



# San Diego County Board of Supervisors Rules of Procedure



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## **Rule 1. TIME AND PLACE OF MEETINGS OF THE BOARD OF SUPERVISORS**

- (a) Except as otherwise provided in this Rule, a regular meeting of the Board shall be held on Tuesday and Wednesday of each week commencing at the hour of 9:00 a.m. in the Board of Supervisors Chamber (Room 310) or Conference Rooms located at the San Diego County Administration Center, 1600 Pacific Highway, San Diego, California or the County Operations Center, Campus Center Chambers, 5520 Overland Avenue, San Diego, California. The Tuesday portion of the meeting shall be known as the Tuesday session. The Wednesday portion of the meeting is to be known as the Land Use session. The Tuesday and Land Use sessions shall constitute a single meeting for purposes of these rules. No meeting shall commence prior to the time specified in this subsection.
- (b) When a Tuesday session day is a holiday, the Tuesday session shall be held on Wednesday at the same place at 9:00 a.m. and the Land Use session shall be continued to Thursday at the same place at 9:00 a.m. When the Land Use session day is a holiday, the Land Use session shall be held on Thursday at the same place at 9:00 a.m.
- (c) The Board may designate legislative activity weeks and Board recess periods during which regular meetings of the Board will not be held. The Clerk of the Board shall maintain the official meeting calendar and shall make the calendar available on the County's Internet Web Site and in Room 402 of the County Administration Center.
- (d) Any meeting of the Board may be adjourned to any date and time when necessary for the transaction of business (an adjourned meeting). Any adjourned meeting of the Board is part of a regular meeting.
- (e) 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. 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 a special meeting shall also be posted at the places designated in subsection (b) of Rule 2.

## **Rule 2. AGENDA FOR MEETINGS OF THE BOARD OF SUPERVISORS**

- (a) Items for the agenda for any regular meeting of the Board may be included on the agenda only with the approval of the Chief Administrative Officer; provided, however, Board Members may file an item for the agenda for a regular meeting directly with the Clerk.
  
- (b) The Clerk shall prepare and issue an agenda for each regular meeting session of the Board. Items filed with the Clerk for the agenda shall be complete. The Clerk shall not accept any additional material on an agenda item or any new agenda item except those approved by the Chairperson and the County Counsel as noted below. All items to be included on the agenda for the regular Tuesday session of the Board must be filed in the Office of the Clerk no later than 12:00 Noon on the Monday, 8 days before the Tuesday session, except for the closed session agenda which must be filed by County Counsel in the Office of the Clerk no later than 8:30 a.m. on the Friday, 4 days before the Tuesday session. If Monday is a holiday, Tuesday open session items must be filed in the Office of the Clerk no later than 12:00 Noon on the Friday preceding the holiday. If Friday is a holiday, the closed session agenda for the Tuesday meeting must be filed in the Office of the Clerk no later than 8:30 a.m. on the last business day preceding the holiday. All items to be included on the agenda for the Land Use session of the Board must be filed in the Office of the Clerk no later than 12:00 Noon on the Thursday, 13 days prior to the Land Use session, except for the closed session agenda which must be filed by County Counsel in the Office of the Clerk no later than 8:30 a.m. on the Friday, 5 days prior to the Land Use session. If Thursday is a holiday, Land Use open session items must be filed in the Office of the Clerk no later than 12:00 Noon on the Wednesday preceding the holiday. If Friday is a holiday, the closed session agenda for the Land Use session must be filed in the Office of the Clerk no later than 8:30 a.m. on the last business day preceding the holiday.

After the agenda for any session of the Board is issued by the Clerk, no additional item or additional back-up material will be added to the agenda unless the addition of the item to the agenda has been approved by the Board at a previous meeting or is submitted by County Counsel for closed session. However, with the consent of the Chairperson, Board members, the Chief Administrative Officer and designees, may place items on the agenda for an open session where such late items require immediate action at the next appropriate Board meeting and would have a substantial detrimental effect (such as financial) on the County or public, if not acted upon. All late items must include an explanation in the Overview or introductory section of the Board Letter as to why the item requires immediate action at the next Board meeting and why there would be a substantial detrimental effect (such as financial) on the County or public if not acted upon. All late items approved for inclusion on the agenda must be filed in the Office of the Clerk no later than 8:30 a.m. on the Friday preceding the meeting date; or if Friday is a holiday, by 8:30 a.m. on the last business day preceding the holiday.

Written disclosures required by Section 1000.1 of the San Diego County Charter filed with the Clerk of the Board will automatically be processed by the Clerk in accordance

with the requirements of the Charter. Supplemental disclosures filed at a meeting of the Board of Supervisors will be announced by the Clerk of the Board.

The Chief Administrative Officer shall determine the placement of agenda items within subject matter designations and shall determine the placement of agenda items on the Consent Calendar or as Discussion Items. The Consent Calendar may include routine items that are not required to be on the Discussion Items section of the agenda. The agenda for each session shall be issued and posted by the Clerk no later than the preceding Thursday. The agenda also shall include notice of items to be heard by the Board in its separate and distinct capacity as:

- Board of Directors of the San Diego County Fire Protection District
- Board of Directors of the San Diego County Flood Control District
- Board of Commissioners of the Housing Authority of San Diego County
- Board of Directors of the County of San Diego Successor Agency to the County of San Diego Redevelopment Agency
- Boards of Directors of the County of San Diego Sanitation District

Each agenda shall be posted outside the entrance of the San Diego County Administration Center as indicated in Board Policy A-72 and on the bulletin board located at the North Chamber (Room 310), Third Floor, County Administration Center. Copies of the agenda, agenda back-up material, Board of Supervisors Policies, Board of Supervisors Rules of Procedure, and Statements of Proceedings shall be available in the Office of the Clerk and on the County's Internet Web Site. The agenda shall be made available to the Chairperson of each Planning Group, Sponsor Group, community newspaper and daily newspaper. The Clerk of the Board is directed to use the most efficient and cost-effective means to make the agenda available. The primary means of distribution shall be through the County Internet Web Site, followed by electronic mail, and followed by United States Postal Mail Service. Subscriptions to receive e-mail notifications when new agendas are available are managed by the Clerk of the Board. Mail subscriptions to the agendas and Statements of Proceedings may be procured through the County's document services vendor.

- (c) Notwithstanding the provisions of subsection (a) of this Rule, if the Board continues an agenda item scheduled for the Tuesday or the Land Use session for one or two weeks in order to receive additional staff reports, the additional staff report must be filed in the Office of the Clerk no later than 8:30 a.m. on the Friday preceding the meeting date; or if Friday is a holiday, by 8:30 a.m. on the last business day preceding the meeting date.
- (d) 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, as defined in Government Code Section 54956.5. The determination shall be made prior to Board consideration of the emergency item. An emergency situation is limited to:

- (a) emergency - work stoppage, crippling activity, or other activity that severely impairs public health, safety or both.
- (b) dire emergency - crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that may endanger the 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 for action came to the attention of local agency 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 session occurring not more than five calendar days prior to the date action is taken on the item and at which prior session, the item was continued to the session at which action is being taken.

Whenever an off-docket item is presented by a Board Member or the Chief Administrative Officer, it shall be submitted with a cover sheet prepared by the Board Member or Chief Administrative Officer and headed "Chairperson's Statement to Public to be Read on the Record." This cover sheet shall contain the subject title of the item, a short explanation of the matter and, if any, the recommendation.

- (e) Any item on the posted agenda for a regular Tuesday or Land Use session which has not been considered or acted upon shall be deemed continued to the next regular Tuesday or Land Use session. Such item shall be relisted on the agenda pursuant to subsection (a) of this Rule and all material relating to the item shall be redistributed with the agenda.
- (f) A quorum of three members must be present in order for the Board to conduct business, including presentation of Proclamations and special awards. Three votes are required for the adoption of any motion that is in order, except where the law requires or permits otherwise.
- (g) In the event a motion fails because of a tie vote, the Board may continue the item for consideration at a future meeting. If for any reason the Board fails to continue such item, the Clerk shall place the item on the agenda for the next regular meeting. The provisions of this subsection shall not apply to items coming within subsections (h) or (i) of this Rule.
- (h) Whenever the Board of Supervisors holds a hearing on a planning and zoning and land use matter subject to Article XXIa of the Administrative Code and thereafter takes no action because a motion on the item failed to carry by the required affirmative vote, the Board may at that meeting continue the matter for future consideration. If the Board does not do so, any member of the Board may, within thirty days after the date on which the

motion failed to carry, docket with the Clerk of the Board a request that the Board reconsider the matter. If no such request is docketed within said 30-day period, or if the Board after reconsidering the matter again fails to take action because a motion thereon fails to carry by the required affirmative vote, then the following shall occur:

- (1) If the matter is an appeal from a decision of a lower decision-making body, the decision from which the appeal was taken shall be deemed sustained.
  - (2) If the matter is one which by statute or ordinance is under the original jurisdiction of the Board of Supervisors, so that no lower decision has been made, then the matter shall be deemed disapproved.
- (i) Whenever the Board directs that any item on the agenda be continued to a future date, the Clerk shall list such item on the regular agenda of such future date.
  - (j) The following persons are authorized to place matters on the agendas of regular meetings of the Board:
    - (1) Members of the Board of Supervisors;
    - (2) The Chief Administrative Officer and designees;
    - (3) The County Counsel with Chairperson's approval for closed sessions only; the Chairperson shall coordinate scheduling and notification of Closed Session with all Board members and appropriate County staff.

All other elected officials of the County shall file items (using the prescribed format) for the agenda with the Chief Administrative Officer.

Requests for placement of items on the agenda by other persons or agencies must contain a brief summary of the subject matter of what is proposed to be orally presented to the Board; copies of any supporting documentary material, if appropriate; and the name(s) of the person(s) who will make the presentation. The request(s) will be referred by the Clerk to the Chief Administrative Officer, who shall make a recommendation to the Chairperson. With the concurrence of the Chairperson, the Chief Administrative Officer may place the request as an item on the agenda, with the recommendation of the Chief Administrative Officer, on the date designated by the Chairperson.

- (k) If there is an item on the agenda which is reasonably expected to generate or involve considerable public participation, after consultation with and with the approval of the Chairperson, the Clerk shall set the time at which the item will be heard so as to minimize inconvenience to the participating public, such as setting the time at which the item will be heard at 10:00 a.m. or 2:00 p.m. The Chairperson shall limit the number of set matters to no more than two or three per session.

### **Rule 3. ORDER OF BUSINESS FOR MEETINGS OF THE BOARD OF SUPERVISORS**

(a) The schedule of business for the Tuesday session shall be:

9:00 a.m. - 12:00 noon - Agenda Matters

12:00 noon - 1:00 p.m. - Recess

1:00 p.m. - Until Adjournment into Closed Session Agenda Matters

Closed Session (if necessary) - Closed Session Agenda Matters

County Counsel will report on Closed Session actions (if necessary) at the Wednesday session

(b) The order of business of the regular session held on Tuesday shall be:

- Roll Call
- Invocation
- Pledge of Allegiance
- Presentation of Proclamations
- Non-Agenda Public Communication, pursuant to Rule 4(a)(7)
- Approval of Minutes
- Consent Calendar: All agenda items listed under this section are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the Board of Supervisors or the Chief Administrative Officer so requests, in which event, the item will be considered separately in its normal sequence. Approval for such items shall be the recommendation of the Chief Administrative Officer, or, in the event the item has been filed by a Member of the Board, the recommendation of the Member of the Board.
- Discussion Items: Discussion items shall be taken in sequential order; provided, however, the Chairperson may take items out of sequential order for the purpose of accommodating the public or expediting the conduct of the meeting.
- Board Member Committee Updates. This is an opportunity for Members of the Board to provide informational updates on their committee assignments. No action may be taken.
- Closed Session (if necessary).

The Chairperson may alter or deviate from this schedule.



- (c) The agenda of Special Districts will generally be considered during the week of the month indicated below:

County of San Diego Successor Agency to County of San Diego Redevelopment Agency - First Tuesday meeting of month at 9:00 a.m.

Housing Authority of the County of San Diego - First Wednesday meeting of month at 9:00 a.m. preceding Board of Supervisors discussion items.

San Diego County Fire Protection District - First Tuesday meeting of month at 9:00 a.m.

San Diego County Flood Control District - Second Wednesday meeting of month at 9:00 a.m.

Sanitation District - Second Wednesday meeting of month at 9:00 a.m.

Reports/Issue Updates from other County elected officials, Assessor/Recorder/County Clerk, Treasurer-Tax Collector, Sheriff and District Attorney, will be scheduled by the Chairperson, as appropriate.

With usual notice to the public by posting and making copies available, agendas for Special Districts may be considered on other Tuesdays or Wednesdays if there are urgent items or items related to another agenda to be considered by the Board in its other governing body capacities.

(d) The schedule of business for the Land Use agenda session shall be:

9:00 a.m. - 12:00 Noon Land Use Matters

County Counsel will report on Closed Session actions (if necessary)

12:00 Noon - 1:00 p.m. Recess

1:00 p.m. - Until Adjournment into Closed Session Land Use Matters (if necessary)

Closed Session (if necessary)

(e) The order of business of the regular Land Use session shall be:

- Roll Call
- County Counsel will report on Closed Session actions (if necessary)
- Non-Agenda Public Communication, pursuant to Rule 4(a)(7)
- Approval of Minutes
- Consent Calendar: All items listed under this section are considered to be routine and will be acted upon with one motion. There will be no separate discussion of these items unless a member of the Board of Supervisors or the Chief Administrative Officer so requests, in which event, the item will be considered separately in its normal sequence. Approval for such items shall be in accordance with the recommendation of the Chief Administrative Officer, Planning Commission, or Planning and Environmental Review Board. In the event the item has been filed by a Member of the Board, approval shall be in accordance with the recommendations of the Member of the Board.
- Discussion Items: Discussion items shall be taken in sequential order; provided, however, the Chairperson may take items out of sequential order for the purpose of accommodating the public or expediting the conduct of the meeting.
- Closed Session (if necessary)
- County Counsel will report on Closed Session actions (if necessary).

The Chairperson may alter or deviate from this schedule.

(f) The Chairperson shall coordinate scheduling and notification for meetings with Board Members and appropriate County staff.

## **Rule 4. PUBLIC PARTICIPATION IN MEETINGS OF THE BOARD OF SUPERVISORS**

- (a) The policy of the Board is to permit public participation in Board meetings. No person shall address the Board without the permission of the Chairperson. The Chairperson may limit the time for presentation and the number of persons who may address the Board on any agenda item.
  - (1) A member of the public wishing to speak on an agenda item not on the Consent Calendar shall be given an opportunity to speak for up to two (2) minutes. If there are 10 or more speakers wishing to speak on an agenda item, the Chairperson may limit all individuals to speak for up to one (1) minute.
  - (2) Agenda items on the Consent Calendar are not discussed individually; they are approved as a group by one motion. Any member of the public may comment on one or more items listed under the Consent Calendar. Each speaker shall be allowed two (2) minutes to comment on the entire Consent Calendar. The Chairperson, or any Board Member, may then briefly respond to the speaker, or request a response from a staff member, or request discussion of an item or items on the Consent Calendar. Discussion of an item, information from staff or a separate vote on any item by the Board on the Consent Calendar do not remove an item from the Consent Calendar.
  - (3) Group presentations are not permitted on non-land use or non-adjudicatory matters, however the Chairperson may allow such presentations during any particular meeting or a particular item. On land use or adjudicatory matters, project applicants or appellants, separate from public comments on the item, may be allowed to make an organized group presentation of three or more persons up to 10 minutes. During the 10-minute group presentation, each individual in the group may speak for no more than four minutes.
  - (4) The Chairperson may set limits for each side or aggregate time limits as appropriate when many persons request to speak on an agenda item. The Chairperson shall have discretion in setting time limits.
  - (5) The Board shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the Board.
  - (6) The Chairperson of a Planning or Sponsor Group is the sole official spokesperson for the group unless this responsibility is delegated in writing or otherwise established by majority vote of the group and communicated in writing to the Chairperson of the Board of Supervisors. Five minutes may be allowed for such presentation unless there are circumstances warranting additional time. If there is a minority report from the Planning or Sponsor Group, the Chairperson may

allocate up to five minutes for such presentation. The Chairperson shall have discretion in setting time limits.

- (7) Non-Agenda Public Communication: There will be a total of twenty (20) minutes scheduled at the beginning of the Tuesday and Land Use sessions for members of the public to address the Board, each speaker to be allowed no more than two minutes, on any subject matter within the jurisdiction of the Board and which is not an item on the agenda for that session. Each speaker must file with the Clerk a written Non-Agenda Public Communication Request to Speak form prior to the scheduled opening time of the session. In the event that more than ten (10) individuals request to address the Board (five individuals requesting to speak in person, five individuals requesting to speak remotely pursuant to Rule 4(c)), the first ten (10) will be heard at the beginning of the session. The remaining speakers will be heard at the conclusion of the session and granted two (2) minutes each. The Chairperson shall have discretion to allow more than ten (10) individuals to speak at the beginning of the session. Any person filing a Public Communication Request to Speak form after the time deadline established by this subsection shall not be allowed to make a presentation to the Board. All issues raised by a speaker will be automatically referred to the Chief Administrative Officer. No other action may be taken by the Board at this time.
  - (8) Members of the public that wish to show a presentation or video must bring their own computer or tablet for presentations and the necessary equipment to connect to the appropriate input on the podium or must make arrangements to submit the presentation to the Clerk of the Board of Supervisors no later than 24-hours prior to the meeting, eliminating potential technical issues. The Clerk of the Board of Supervisors shall provide connectivity guidelines on the Clerk of the Board of Supervisors' website.
- (b) Any person wishing to speak to the Board on a specific agenda item must file with the Clerk a written Request to Speak form prior to the scheduled opening time of the session or prior to the time that public comment begins on the item if the item has not been adopted without discussion. No person may yield speaking time to another person. Any person who does not wish to speak to the Board but wishes to have the record reflect a position in favor or in opposition to an agenda item may do so by indicating the same on the Request to Speak form. If an agenda item is set for a specific time, a written Request to Speak form must be filed prior to the time that public comment begins on the item. Due to the need to facilitate public comment at the meeting, submission of unintelligible, profane, deceptive, confusing or other information on Request to Speak forms that may interfere with the orderly processing of speakers may preclude a member of the public from speaking during that particular public comment period.
  - (c) In addition to providing public comments in person at Board of Supervisors meetings, the Clerk of the Board of Supervisors shall provide the ability for members of the public to address the Board of Supervisors remotely via a telephonic or other Internet-based service option at regular meetings. Individuals requesting to speak remotely must follow

- the same rules as in-person speakers and submit requests to speak through an online form in accordance with Rule 4(b).
- (d) The Board wishes to ensure that business is conducted in an orderly fashion and that all have an equal opportunity to observe and participate in the proceedings. Each person who addresses the Board of Supervisors shall not use loud, threatening, profane, or abusive language that disrupts, disturbs, or otherwise impedes the orderly conduct of the Board meeting. Any such language or any other disorderly conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the Board meeting is prohibited.
  - (e) The Chairperson may rule that a speaker is impeding the orderly conduct of the meeting if the comment is “off topic,” or otherwise unrelated to the agenda item under consideration, or if the speaker’s conduct violates any other provision in these Rules of Procedure, and the speaker may forfeit their remaining time on that item.
  - (f) No person in the audience at a Board meeting shall engage in conduct that disrupts the orderly conduct of any meeting, including, but not limited to, the utterance of loud or threatening language, whistling, clapping, stamping of feet, speaking over or interrupting the recognized speaker, repeated waving of arms or other disruptive acts.
  - (g) The Chairperson has the authority to issue a warning to a person violating the Rules. If the person continues to violate the Rules and disrupt the meeting, the Chairperson may order that person to leave the meeting. If the person does not timely leave the meeting, the Chairperson may order the Sheriff to remove the person from the meeting.
  - (h) Any person removed from a meeting shall be excluded from further attendance at the remainder of the meeting. The exclusion from the meeting shall be enforced by the Sheriff upon being so directed by the Chairperson.
  - (i) In the event that any meeting of the Board is willfully interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of the meeting unfeasible, the Chairperson may recess the meeting or order the person, group or groups of persons willfully interrupting the meeting to leave the meeting or be removed from the meeting.
  - (j) Placards, banners, signs, flags, or other large objects designed to interrupt or disrupt the orderly conduct of the meeting are not permitted in the Chambers.
  - (k) In the event that any meeting is willfully interrupted or disrupted by a person or by a group 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 person or persons willfully interrupting or disrupting the meeting, the Chairperson may recess the meeting or order the meeting room cleared and continue in session. Only matters appearing on the posted agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend or remain in the meeting.

- (l) If any person makes discriminatory or harassing remarks (defined below as used in the Rules of Procedure) at a public meeting, the Chairperson may take the following actions:
  - (1) The Chairperson shall read, at Chairperson's option, the County's policy regarding discrimination and harassment (below), into the record. The Chairperson shall state that comments in violation of County policy will not be condoned, and inform the speaker that their language is unwanted, unwelcome and/or inappropriate, and that they interfere with the ability of those present to listen and understand; and
  - (2) the Chairperson shall further state that any County employee who is offended or otherwise does not wish to attend due to the remarks is excused from attendance at the meeting during the remarks; and
  - (3) the speaker's time will be held during the Chairperson's admonishment and the speaker will receive their full allotment of time, unless the speaker's comments continue to disturb, disrupt, or impede the orderly conduct of the meeting; and
  - (4) the speaker will be allowed to continue after the admonishment.
  - (5) The Chairperson may call a recess to allow staff or public to leave and/or provide de-escalation.
  - (6) After the speaker, any Supervisor may make brief response to such comments, if desired.

Definition: "Discriminatory or harassing remarks" includes legally protected speech in a Board meeting that disparages an individual or group based on their perceived race, religion, sexual orientation, ethnicity, gender, disability, etc. or other hate speech but does not rise to the level of a criminal threat or inciting violence.

Policy Against Discrimination and Harassment (from County's Code of Ethics): "The County is committed to a work environment free from unlawful discrimination and harassment, including sexual, racial, religious, age, disability, or any other form of discrimination or harassment."

- (m) The County wishes to promote civil discourse in public discussion and debate, and hereby adopts as its expression of conduct that should be aspired to by all participants in public meetings the attached "Code of Civil Discourse" from the National Conflict Resolution Center.

**Rule 5. NOMINATION AND SELECTION OF CHAIRPERSON, VICE CHAIRPERSON AND CHAIRPERSON PRO TEM OF THE BOARD OF SUPERVISORS AND STATE OF THE COUNTY ADDRESS**

- (a) The officers of the Board are the Chairperson, the Vice Chairperson and the Chairperson Pro Tem. The nominations for and selection of Chairperson, Vice Chairperson and Chairperson Pro Tem for the ensuing year shall be accomplished by the Board within 30 days of the first regularly scheduled meeting in January. No nominations or selections shall be accomplished until after any newly elected Supervisors have taken office.
- (b) The method of nomination and selection of Chairperson, Vice Chairperson and Chairperson Pro Tem will be at the discretion of the Board.
- (c) The Chairperson, Vice Chairperson and Chairperson Pro Tem shall be selected for a period of one year, or until such time as a successor has been selected by the Board pursuant to these Rules. In the event of a vacancy, the Board shall fill the vacancy within 30 days from the date of such vacancy.
- (d) During the absence of the Chairperson, the Vice Chairperson shall preside. In the event that both the Chairperson and Vice Chairperson are absent, the Chairperson Pro Tem will preside.
- (e) In the event that the office of Chairperson, Vice Chairperson, or Chairperson Pro Tem becomes vacant, the Board, within 30 days from the date of such vacancy, will select one of its Members to fill that office.
- (f) The State of the County Address by the Chairperson shall be scheduled for a date, time, and place at the discretion of the Chairperson giving the address.

## **Rule 6. MOTIONS DURING MEETINGS OF THE BOARD OF SUPERVISORS**

- (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. If a motion is not seconded, the motion fails for lack of a second, and shall be so declared by the Chairperson.
- (b) A motion may be withdrawn by its maker at any time before adoption or rejection, with the consent of the second. Absent the consent of the second, the motion shall remain on the floor. The second to a motion may be withdrawn by the second 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 Chairperson unless seconded by another Member.
- (c) The Chairperson shall recognize Members of the Board who desire to obtain the floor to speak in the order that they request to speak through the electronic Board Member request to speak system. Once the Chairperson has recognized the right of a Member to speak, the Chairperson shall protect the speaker from disturbance or interference. The Chairperson, when the interest of the Board requires, may permit a Member to be interrupted.
- (d) When a question or "original motion" is under debate, no motion shall be received unless:
  - 1. To adjourn
  - 2. To lay on the table
  - 3. To consider the previous question
  - 4. To postpone to a certain date
  - 5. To commit to committee
  - 6. To amend
  - 7. To postpone indefinitely

These motions shall have preference in the above order.

- (e) A motion on the floor may be amended by motion at any time before adoption or rejection. If the motion to amend fails, the original motion will be voted upon. If the motion to amend passes, the amendment is adopted and, thereafter, the original motion, as amended, will be voted upon.
- (f) After a motion has been seconded, any Member may discuss the subject of the motion. When no Member wishes to discuss the motion further, the Chairperson shall call for a vote on the motion. At any time after a motion has been seconded, any Member who has the floor may call for the question. The Chairperson may 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.



- (g) At any time after a motion has been seconded, any Member may move to table the motion. If the motion to table is seconded, the Chairperson shall forthwith call for a vote on such motion. A motion to table shall include all amendments to the original motion. A motion to table an item is not debatable and no further discussion or debate shall be permitted on either the original motion or the motion to table. If the motion to table does not pass, consideration of the original motion will continue. If the motion to table does pass, the original motion will remain on the floor but may not again be considered at that session unless a motion to remove the original motion from the table is passed. The original motion may then be considered and voted upon at the next regular meeting of the Board unless again tabled. If not considered at such meeting, it will be deemed lost. For the purposes of this subsection, an adjourned meeting shall be considered a separate meeting.
- (h) A motion to adjourn or a motion to fix time of adjournment shall be decided with debate.
- (i) A motion to consider the previous question shall preclude all amendment from debate to the main question and shall be put in the form "shall the main question be put to a vote."
- (j) A Member called to order shall relinquish the floor unless permitted to explain, and the Board, if appealed to, shall decide on the case, but without debate. If there is no appeal, the decision of the Chairperson shall be final.
- (k) Any member of the Board who votes in the majority on a question, as well as any member who while serving as a member was absent for a vote on a question, is eligible to make a motion to reconsider.

A motion to reconsider shall be in order during the meeting at which the action to be reconsidered took place, provided members of the public in attendance during the original action are still present in the session. In all other cases, motions for reconsideration must be placed on a future agenda for action.

Unless a member was absent, a motion to reconsider must be placed on the agenda for the next regular Board meeting. A member who was absent must place a motion to reconsider on the agenda for the next regular Board meeting after the regular Board meeting at which that member was absent.

A motion to reconsider shall require a majority vote. A motion to reconsider, if lost, shall not be renewed and an action shall not be reconsidered a second time except by a 4/5th vote of the Board.

- (l) A motion to commit to committee shall specify the purpose of the committee, the length of time the committee shall serve, and the times and methods by which the committee shall report to the Board.

**Rule 7. RETENTION OF EXHIBITS AND DOCUMENTARY MATERIAL RECEIVED IN HEARINGS BEFORE THE BOARD OF SUPERVISORS**

- (a) Hearings required by law - In hearings required by law (such as hearings on Planning and Zoning matters on applications for variances, special use permits, reclassification of zones, and amendments to General Plan for which a hearing is required by statute or ordinance) the following rules shall apply:
- (1) Subject to the conditions stated below, in (3) and (4) of this subsection, all exhibits, including documentary materials such as photographs, drawings, maps, plats, 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 material to persons requesting them upon payment of the fee prescribed by the San Diego County Administrative Code for copies of public records.
  - (2) All exhibits received by the Board will be marked for purposes of identification. Exhibits filed with the Board by County staff personnel will be marked by numbers in the order received: numbers 1, 2, 3, etc. Exhibits filed with the Board by persons other than County staff personnel will be marked by letters in the order received: A, B, C, etc. References to exhibits filed with the Board will be by the numbered or lettered designations assigned to them.
  - (3) Exhibits filed with the Board may be released by the Clerk under the following conditions:
    - (a) At the conclusion of a hearing where the Board has authorized the release of exhibits to the parties who submitted them.
    - (b) At the conclusion of a hearing or during a continuance of a hearing, if for good cause the Board has authorized a person other than the Clerk to retain custody of the exhibits, such person shall assume responsibility for custody and preservation of the exhibits and shall keep and maintain the exhibits for further proceedings or until otherwise directed by the Board.
  - (4) The Clerk will not be required to retain permanent exhibits, such as aerial photographs, used by County departments in the conduct of their regular activities. Such exhibits will be identified for the record and their specific use and purpose noted in the record by the Clerk.
- (b) Hearings not required by law - In consideration of matters where hearings are not required or specifically provided for by law, such as discussion of routine Board agenda items, and in Board conferences, the following rules shall apply:

- (1) Documentary materials such as photographs, drawings, maps, plats, letters, petitions and other documentary or physical materials received by the Board from any person may be returned by the Clerk to such person at the conclusion of the hearing unless (i) an objection is raised by an interested person and the Board determines that the return of such evidence would prejudice the rights of the objector, or (ii) the Clerk determines that the retention of such materials is necessary for the preservation of the record of the meeting. To the extent possible, the Clerk may furnish copies of materials retained by the Clerk to persons requesting them upon payment of the fee prescribed by the San Diego County Administrative Code for copies of public records.

## **Rule 8. CONFERENCES OF THE BOARD OF SUPERVISORS**

- (a) Conferences of the Board may be scheduled by the Chairperson to be held at any regular or special meeting. The agenda for any conference shall be approved by the Chairperson.
- (b) Conferences shall be for the purpose of providing the Board information submitted by County staff or by those of the public invited by the Board or County staff to address the Board at such conference.

## **Rule 9. OVERRULING THE CHAIRPERSON OF THE BOARD OF SUPERVISORS**

A decision of the Chairperson with respect to the interpretation, applicability or enforcement of these Rules may be overruled by a majority vote of the Members present.

## **Rule 10. CEREMONIAL FUNCTIONS AND PROCLAMATIONS**

The Chairperson is authorized to represent the County at ceremonial functions, proclamation ceremonies, and other similar events when the Board has not otherwise designated one of its Members to represent the County. The Chairperson shall coordinate the representation of the County by other Members at such events.

## **Rule 11. SUSPENSION OF RULES OF PROCEDURE**

Any rule of the Board may be suspended temporarily, upon approval of the majority of the Board. The temporary suspension shall apply only to the matter under immediate consideration and, in no case, shall it extend beyond an adjournment.

## **Rule 12. AMENDMENT OF RULES OF PROCEDURE**

No rule of the Board shall be adopted or amended except by resolution adopted by the Board.

## **Rule 13. POLICIES TO IMPLEMENT RULES OF PROCEDURE**

The Board may adopt policies to implement provisions of these Rules.

## **Rule 14. PARLIAMENTARY PROCEDURE**

These Rules shall govern the proceedings of the Board. In all situations not covered by these Rules or any provision of law, the authority shall be Robert's Rules of Order, Newly Revised. The Clerk of the Board shall serve as Parliamentarian.

## **Log of Amendments**

Rules of Procedure adopted by the Board of Supervisors October 27, 1970, No. 69.

Amended (Section 1) December 19, 1970, No. 84.

Amended (Section 10) October 26, 1971, No. 62.

Amended (Section 1) August 21, 1973, No. 70, effective September 20, 1973.

Amended by adopting Robert's Rules of Order, Revised, as supplement to Rules of Procedure, March 22, 1974, No. 11.

Amended (Sections 2, 10 and 11 and added Section 14) March 18, 1975, No. 3.

Amended (Added, deleted and/or reorganized or renumbered complete Rules of Procedure) April 29, 1975, No. 72.

Amended (Section 2) July 15, 1975, No. 57, effective July 30, 1975.

Amended (Added Section 10.5) August 26, 1975, No. 7.

Amended (Section 2) September 2, 1975, No. 5.

Amended (Section 7 and eliminated Section 6) October 1, 1975, No. 15.

Amended (Section 1) October 1, 1975, No. 20.

Amended (Section 1) November 4, 1975, No. 95.

Amended (Section 15) January 20, 1976, No. 52.

Amended (Section 15) February 10, 1976, No. 73.

Amended (Section 13) June 15, 1976, No. 18, effective November 25, 1976.

Amended (Section 15) October 5, 1976, No. 108.

Amended (Section 2) October 19, 1976, No. 59, effective November 25, 1976.

Repealed (Section 17) December 7, 1976, No. 10, effective January 7, 1977.

Added (Section 17) February 1, 1977, No. 26.

Amended (Sections 1, 2 and 12) May 3, 1977, No. 39.

Amended (Section 15) September 27, 1977, No. 45.

Amended (Sections 2 and 20) January 31, 1978, No. 59.

Amended (Section 15) March 21, 1978, No. 164.

Amended (Sections 2 and 17) April 25, 1978, No. 8.

Amended (Section 13) August 8, 1978, No. 3.

Amended (Sections 1, 2, 12 and 17) March 6, 1979, No. 6.

Amended (Sections 2 and 12) May 15, 1979, No. 10.

Amended (Section 15) August 21, 1979, No. 45.

Amended (Section 2) November 13, 1979, No. 14, effective January 7, 1980.

Amended (Section 15) March 11, 1980, No. 9.

Amended (Section 15) July 15, 1980, No. 10.

Amended (Section 2) March 15, 1983, No. 5, effective April 21, 1983.

Amended (Section 1) July 3, 1984, No. 10.

Amended (Section 2) January 28, 1986, No. 88.

Amended (Added, deleted, reorganized, and renumbered complete Rules of Procedure) April 22, 1986, No. 3.

Amended (Section 5(f)) September 17, 1986, effective October 24, 1986.

Amended (various rules) April 7, 1987, No. 25.

Amended (various rules) March 8, 1988, No. 7A.

Amended (Added, deleted, reorganized, and renumbered complete Rules of Procedure) March 14, 1989, No. 40.  
Amended (Rules 1 and 2) July 18, 1989, No. 73.  
Amended (various rules) April 24, 1990, No. 20.  
Amended (various rules) January 9, 1991, No. 22.  
Amended (Rules 1, 2, 3 and 4) February 4, 1992, No. 30.  
Amended (Rule 2 (h), deleted (i), renumbered (j), (k) and (l)), July 1, 1992, No. 7, effective July 31, 1992.  
Amended (Rules 1, (c), 3 (a), (c) and 4 (a)), March 2, 1993, No. 26, effective March 2, 1993.  
Amended (Rules 1 (c), 2 (b), 2 (d), 2 (j), 3 (a), (b), (d), and (e), 4 (h)), April 19, 1994, No.38, effective April 19, 1994.  
Amended (Rules 2 (b), 2 (j), 2 (k), 3 (b), 3 (c), 3 (e), added 3 (f); 4 (a); deleted 4 (c), renumbered; and amended 4 (f) added 6 (d), (h), (i), (j), and (l) and renumbered; deleted 8 (c) and (d); amended 11 and 14)), effective January 4, 1995 (2).  
Amended (Rule 3 (c)), effective January 3, 1996 (2).  
Amended (Rules 1 (a), 1 (b), 3 (a), 3 (b), 3 (d), 4 (f)), effective January 7, 1997 (1).  
Amended (Rules 1 (a), 1 (b) 2 (d), 3 (a), 3 (b), 3 (d)), effective January 6, 1998 (3).  
Amended (Rules 2 (b), 3 (c), effective September 22, 1999 (7)  
Amended (Rules 2 (b), effective January, 23, 2001 (26)  
Amended (Rules 1 (a), 1 (c), 2 (b), 2 (d), 3 (a), 3 (d), 3 (f), 4 (f), 6 (c), 6 (k), effective November 5, 2013).  
Amended (Rule 1 (a), effective January 28, 2014).  
Amended (Rules 1, 2, 3, 4, and 6), effective April 21, 2015.  
Amended (Rule 4 (a)) on November 15, 2016 (15); effective January 1, 2017.  
Amended (Rules 1(a), 1(c), 1(d), 2(a), 2(k), 3(a), 3(b), 3(c), 3(d), 3(e), 4(a), 4(b), 4(f), 6(k), effective June 8, 2021.)  
Amended (Amended Rules 2(b), 3(b), 3(e), added 4(a)(1-8), amended 4(b), added 4(c), 4(d), 4(e), 4(f), 4(g), 4(h), renumbered 4(i), 4(j), 4(k), added 4(l), 4(m), effective November 10, 2021.)



# THE CODE OF CIVIL DISCOURSE

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We believe that the respectful and constructive airing of different points of view is critical to successful dialogue.

We pledge to engage in respectful and constructive civil discourse, therefore:



We will promote an **inclusive** environment where diverse perspectives are shared and considered;



We will listen attentively and ask questions to **understand** others' positions;



We will show **respect** for ideas and views presented, even where we disagree;



We will explain our positions by **fairly** presenting the reasons for them; and,



We will avoid personal attacks or other tactics that distract **attention** from the salient issues.



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