



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

Betsy Dirks
District No. 1

Kollin Kosmicki
District No. 2
Vice Chair

Peter Hernandez
District No. 3
Chair

Bob Tiffany
District No. 4

Bea Gonzales
District No. 5

Item Number: 4.4

MEETING DATE: 12/13/2022

DEPARTMENT: COUNTY ADMINISTRATION OFFICE

AGENDA ITEM PREPARER: Dulce Alonso

DEPT HEAD/DIRECTOR: Ray Espinosa

SUBJECT:

BOARD OF SUPERVISORS

Approve proposed revisions to the Board Rules of Procedures and Policies Rules, or provide direction to staff.

SBC FILE NUMBER: 156

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The Board has adopted Rules of Procedure. The Board is requested to review those procedures and determine if any additional changes should be incorporated. Proposed changes are set forth in the attachment. The Board is requested to approve the revised Board rules, or alternatively provide direction to staff.

This proposed amendment address three different issues to promote and encourage a professional, positive workplace, as well as orderly and productive Board meetings.

These issues are addressed by the new language which is proposed for adoption:

- A procedural determination or a decision on any point of order made by the Chair shall be final, unless a first and second of the membership calls for a vote (approved by 3/5 vote) on the question of whether to overrule the Chair's decision.

A new section including Conduct was added:

- **Conduct with Other Members and Staff** –Members should practice civility and decorum in discussions and debate.
- **Positive Work-Place Environment** - Members should support the maintenance of a positive and constructive workplace environment for the County employees and for members of the community dealing with the Board.
- **Civil and Safe Discourse** – In order to preserve a harmonious, safe, and civil atmosphere that is conducive to productive discourse, no member shall make belligerent, personal, slanderous, threatening, abusive, or disparaging comments, regarding staff members, other Board members, or members of the public. No such statements, nor shouting or physical actions that could be construed as threatening, will be tolerated.
- **Operational Issues Regarding County Personnel.** The County is managed by a CAO and staffed with human resource professionals. Board members should not become involved individually in County personnel matters. Operational issues involving County employees should be directed to the CAO's office or the County's Human Resources Department.
- **Enforcement of these rules.** A violation of these rules, and especially serious or repeated violations, may be enforced at the discretion of the Board by various mechanisms, including but not limited to censure, or removal from committees.
- **Common Law Fiduciary Duties.** The Board agrees to abide by the following principles in their conduct in all matters: Duty of Care, Duty of Loyalty, Duty of Impartiality, and Duty of Accountability and Duty to Maintain Public Trust in Government.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

N/A

CONTRACT NEEDED FOR THIS ITEM:

N/A

CONTRACT AND RFP HISTORY:

n/a

LAST CONTRACT AMOUNT OR N/A:

n/a

STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:

n/a

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

No

BUDGETED:

N/A

BUDGET ADJUSTMENT NEEDED:

N/A

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

N/A

SBC BUDGET LINE ITEM NUMBER:

n/a

CURRENT FY COST:

n/a

STAFF RECOMMENDATION:

The Board is requested to approve the revised Board rules.

ATTACHMENTS:

[Current Board Rules and Procedures](#)

Board Rules clean revised December 13, 2022