

**RULES OF PROCEDURE
FOR THE CONDUCT OF BUSINESS
FOR THE
CALIFORNIA STORMWATER AUTHORITY**

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1. MEETINGS, STUDY SESSIONS, AGENDAS AND STAFF REPORTS

1.1 Regular Meetings

Regular meetings of the California Stormwater Authority shall be set at the last meeting of the calendar year. If the regular meeting date falls on a holiday, then the meeting shall be rescheduled by the Secretary. All regular meetings of the California Stormwater Authority will be called to order at 10 a.m. unless advertised otherwise, cancelled or rescheduled.

The California Stormwater Authority Board will generally adjourn its meetings at 3 p.m., with any unfinished business being continued to the next regular meeting. The Board will not hear any new item after 3 p.m. without unanimous agreement of the entire Board present at that meeting.

1.2 Special Meetings

An emergency or special meeting may be called at any time by the Chairperson of the California Stormwater Authority, or by a majority of its Directors. Written notice shall be delivered personally or by email at least twenty-four (24) hours before the time of a special meeting, and as soon as is reasonably possible in the case of an emergency meeting to each Director and to each local newspaper of general circulation, and to each radio or television station which has previously submitted a written request for notice. 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 the meeting.

1.3 Adjourned Meetings

The California Stormwater Authority may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Ralph M. Brown Act, Government Code Section 54950, et seq. (the "Brown Act").

1.4 Workshop Sessions

The California Stormwater Authority may hold a workshop session as part of a regular, adjourned or special meeting. In general, the purpose of workshop sessions will be to gather information from staff, consultants, or members of the public regarding matters within the purview of the California

Stormwater Authority and, at most, provide further direction to staff while not rendering a formal final decision or action on a particular matter. When a matter is set for a workshop session, the time allowed for individual public testimony time limits may be reasonably limited at the discretion of the Chairperson. Public notice for workshop sessions on specific matters for which future meetings are anticipated shall be given to all interested parties who have requested such notice, and a record of the workshop session shall be entered into the minutes of any future meetings as consideration of information in any pertinent future discussion.

1.5 Open Sessions

All meetings of the California Stormwater Authority shall be open and public, and all persons shall be permitted to attend, unless a closed session is specifically authorized by the Ralph M. Brown Act.

1.6 Agendas

At least 72 hours before a regular meeting, copies of the California Stormwater Authority's agenda shall be posted within a public display case at the location of the meeting and made available to any person on a public website. In accordance with the Brown Act, the Board may not discuss or take action on any item that did not appear on the posted agenda unless an exception is made, as permitted under Government Code Section 54954.2.

1.7 Staff Reports

When staff reports exist, copies shall be made available electronically or in hardcopy format at least 72 hours prior to a regular public meeting. Copies shall also be made available at the regular public meeting. If more members of the public request more copies of the staff report than are available at the meeting, copies shall be provided to those members of the public as soon as reasonably possible after the meeting in a manner consistent with the Public Records Act.

Staff reports shall be prepared with recommendations, and the basis for recommendations included in the meeting record.

1.8 **Staff Communications**

Board members may contact staff for clarification of staff materials and to ask questions prior to and at public meetings. The Executive Director shall: A) Provide a written clarifying statement restating or summarizing the question and providing an answer to all Directors prior to a meeting and to verbally share the clarifying statement at the appropriate public meeting; or B) Provide a verbal clarifying statement restating or summarizing a Director's question and providing an answer during the staff presentation at the appropriate public meeting.

2. **PRESENTATION OF AGENDA ITEMS**

2.1 **Recording of Meetings**

Meetings will generally be recorded by electronic device (e.g., digitally, audio cassette or video tape or other media) and preserved for a period of two (2) years or as may be otherwise specified by the adoption of a records retention policy.

When a request is made in writing to the Secretary, a copy of any such recording may be purchased at its reproduction cost.

2.2 **Action Minutes**

Minutes of the California Stormwater Authority will be action minutes. Action minutes include all motions and final motions reflecting the vote of each member present and voting. Staff recommendations subject to a motion will be included in the minutes. The minutes will also reflect the names of public speakers. Any direction provided by the Board of Directors will be included in the minutes. Director, staff and public discussion and comments will not be included in the minutes.

Adopted minutes of all meetings will be retained. Generally, draft minutes are submitted to the California Stormwater Authority at the next regular meeting for consideration and adoption.

2.3 **Order of Presentation**

The procedure for the conduct of meetings is generally as follows:

- a) The Chairperson opens the meeting and announces the first and subsequent items.
- b) Staff presents its report, including any recommendation.

- c) Questions of staff by members of the California Stormwater Authority.
- d) Oral presentations by members of the public.
- e) The Board deliberates on the issue and can ask staff any questions for clarification.
- f) The Board deliberates and may take action.

2.4 **Oral Presentation - Time Limits, and Number of Speakers**

- a) Prior to the meeting, or during the meeting prior to a matter being reached, persons wishing to address the California Stormwater Authority are requested to fill out a speaker card and submit it to staff to assist in the preparation of the minutes and facilitate discussion during the meeting. Those desiring not to provide their name may choose to do so and will still be provided an opportunity to speak.
- b) Any person desiring to address the Board must first be recognized by the Chairperson. All comments should be made clearly and audibly, and all speakers are requested (unless they choose not to) to first state their full names, City of residence and the names of any persons in whose behalf they are appearing.
- c) In order to conduct orderly and timely meetings, oral presentations by the public may not exceed three minutes for a single item. Members of the public making oral presentations to the Board in connection with one or more agenda items at a single meeting are limited to a cumulative total of ten (10) minutes for all agenda items at such meeting unless otherwise provided. If the Chairperson deems it appropriate, in extraordinary circumstances he or she may extend the time limit for any speaker. The Chairperson may also limit the time provided to speakers in order to ensure an orderly and timely meeting. Except when necessary for immediate clarification of a particular point, no person shall be allowed to speak a second time on the same agenda item until all others wishing to be allowed to speak have had an opportunity to do so, and then only at the discretion of the Chairperson.
- d) In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged.

- e) Whenever any group of persons, all of whom are present, wishes to address the Board on the same subject matter, the group is encouraged to designate a spokesperson to address the Board. Each member of the group shall complete a speaker card in advance of the matter being called and shall note on the card the person whom they wish to have speak on their behalf. By allowing another person to speak on their behalf, each group member shall relinquish their right to speak on the matter.
- f) Persons who anticipate oral presentations exceeding three (3) minutes are encouraged to submit comments in writing, in advance of the meeting, care of the Executive Director, for prior distribution to the Board.
- g) Comment cards may be used by members of the public who do not wish to or cannot verbally address the Board during a meeting. A person may indicate their comments and their opposition or support for an agenda item on a comment card prior to or during the Board's consideration of the item.

During the public testimony of the item, the Chairperson will indicate that the Board has received comment cards from (name of person) in support of the project or issue and comment cards from the (name of person) in opposition of the project or issue. The minutes will reflect the Board's receipt of comment cards in opposition and support of an agenda item or other subject.

- h) Any person addressing the California Stormwater Authority may present a PowerPoint presentation or other visual media presentation to the Board utilizing the meeting location's audio/visual equipment.
 - i. All PowerPoint presentations must comply with the applicable time limits for oral presentations and cumulative time limits. Presentations should be planned with flexibility to adjust to any changes in these time limits.
 - ii. All PowerPoint presentations must be submitted on suitable media already formatted in PowerPoint format.
 - iii. Any discs, flash drives, or other media submitted that are thought to contain viruses or unable to be scanned for viruses will not be permitted to be used.

2.5 Written Materials

The California Stormwater Authority desires that written submissions be submitted properly to ensure that it has reasonable and appropriate opportunity to review submitted materials.

All materials delivered in advance of the staff report becoming publicly available, must be submitted ten (10) days prior to the Board of Director's meeting. The Secretary will send these submissions to the Board together with the staff reports.

Members of the public who may not be able to attend a meeting may submit letters or written comments. The written information from members of the public not at the meeting shall be presented to the California Stormwater Authority before the meeting and if received prior to the day of the meeting will be sent to the Board via email if possible.

Members of the public who wish to submit written information at the meeting should provide ten (10) copies of the information in order to assure it is considered by the Board.

An Errata Memo is a change to the staff report that describes the change to the Board. This errata memo will be provided to the Directors on the dais prior to the start of the meeting.

2.6 Changes to Agenda Order

The Board Chairperson shall, prior to consideration of the meeting agenda, poll Directors on the movement of agenda items for consideration. The movement or order of agenda items may be changed upon the majority approval of the Board.

3. MOTIONS

3.1 Motions - Second

Any member may propose action upon an agenda item – including an order, resolution, ordinance, or any other action of the California Stormwater Authority by a motion. Before a motion can be considered or debated it must be seconded, at which time it shall be on the floor and must be considered. If not seconded, the motion is lost for lack of a second and shall be so declared by the Chairperson.

3.2 Amendment of Motion or Substitute Motion

A motion on the floor may be amended at any time before adoption or rejection. When an amendment is offered, the California Stormwater Authority will debate and take action on the amendment before acting on the original motion. If the amendment is not adopted, the original motion will then be considered. If the amendment is adopted, the original motion as amended will then be considered.

3.3 Withdrawal of Motion or Second

A motion may be withdrawn by the maker at any time before adoption or rejection, with consent of the second. A second to a motion may be withdrawn by the seconding member at any time before adoption or rejection of the motion. The motion will then be lost for lack of a second and so declared by the Chairperson unless seconded by another Director.

3.4 Discussion, Closure, and Question

After a motion has been seconded, any member may discuss or comment on the subject of the motion. The Chairperson will recognize Directors of the California Stormwater Authority with the desire to speak, beginning with the motion's maker, and will protect each speaker from disturbance or interference. When no member wishes to discuss or comment further, the Chairperson shall call for a vote on the motion after providing an opportunity for public comment on the matter. Any Director of the California Stormwater Authority may at any time move to close the debate.

3.5 Motions for Reconsideration

Any member who was present and voted with the prevailing majority on a matter to be reconsidered may make motions for reconsideration of a matter. Any Director of the California Stormwater Authority may second a motion to reconsider. Motions to reconsider shall be made at the same meeting as the original motion or at the next succeeding meeting. A reconsideration motion at the next succeeding meeting shall be agendaized for discussion and action at the next meeting, consistent with the Brown Act.

4. DECISION-MAKING

4.1 Voting

Approval of any motion brought before the California Stormwater Authority shall require the affirmative vote of a majority of the members present and voting, unless otherwise specified by law.

4.2 Tie Votes

Any tie vote shall constitute a denial of the motion and may be reconsidered by a motion offered by any member who voted on the matter. If there is no action by an affirmative majority vote, the result is no action.

4.3 Abstentions

Abstentions shall not count as votes for the purpose of determining whether there has been an affirmative vote of a majority of the members present, but shall be counted for the purpose of determining whether a quorum is present, unless the member is abstaining because of a potential conflict of interest in the matter at hand.

4.4 Roll Call

Voting upon a motion may be by roll call or electronic means.

4.5 Motions Include Staff Recommendations

A motion to adopt or approve staff recommendations or simply to approve the action under consideration shall, unless otherwise particularly specified, be deemed to include adopting of all related actions recommended in the staff report on file on the matter.

4.6 Absentees

A Director who is absent from any portion of a public meeting may vote on the matter at the time it is acted upon, provided that he or she has listened to a recording of the entire portion of the meeting from which he or she was absent, if such a tape recording exists, and if he or she has examined all of the exhibits presented during the portion of the meeting from which he or she was absent and states for the record before voting that the member deems himself or herself to be familiar with the record

and with the information presented at the meeting as he or she would have been had he or she personally attended the entire meeting.

4.7 Alternates

Alternates shall only vote when one Director is absent. In addition, alternates shall only vote if they believe they have acquired and understand the information that has been provided to the California Stormwater Authority for any relevant matter. Alternates are not permitted to be included in the Board discussion of agenda items at a meeting unless they will be voting at that meeting. Alternates are permitted to speak during public comment and submit questions for the Chairperson to consider.

Alternates are expected to follow the Brown Act requirements as if they were sitting Directors. Alternates are not permitted to discuss agenda items with a majority of other Directors outside of a noticed public meeting and shall base their vote when sitting as a voting member of the Board on their own opinion or belief.

4.8 Continuances

Upon a showing of good cause and by request of staff, member of the public, or Director, the Chairperson, at the time set for a meeting on a particular item, may, with the concurrence of a majority of the Board of Directors present, order the agenda item to be continued to a specified date and time. Upon the request of any member of the Board of Directors, continuance decisions shall be made by roll call vote of all members present.

5. CONSTRUCTION AND EFFECT

5.1 Construction

These procedural rules shall be construed and applied so as to ensure public input and to facilitate an orderly analysis of matters by the California Stormwater Authority.

5.2 Chairperson's Rule of Order

When there is no provision of these rules of procedure applicable to the conduct of the meeting of the California Stormwater Authority, or to a particular question of conduct or order that may arise in the course of such meeting, the Chairperson shall

suggest appropriate rules for consideration by the entire Board. The Board will, in turn, based upon a majority vote of those members present, adopt an ad hoc rule for any questions of conduct or point of order that may arise. In the event of a tie vote on any such ad hoc rule, the Chairperson's decision on the proposed ad hoc rule shall be final.