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**RULES OF THE
MADERA COUNTY BOARD OF SUPERVISORS**

1. PURPOSE.

These rules shall apply to all proceedings and meetings of the Board of Supervisors of the County of Madera, whether sitting as the Board of Supervisors of the County or as the governing board of any other agency or district.

2. MEETINGS.

(a) Regular Meetings. The regular meetings of the Board of Supervisors shall be held in accordance with Madera County Code Section 2.03.010. Meetings shall commence at 9:00 a.m. unless otherwise directed by the Chairman of the Board. The Chairman is authorized to adjust the start time of a regular meeting and the meeting shall still constitute a regular meeting, provided the agenda for the meeting is posted at least 72 hours in advance of the meeting in accordance with the Ralph M. Brown Act (Gov Code § 54950, et seq.) The Board shall not hold regular meetings on the fourth or fifth Tuesday of any month. All regular meetings shall be conducted in the Chamber of Madera County Board of Supervisors in the Madera County Government Center, 200 West 4th Street, Madera, California, or in such other location as may be designated by the Board as authorized by law. In the Chairman's discretion, and prior to posting of the Agenda, regularly scheduled meetings may be cancelled. Cancellation of agendized meetings or noticed hearings shall occur in accordance with the Ralph M. Brown Act (Gov Code 54950 et seq.).

(b) Special Meetings. A special meeting may be called at any time by the Chairman of the Board or by three (3) members of the Board. Notice of a special meeting shall be written and shall specify the time and place of the meeting and the business to be transacted. Such notice shall be delivered to or mailed and received by each member of the Board and each local newspaper of general circulation and radio or television requesting notice in writing, at least 24 hours before the time of the special meeting. No other business beside that specified in the notice shall be considered by the Board at a special meeting. The notice shall be posted by the Clerk of the Board at least 24 hours prior to the special meeting in a location that is freely accessible to the public.

(c) Adjourned Meetings. Any regular or special meeting of the Board may be adjourned to a time and place specified in the order of adjournment.

1 Less than a quorum may so adjourn from time to time. If all members of the Board are
2 absent, the Clerk may adjourn the meeting to a stated time and place and shall cause a written
3 notice of the adjournment to be given in the same manner as is required for special meetings.

4 (d) Administrative Sessions and Information Hearings. The Board may, from time to
5 time, schedule administrative sessions and informational hearings with the County staff or the
6 public for the purpose of receiving information on and discussing subjects of interest to the Board.
7 No action shall be taken on any item at any such meeting. Such meetings may be called by the
8 Board during any regular, adjourned, or special meeting. Otherwise, such meetings shall be called
9 in the same manner as special meetings.

10 (e) Procedures for Board of Supervisors serving as Board of Directors or Governing
11 Body of Dependent Special Districts and Other Public Entities.

12 (1) The Board of Supervisors shall serve as the Board of Directors of all
13 dependent special districts governed by the Board and as the governing body of each and every
14 public entity within Madera County for which federal, state or local law require the Board to serve
15 as the governing body. When acting as the governing body, the Board shall be referred to as the
16 “Board of Directors.”

17 (2) If the Board of Supervisors conducts meetings as both the Board of
18 Supervisors and as the Board of Directors of a subordinate or special district or other public
19 entity, for clarity, agendas shall separate matters heard as the Board of Directors from matters heard
20 as the Board of Supervisors.

21 (3) The Board of Directors of dependent special districts and other public
22 entities shall meet each Tuesday that is scheduled as a regular meeting of the Board of Supervisors,
23 and such regular meetings of the Board of Directors shall be in the Chamber of Madera County
24 Board of Supervisors in the Madera County Government Center, 200 West 4th Street, Madera,
25 California, or in such other location as may be designated by the Board as authorized by law. Such
26 meetings shall be listed in the agenda as being meetings of the Board of Directors.

27 (4) The Board of Directors may call and conduct special meetings under the
28 same procedures as special meetings of the Board of Supervisors. Notice of any such special
meeting shall refer to the Board of Directors.

1 (5) Upon adjournment of the Board of Directors, the Board of Supervisors shall
2 immediately reconvene for purposes of taking up any item related to the County of Madera's
3 involvement in or participation with the dependent special district or other public entity, including
4 but not limited to matters of financing, contractual obligations, or indemnification. Such
5 reconvening and conducting of business shall be conducted in accordance with the Ralph M.
6 Brown Act (Government Code section 54950 et seq.).

7 3. OFFICERS.

8 (a) Chairman. At the first regular meeting of each calendar year, the member who
9 served as Chairman Pro Tem during the preceding calendar year may be seated as Chairman upon
10 the majority vote of the Board. Should the Chairman Pro Tem not receive the necessary votes to
11 become Chairman, another member may be selected as Chairman by majority vote of the Board. If
12 for any reason the Chairman-Elect is unwilling or unable for any reason to be Chairman, the Board
13 shall, by majority vote, select the Chairman from among the other members. No member shall be
14 Chairman who has not completed one (1) year of service on the Board. Prior interrupted service on
15 the Board shall not be considered in satisfaction of this requirement.

16 The Chairman shall hold office for one (1) year, and until the qualification or election of his
17 or her successor, provided, however, that the Board may, by majority vote, determine that the
18 Chairman who completed the preceding year of service shall continue as Chairman for an
19 additional year. A member who has served as Chairman for two (2) consecutive years shall be
20 ineligible to be Chairman the subsequent year. The Chairman shall be the presiding officer of the
21 Board and shall have all lawful authority to preserve order at all meetings. Either the Chairman or
22 Clerk of the Board shall announce all matters as they come before the Board. The Chairman shall
23 restate all motions before they are submitted to vote, and the Chairman or Clerk shall announce the
24 Board's vote on all subjects. Whenever the Clerk calls the roll, the Chairman's name shall be
25 called last. The Chairman shall sign all ordinances, resolutions, minutes, contracts, and other
26 documents when authorized to sign by the Board.

27 Any vacancy in the office of the Chairman shall be filled by majority vote of the Board, and
28 the member so elected shall serve the unexpired term of the former Chairman.

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1 (b) Chairman Pro Tem. The Chairman Pro Tem shall be selected by rotation as
2 follows: In 2019, the Chairman Pro Tem shall be the member representing District 2; in 2020,
3 District 3; in 2021, District 4, and so on by district numerically. If for any reason a member is
4 either unwilling or unable for any reason to serve when it is his or her turn, that district shall be
5 skipped and the office shall fall on the member from the next numerical district in order. The
6 Chairman Pro Tem shall be seated at the first regular meeting of each calendar year and shall hold
7 office for one (1) year. The Chairman Pro Tem shall, in the absence of the Chairman, have and
8 perform all powers and duties of the Chairman.

9 Any vacancy in the office of the Chairman Pro Tem shall be filled by the member from the
10 next numerical district in order, who shall serve the unexpired term of the former Chairman Pro
11 Tem. Filling the unexpired term of a former Chairman Pro Tem in this manner shall not preclude
12 the member from serving his or her own one (1) year term as Chairman Pro Tem immediately
13 following completing the unexpired term.

14 (c) County Administrative Officer. The County Administrative Officer shall be the
15 chief executive officer of the Board and shall perform the duties prescribed by law and County
16 ordinance. The County Administrative Office may review and make recommendations on
17 questions that come before the Board.

18 (d) Clerk. The Clerk of the Board of Supervisors shall perform the duties prescribed by
19 law and County ordinance.

20 (e) Legal Counsel. The County Counsel shall be legal counsel to the Board and shall
21 perform all duties prescribed by law and County ordinance. The County Counsel shall act as
22 parliamentarian.

23 (f) Officers shall serve in the same capacity during meetings of the Board of Directors
24 of special districts.

25 4. QUORUM.

26 A quorum shall consist of three (3) members.

27 5. PROCEDURE.

28 (a) The Chairman shall convene all meetings and shall call the members to order. In
the absence of the Chairman and the Chairman Pro Tem, the Clerk shall convene the meeting and

1 call the members to order, whereupon a temporary chairman shall be selected by the members
2 present. The temporary chairman shall relinquish the chair upon arrival of the Chairman or
3 Chairman Pro Tem and after the conclusion of the question then being considered by the Board.

4 (b) The Clerk shall enter in the minutes, the names of those members that are present,
5 absent or those who arrive late in the minutes.

6 (c) Items on the consent calendar shall be considered and acted upon in one motion.
7 Any member may request that any item be removed from the consent calendar and placed on the
8 agenda for discussion.

9 (d) Items on the agenda shall be considered in order, except that the Chairman may take
10 items out of order when necessary to accommodate persons appearing before the Board. Items
11 scheduled for a particular time shall be taken up as close to the designated time as is possible. In
12 no case shall a timed item be taken up before the designated time.

13 (e) The order of procedure at all public hearings and quasi-judicial hearings shall be as
14 follows: The County officer responsible for the matter shall present his or her report and
15 recommendation; all persons wishing to speak in favor of the question shall be heard; persons
16 wishing to speak in opposition to the question shall be heard; rebuttal will follow. No new matter
17 may be introduced during rebuttal except with the consent of the Chairman, in which case the
18 opposition shall be given an opportunity to rebut the new matter. The question shall then be
19 submitted to the Board for discussion and decision.

20 (f) Every agenda for regular meetings shall provide a time for members of the public to
21 directly address the Board on matters within the Board's jurisdiction that are not on the agenda.
22 Each speaker shall be limited to three (3) minutes.

23 (g) The Chairman may reasonably limit the time allotted to any speaker or party.
24 Whenever any group of persons wishes to address the Board, the Chairman may require that the
25 group designate a spokesman to represent the group before the Board.

26 (h) Any person desiring to address the Board shall first secure permission from the
27 Chairman. All persons addressing the Board shall identify themselves. All statements shall be
28 directed to the Chairman and shall be relevant to the question then pending before the Board.

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1 6. VOTING.

2 The Board shall take no action except upon the affirmative vote of at least three (3) members. The
3 votes shall be counted of those members present and voting, and unless disqualified or absent, all
4 members shall vote on all questions coming before the Board. A member's silence or stated
5 abstention shall be recorded as an affirmative vote in favor of the motion, unless the member orally
6 states a disqualification from voting and recuses and dismisses himself or herself from the meeting
7 during consideration of the item in question, in which case an abstention shall be recorded and
8 considered not voting. The Chairman shall call for a roll call vote, and the Clerk shall call the
9 name of the motion maker first, the member who seconded the motion shall be called second, and
10 the remaining members shall be called with the Chairman called last.

11 7. RIGHTS AND DUTIES OF MEMBERS.

12 (a) When a member desires to speak, he or she shall address the Chairman and be
13 acknowledged. When two (2) or more members address the Chairman at the same time, the
14 Chairman shall designate the member who will speak first. All members shall confine their
15 remarks to the question then under consideration.

16 (b) Every motion shall require a second. Discussion on a motion may be reserved until
17 after the motion receives a second. Motions and seconds may be made by any member of the
18 Board, including the Chairman.

19 (c) If any member is unable to attend a meeting, he or she shall notify the Clerk as soon
20 as possible and advise the Clerk of the reasons therefore.

21 (d) No member shall be absent from the state for more than thirty (30) days without the
22 consent of the Board.

23 (e) If in the member's absence, the Board would lack a quorum, no member shall leave
24 his or her seat on the dais without first obtaining permission from the Chairman.

25 8. AGENDA.

26 (a) The agenda for all Board meetings shall be prepared by the Clerk of the Board and
27 reviewed by the Agenda Review Committee, which shall consist of the Chairman, the County
28 Administrative Officer, the Clerk, County Counsel, and other necessary staff members as selected
29 and approved by the Chairman of the Board. The Agenda Review Committee shall meet before the

1 next scheduled Board Meeting at a time and place designated by the Chairman. Matters to be
2 placed on the agenda for a regular meeting shall be entered into the agenda manager system
3 pursuant to the approved submission schedule, which is determined by the Clerk of the Board and
4 approved by the Chairman. The agenda submission schedule shall be distributed to County staff by
5 the Clerk. Items to be placed on the agenda for any regular meeting should be submitted to the
6 Clerk of the Board in accordance with the agenda submission schedule. After the Agenda Review
7 Committee meeting, the Clerk shall prepare the final agenda and post and distribute it to the public
8 in accordance with applicable law.

9 (b) The Board shall not take action on any item that is not on the agenda at a regular
10 meeting, except under any of the following conditions:

11 (1) The Board, by majority vote, determines that an “emergency situation”
12 exists. An emergency situation means: (a) work stoppage or other activity which severely impairs
13 public health, safety or both, as determined by a majority of the Board, or (b) crippling disaster
14 which severely impairs public health, safety or both, as determined by a majority of the Board; or

15 (2) The Board, by four-fifths (4/5) vote (or if less than four (4) members are
16 present, by unanimous vote) determines that there is a need to take immediate action on the item
17 and that the need for action came to the Board’s attention after the agenda was posted; or

18 (3) The item was on the posted agenda for a prior meeting which was held not
19 more than five (5) calendar days earlier, and at that earlier meeting the item was continued to the
20 later meeting.

21 9. FINDINGS.

22 Written findings shall be adopted by the Board as part of its decision whenever required by law.
23 After receiving evidence, the Board may continue such an item to a future meeting for the adoption
24 of written findings. The Board’s decision shall not be final until the findings have been adopted.

25 10. ADVISORY COMMITTEES, APPOINTMENTS AND OFFICERS.

26 The Board may appoint such committees as it deems necessary to advise the Board. The
27 qualifications of persons appointed to such committees shall be as prescribed by the Board. All
28 such persons shall serve at the pleasure of the Board and may be removed at any time by the
affirmative vote of three (3) members, unless state law or county code prescribes a different

1 method for removal, in which case such procedure shall take precedence over these rules. Any
2 member of the Board appointed or assigned by the Board to any office or responsibility may be
3 removed by the affirmative vote of three (3) members.

4 11. ROSENBERG’S RULES OF ORDER.

5 Except as herein otherwise provided, the most current edition of Rosenberg’s Rules of
6 Order shall constitute the rules of order of the Board. The following rules apply to the special
7 actions described and take precedence over Rosenberg’s Rules of Order to the extent they differ in
8 text or application. Failure to strictly adhere to Rosenberg’s Rules of Order shall not invalidate or
9 otherwise affect any action, inaction, or decision of the Board.

10 (a) Motion to Reconsider. A Motion to Reconsider an item upon which the Board has
11 acted may only be made at the meeting in which the action was taken. Such motion may only be
12 made by a member who voted on the prevailing side of the question. Adjournment of the meeting
13 effectively extinguishes a member’s opportunity to move for reconsideration of any item on that
14 specific agenda.

15 (b) Motion to Rescind. A Motion to Rescind any action of the Board may be made by
16 any member at any time. The grounds for such motion are limited to an error in the adoption of the
17 item either through rule violation or procedural mistakes. The motion may be made to rescind an
18 item on further grounds that the facts underlying the Board’s decision were misrepresented or
19 determined later to be incorrect.

20 12. AMENDMENT.

21 These rules may be amended from time to time by the Board; provided, however, that no
22 amendment shall be voted upon until the meeting next succeeding the meeting at which the
23 proposed amendment was introduced without the affirmative vote of three (3) members.

24 13. FAILURE TO FOLLOW RULES.

25 Failure to follow these rules shall not invalidate or otherwise affect any action or decision
26 of the Board.

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14. HEARING CONTINUANCES.

(a) As a matter of courtesy and fairness the Board shall offer to continue a scheduled noticed public hearing on any planning or zoning matter to a later date if all eligible Board members are not present for the scheduled hearing. This offer may be accepted by the applicant(s) or appellant(s) in the matter and the Board shall then continue and reschedule the matter to a certain date and time.

(b) Non planning or zoning matters may be continued at the discretion of the Board, and upon proper motion if the proponent of the matter or a member so requests. However the absence of a full Board does not entitle a party to a continuance, reconsideration or rescission on that ground alone and the failure of the Board to exercise its discretion in granting a continuance is not grounds for rescission. A member may move for reconsideration of the denial of a motion to continue if made in accordance with Board Rule 11(a).