

APPENDIX B

RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CLARA  
ESTABLISHING ADDITIONAL  
RULES OF PROCEDURE

WHEREAS, Government Code Section 25003 provides that the Board of Supervisors may make and enforce rules and regulations necessary for the government of the Board, the preservation of order, and the transaction of business;

WHEREAS, the rules of procedure governing this Board of Supervisors have heretofore been established by ordinance and by Board order;

WHEREAS, Government Code Section 25081 requires that by ordinance the Board shall provide for the holding of regular meetings at the county seat;

WHEREAS, the holding of regular meetings has been and shall continue to be addressed by county ordinance;

WHEREAS, on June 23, 1992, the Board of Supervisors approved recommended changes to the Rules of the Board of Supervisors;

WHEREAS, these rules of procedure shall be Appendix B to the existing Rules of the Board of Supervisors updated on June 23, 1992;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Clara does hereby resolve as follows:

1. Time and Place of Meetings

The time and place of meetings shall be as established in Chapter III of Division A5 of the County of Santa Clara Ordinance Code.

2. Emergency Meetings

Emergency meetings of the Board of Supervisors shall be called as provided by general law and by Chapter III of Division A5 of the County of Santa Clara Ordinance Code.

3. Time for Filing Matters with Board

Any and all matters to be presented and acted upon by the Board of Supervisors at the regular Tuesday meeting must be filed in the office of the Clerk of the Board not later than 5:00 p.m on Tuesday of the week preceding the day of such meeting.

Unless so filed, said matters will not be considered by the Board of Supervisors until the next succeeding regular meeting of said Board, except as provided by Section 54954.2 of the Government Code (see Appendix A).

4. Processing of Approved Money Demands

After each meeting of the Board of Supervisors, the Clerk shall deliver to and leave with the Controller all demands allowed for the payment of money.

5. Action on Sale or Lease of Real Property

Whenever any sale or lease of any interest in real property is proposed by the County Executive, the Board of Supervisors shall consider the proposal, and if affirmative decision is reached, the Board of Supervisors shall thereupon pass and adopt a resolution of intention to sell or to lease the interests involved.

(Cross-reference - Leasing county property generally, Division A21 of the County of Santa Clara Ordinance Code).

6. Appointments

Appointments to fill positions on any board or commission, other than the Board of Supervisors, may be made either by individual Board members or by the Board as-a-whole, depending upon the enabling legislation for the board or commission.

Appointments shall be made by the Board of Supervisors upon the nomination of the Supervisor to whom the right of nomination falls in accordance with the provisions of this resolution. Such nominations shall be deemed seconded and a vote shall be taken.

Authority to appoint to a position on any board or commission shall remain with the Supervisorial District for the full term of the position and shall not rotate to the next district until the term is ended.

7. Certificates of Appointment Required

A certificate of appointment shall be issued by the Clerk of the Board of Supervisors to all persons appointed to fill a position on any board or commission. Such certificate shall indicate the appointive term of office, and the appointment shall be effective according to the terms of such certificate.

8. Positions Allocated to Districts

One position on each board or commission, except as provided in this resolution, shall be allocated to each supervisorial district, and the supervisor making the nomination to fill the allocated position shall nominate any qualified resident of the county.

9. At-Large Nominations

At-large positions on each board or commission shall be filled as specified in this resolution. For each board or commission, at-large positions shall be filled by rotating the right of nomination among the supervisorial districts. Successive supervisorial districts in numerical order shall have the succeeding right to nominate to fill at-large positions. The successive supervisorial district in sequential order following the district that made the appointment of the incumbent in the position shall have the right to appoint. A supervisor may nominate any qualified resident of the county to fill an at-large position.

10. Filling Vacancies in Allocated or At-Large Positions

An allocated or at-large position that is vacant shall be filled by the procedures specified in paragraphs 9 and 10, as applicable.

11. Nominations from List

Notwithstanding any other provision of this Resolution:

- (a) Where a nomination is to be made from a list of nominees, such lists shall be subject to rejection until acceptable to the Board of Supervisors or the Supervisor having the right of nomination; in the alternative.
- (b) Any requirement that the Board of Supervisors, or any individual member thereof, must appoint from nominations submitted by other than the Board shall also authorize the Board, or the individual member, to reject such nominations and nominate and appoint any qualified resident of the county.

This provision shall be inapplicable to the County Personnel Board as established by the Charter.

12. Boards and Commissions with Special Method of Nomination

All boards and commissions for which a special method of nomination, qualifications or larger membership is not established herein or in some other paragraph of this resolution, shall be allocated among the supervisory districts.

13. Time for Nomination

All appointments to be made by the Board of Supervisors during a calendar year shall appear on the Local Appointments List pursuant to Government Code Section 54972 and all unscheduled vacancies shall be posted pursuant to Government Code Section 54974.

A Supervisor to whom the right of nomination of an at-large position falls upon expiration of the current term, or to whom an allocated appointment is assigned for the next succeeding term, may place on a Board of Supervisors' meeting agenda a reappointment of an incumbent eligible to serve an additional term to the seat which is scheduled to expire no earlier than forty-five (45) days prior to the date of expiration of the current term.

A Supervisor to whom the right of nomination of an at-large or allocated position falls, shall make the nomination not later than thirty-five (35) days after the right of nomination accrues, provided that a majority of the Board may extend the period in which this nomination shall be made. If after the lapse of thirty-five (35) days, or any other period for which the right of nomination may have been extended, the Supervisor having the right of nomination fails to nominate a qualified person to fill the vacancy, any member of the Board may so nominate. For the purpose of determining subsequent rights to nominate for either allocated or at-large positions, said nomination shall be charged to the Supervisor who failed or declined to exercise the right of nomination.

14. Limitation on Number of Terms

No member of any appointive board or commission shall be eligible to serve on such board for more than three (3) consecutive terms in addition to any portion of any unexpired term which may have been served, unless specified otherwise in the enabling legislation.

15. Rules of the Board of Supervisors

These rules shall supplement the existing Rules of the Board of Supervisors, as revised on April 27, 1999.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on June 15, 2000, by the following vote:

AYES: Gage, Alvarado, McHugh, Beall,  
Simitian

NOES: None

Don Gage, Chair  
Board of Supervisors

ATTEST: Phyllis Perez, Clerk  
Board of Supervisors