 regarding Time and Place of Meetings was amended at the June 7, 2018 meeting by a unanimous vote.*

*Rule #6 regarding Election of Officers was amended at the June 7, 2018 meeting by a unanimous vote.*

*Rule #9 regarding Committees was amended at the June 7, 2018 meeting by a unanimous vote.*