

# California Underground Facilities

## Safe Excavation Board

Item #6p-t

### *Agenda Item – Resolution*

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**DATE:** January 9, 2018

**TO:** Members, Underground Facilities Safe Excavation Board

**FROM:** Tony Marino, Executive Officer

**SUBJECT:** Board Policies: Governance

#### **BACKGROUND:**

The Underground Facilities Safe Excavation Board must have procedures in place to operate as a body. Many of these procedures can be adopted by incorporating Robert's Rules of Order by reference, but others must be made explicit.

#### **DISCUSSION:**

Legislative bodies adopt procedures to promote decorum, protect the rights of members to exercise speech and action while allowing the body to conduct business, confine debate to merits of question, and provide for clarity of record. Some procedures are defined in statute,<sup>1</sup> but most are provided through adoption of a parliamentary procedure manual. Robert's Rules of Order remains the most popular manual for California boards and commissions. Still other procedures must be adopted specifically as standing rules.

As Robert's Rules is expansive, comprising several hundred pages, it offers different options for performing similar tasks based on the type of body and type of meeting, leading to potential ambiguities in application. For some procedures, however—such as the election of the chair, the role of the chair, the replacement of the executive officer, and recommendations to the Governor and Legislature—clarity is critical. The Board may choose to express those procedures explicitly in policy documents.

#### **RECOMMENDATION:**

Adopt attached policies regarding procedures for meeting governance.

#### **ATTACHMENTS:**

- 1) Resolution
- 2) Governance G-01: Parliamentary Procedure
- 3) Governance G-02: Election of Board Chair
- 4) Governance G-03: Role of the Board Chair

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<sup>1</sup> For instance, Government Code (GOV) § 11123 requires votes made during a teleconferenced meeting shall be by roll call, GOV § 11128.5 allows bodies with less than a quorum to adjourn, and GOV 87105 sets procedures by which a member of a specified public body must recuse him- or herself.

- 5) Governance G-04: Replacement of the Executive Officer**
- 6) Governance G-05: Recommendations to the Governor and Legislature**

# CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD

## RESOLUTION No. 18-01-05

### A RESOLUTION OF THE CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD ADOPTING POLICIES REGARDING BOARD GOVERNANCE PROCEDURES

**Whereas** the California Underground Facilities Safe Excavation Board must adopt procedures to govern conduct during meetings; and

**Whereas** the 11<sup>th</sup> Edition of Roberts Rules of Order has flexibility and is in widespread use in California state boards and commissions; and

**Whereas** procedures specific to the election and role of the Board Chair, the replacement of the executive officer, and recommendations to the Governor and Legislature would provide necessary clarity not found in Robert's Rules of Order;

**Be it resolved** that the Board adopts as a policies procedures for meeting governance G-01 ("Parliamentary Procedure"), G-02 ("Election of Board Chair"), G-03 ("Role of Board Chair"), G-04 ("Replacement of Executive Officer"), and G-05 ("Recommendations to the Governor and Legislature").

I certify that this resolution was adopted by the California Underground Facilities Safe Excavation Board at its business meeting on January 9, 2018, the following Members approving it:

*/s/ Anthony R Marino*

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ANTHONY R. MARINO  
Executive Officer

Category:	<b>Governance</b>	Process Number:	G-01
Title:	<b>Parliamentary Procedure</b>		
Adopted:	DRAFT	Resolution:	
Revision:			

Parliamentary procedure shall be conducted as follows. Any question of procedure not addressed in the governance provisions of this manual shall be addressed using the 11th Edition of Robert's Rules of Order.

- Procedures for small boards identified in the 11th Edition of Robert's Rules of Order shall apply, including, but not limited to, the following:
  - Motions need not be seconded.
  - There shall be no limit to the number of times a member may speak to a debatable question.
  - Informal discussion of a subject is permitted while no motion is pending.
- A quorum shall be five members.

Monitoring Method: Staff  
Frequency: Biennial

Category:	<b>Governance</b>	Process Number:	G-02
Title:	<b>Election of Board Chair</b>		
Adopted:	DRAFT	Resolution:	
Revision:			

The Board shall elect each year a chair to preside at Board meetings under the following terms and conditions:

1. The Chair shall be elected upon a vote of a majority of board members appointed to office voting in approval.
2. The terms of the Chair shall be for a period of one year or until such time as a successor has been selected pursuant to these rules.
3. Pursuant to Government Code § 4216.14, a member of the Board shall not serve as Chair for more than two successive years.
4. In the absence of the Chair, the members present shall select one of their number to act as Chair pro tem.
5. A new Chair may be elected at any time during a business meeting.

Monitoring Method: Board  
Frequency: Biennial

Category:	<b>Governance</b>	Process Number:	G-03
Title:	<b>Role of the Board Chair</b>		
Adopted:	DRAFT	Resolution:	
Revision:			

The Chair of the Board and any Board member acting in the role of Chair of the Board shall assure the integrity of the Board's processes. Specifically, the Chair shall:

1. Preside over Board meetings.
2. Ensure the orderly dispensation of the Board's agendas.
3. Ensure that the Board behaves consistently with its own rules and policies.
4. Solicit the engagement of all members of the Board in the development of policies consistent with the Board's statutory directive.
5. Ensure that discussion during meetings is fair, open, and thorough and complies with the notice requirements of the Bagley-Keene Open Meeting Act.
6. Solicit volunteers and appoint members to lead and present the results of workshops, committee meetings, and other aspects of the Board's policy and enforcement duties.

Monitoring Method: Board  
Frequency: Biennial

Category:	<b>Governance</b>	Process Number:	G-04
Title:	<b>Replacement of the Executive Officer</b>		
Adopted:	DRAFT	Resolution:	
Revision:			

The Executive Officer is appointed by and serves at the pleasure of the Governor of California. The Board may, with an affirmative vote of a majority of the members appointed, recommend to the Governor the replacement of the Executive Officer.

Monitoring Method: Board  
Frequency: Biennial

Category:	<b>Governance</b>	Process Number:	G-05
Title:	<b>Recommendations to the Governor and Legislature</b>		
Adopted:	DRAFT	Resolution:	
Revision:			

Section 4216.23 of the Government Code requires the Board to submit any recommendations it may have to the Governor and Legislature in its annual report. The Board may make recommendations to the Governor, the Legislature, or any other government entity at any time of its choosing through a resolution approved at a voting meeting.

Monitoring Method: Board  
Frequency: Biennial