

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # \*D-3

Urgent  Routine

AGENDA DATE January 8, 2008

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Adoption of the Stanislaus County Economic Development Action Committee Rules and Regulations

STAFF RECOMMENDATIONS:

Adopt the attached Rules and Regulations for the Economic Development Action Committee.

FISCAL IMPACT:

There are no fiscal impacts associated with this item.

BOARD ACTION AS FOLLOWS:

No. 2008-016

On motion of Supervisor Grover, Seconded by Supervisor O'Brien  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None


1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:



ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk

File No. BD-18-B-3

Adoption of the Stanislaus County Economic Development Action Committee  
Rules and Regulations  
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**DISCUSSION:**

The County Economic Development Action Committee (EDAC) has been in existence since 1962, and functions to develop and implement the Comprehensive Economic Development Strategy (CEDS) for Stanislaus County and its nine incorporated cities. The Committee serves as a liaison between member jurisdictions and the programs offered by the Economic Development Administration that promote permanent employment and economic growth. This Committee was recently reactivated due to the need to update the County's CEDS.

To date, the Committee has operated without any by-laws that regulate its actions. Due to the large membership (21), and desire by the present members to set some guidelines for attendance, the Committee considered the attached rules and regulations at their meeting of November 29, 2007, which have been recommended for approval by the Board of Supervisors. The rules and regulations cover membership, officers, organization and attendance, as well as meetings, agendas, and order of business. The rules and regulations have been patterned after those of other County committees.

**STAFFING IMPACT:**

None.

**ATTACHMENTS:**

1. Economic Development Action Committee Rules and Regulations

JANUARY 8, 2008

**STANISLAUS COUNTY ECONOMIC DEVELOPMENT ACTION COMMITTEE  
RULES AND REGULATIONS**

**SECTION 1 - FUNCTIONS AND DUTIES**

1.1 The Stanislaus County Economic Development Action Committee, referred to hereafter as the "Committee," functions to develop and implement the Comprehensive Economic Development Strategy for Stanislaus County and its nine incorporated cities. The Committee serves as a liason between member jurisdictions and the programs offered by the Economic Development Administration that promote permanent employment and economic growth.

The following sections shall govern all proceedings of the Commission.

**SECTION 2: MEMBERSHIP, OFFICERS, ORGANIZATION, AND ATTENDANCE**

2.1 Membership. The Committee shall consist of twenty-one members appointed by the Board of Supervisors. The membership shall consist of one County Supervisor; a representative from each of the nine cities within the County; a representative from each of the four (4) supervisorial districts not represented by the appointed Board member; four (4) representatives of the Hispanic community; one (1) representative from the Black community; one (1) representative from the Asian community; and one (1) representative from the Native American Community. Consideration shall be given to a cross-section of business, education, government, agriculture, labor and community organizations, industry, the unemployed and underemployed on the Committee.

2.2 Term of Office. Committee members are appointed to four-year terms and serve at the pleasure of the Board of Supervisors. A Committee members may serve up to two consecutive two-year terms.

2.3 Officers.

(a) Selection. A Chair and Vice-Chair shall be elected annually from among the Committee's membership at the first meeting of the calendar year.

(b) Succession. The Vice-Chair shall succeed the Chair if the Chair vacates the office before completion of the term and shall serve the remainder of the unexpired term. A new Vice-Chair shall be elected at the next regular meeting to fill the balance of the Vice-Chair term.

(c) Chair and Vice-Chair Absent. In the absence of the Chair and Vice-Chair, any member may call the Committee to order, and a Chair pro tem shall be elected from the members present and shall assume the responsibilities of the Chair.

(d) Consecutive Year. A member shall not serve as Chair for more than two consecutive year or Vice-Chair for more than two consecutive years.

(e) Chair's Responsibilities. The responsibilities and powers of the Chair shall be as follows:

- (1) Preside at all meetings of the Committee and rule on all questions of order.
- (2) Call special meetings of the Committee in accordance with legal requirements and the Rules of Procedure.
- (3) Sign documents on behalf of the Committee.

- (4) Appoint all subcommittees of the Committee.
- (5) Direct appropriate action on items raised that are not listed on the Committee agenda.

2.4 Vice-Chair Responsibilities. In the absence of the Chair, or when the Chair is disqualified from participation or voting, the Vice-Chair shall assume the responsibilities of the Chair.

2.5 Secretary. The Stanislaus County Director of Planning and Community Development or a designated member of the Planning staff, shall function as the Secretary of the Committee. The Secretary shall notify Committee members of meetings, present the reports and recommendations of the Committee's staff, enter into the minutes all official actions or decisions of the Committee, keep the official records of the Committee, transmit the findings of the Committee to the Board of Supervisors, and perform such other duties as the Committee may require.

2.6 Advisory Staff. County Counsel, or their designated staff, serve as advisory staff to the Committee.

2.7 Standing Committees. The Committee may establish whatever standing committees it deems appropriate for the conduct of its business. The Chair shall appoint and replace the members of each standing committee.

2.8 Special Committees. The Committee may establish whatever special committees it deems appropriate for the conduct of its business. The Chair shall appoint and replace the members of each special committee.

2.9 Attendance. Any member who misses three consecutive regular meetings without a valid excuse, approved by the Committee, is subject to removal from the Committee by the Board of Supervisors.

### **SECTION 3 - MEETINGS**

3.1 Conduct of Meetings. Except as herein or otherwise provided, Robert's Rules of Order, Revised shall govern all proceedings of the Committee.

3.2 Regular Meetings. The Committee shall hold regular, quarterly meetings, as determined by a majority of the membership. Special meetings may be necessary to address specific economic development issues. The Committee agenda shall state the location of the meeting. Any regular meeting may be adjourned from time to time.

3.3 No meeting on Holidays. Whenever a regular meeting falls on a public holiday, no regular meeting shall be held on that day. Such regular meeting may be rescheduled to another business day, or canceled at the direction of the Chair.

3.4 Adjourned Meetings. In the event it is the wish of the Committee to adjourn its regular meeting to a certain hour on a day, other than a regularly scheduled meeting, a specific date, time and place must be set by the Committee prior to the regular motion to adjourn.

3.5 Special Meetings. The Chair may call special meetings as necessary, providing that each member of the Committee, and each newspaper, television station, and other news media which so requests in writing, is notified at least seventy-two (72) hours before the meeting.

3.6 Study Sessions and Workshops. The Chair may convene the Committee as a whole or as a committee of the whole, for the purpose of holding a study session provided that no official action shall be taken and no quorum shall be required. Such meetings shall be open to the public; but, unless the Committee invites evidence or comments to be given, participation by interested members of the public shall not take place at such study sessions.

3.7 Cancellation of Meetings. The Chair may cancel any regular or special meeting of the Committee if it is determined there is no significant business to be conducted. However, the Committee shall hold at least one (1) meeting each year.

#### **SECTION 4 - AGENDAS, ORDER OF BUSINESS**

4.1 Agendas. An agenda for each meeting of the Committee shall be prepared by the Secretary or assigned staff.

4.2 Agenda - Order of Business. Unless the Secretary determines otherwise, the following sequence shall be used in the preparation of agendas:

- (a) Roll Call (silent)
- (b) Minutes of Previous Meeting(s)
- (c) Correspondence - Included in agenda packet and received after packet has been distributed.
- (d) Conflict of Interest Declarations
- (e) Consent Items

- (f) Action Items
- (g) Other Matters
- (h) Report of the Secretary
- (i) Committee member reports
- (j) Adjournment

The order of business may be altered at the discretion of the Chair.

- 4.3 Requests for Continuance. If a request is made for continuance, a motion may be made and voted upon to continue the item to a definite time and date or to continue indefinitely. A motion may also be made and voted on to place the item anywhere under the "Action Items" heading on the agenda. Any person desiring to be heard on the item may be given an opportunity to make a presentation.
- 4.4 Consent Items. Those applications or items which are determined by the Secretary to be consistent with all regulations and requirements and have not generated any controversy may be placed on the consent item calendar. At the hearing, the Chair shall identify each individual item on this calendar and indicate the Committee's intent to approve all items, with findings noted in the Staff Report, unless a Committee Member or member of the audience wishes a discussion of a particular item. For those items where no one wishes a discussion, a motion to approve is in order. Any item that has been requested for further discussion shall be removed from the consent portion of the calendar and placed on the action portion of the calendar.
- 4.5 Non-Consent Items. The Chair shall announce, open, request the Secretary's report and preside over each action item conducted by the Committee.



- 4.6 Secretary's Report. If requested by the Chair, the Secretary or designated staff shall present a report on each action item. The Committee may ask technical questions of staff or advisory staff.
- 4.7 Oral Comments. Upon the completion of the Secretary's report, the Chair shall invite attendees to address the Committee with questions or comments. The Chair shall recognize speakers and determine the order in which they address the Committee.
- 4.8 Conduct of Speakers. Each speaker shall be required to give their name and address. The speaker may then proceed to offer information. However, speakers will be limited to the item under consideration and irrelevant and off-the-subject comments may be ruled out of order by the Committee. All comments shall be addressed to the Committee.
- 4.9 Time Limits for Testimony. In the event that a large number of speakers wish to address the Committee, the Chair may limit the amount of time afforded to each speaker to five (5) minutes. In addition, the Chair may foreclose any testimony which presents evidence which is repetitious, incompetent, irrelevant, immaterial, which constitute offensive or inappropriate language.
- 4.10 Written Testimony. The Committee's policy is to encourage the early submission of all written material to allow sufficient time to comprehend the material. In order to be included in the Committee Member's agenda packet, written material should be presented to the Planning and Community Development Department not later than ten (10) days prior to the scheduled Committee meeting. Written material received after the agenda has been mailed to the Committee may be presented to them at the scheduled meeting by the Secretary.

4.11 Documentary Evidence. Any documents, writings, pictures, exhibits, video tapes or other forms of tangible expression once submitted to the Committee shall become the property of the Committee and part of the public record.

4.12 Discussion and Decision by the Committee. After the public comments have been received the members of the Committee shall discuss the evidence presented and consider the action item under consideration. The proposal may be continued to a future meeting if the Committee determines that additional information is required or additional time is necessary to consider oral and written testimony.

4.13 Voting Requirements.

(a) A quorum shall consist of eleven (11) members. In the absence of a quorum, the members present shall constitute a committee of the Committee and shall make a report of their action at the next succeeding meeting at which a quorum is present. The actions of the committee shall become effective when ratified by the members of the Committee at such succeeding meeting.

(b) A majority vote is required for the Committee to take action unless otherwise required by state law.

(c) In the case of a tie vote or where less than a majority vote is cast on a motion, the motion fails and a new motion is in order. If an alternative action is not possible, the item shall be considered denied.

(d) Committee Members shall not vote on a motion unless they have been present

during the entire hearing on the issue or have listened to the tape recording of that portion of the hearing presented in their absence.

- (e) When a member of the Committee abstains from voting on any matter before it because of a potential conflict of interest, said abstention shall not constitute nor be considered as either a vote in favor of or opposition to the matter being considered.

4.15 Disqualification from Voting. Committee Members shall disqualify themselves from voting in accordance with the Stanislaus County Conflict of Interest Code and all applicable laws and regulations. When Committee Members disqualify themselves, they shall state prior to the consideration of such matter by the Committee that they are disqualifying themselves due to a possible conflict of interest and shall then step down from the dais.

4.17 Records of Meetings. The Secretary or their designee shall prepare the minutes of the Committee meetings: