
Flood and Sea Level Rise Resiliency District Board Member Guidelines

Adopted on February 10, 2020

Flood and Sea Level Rise Resiliency District

Board Member Guidelines

Table of Contents

1.	Purpose and Overview.....	3
2.	Authority of the Board.....	4
3.	Duties.....	5
4.	Selection of Chair and Vice Chair.....	7
5.	Board Member Conduct	8
6.	Meetings	9
7.	Meeting Agendas.....	12
8.	Financial Matters	14
9.	Communication	18
10.	Legislative	21
11.	References	22

1. Purpose and Overview

This handbook provides guidelines for the Flood and Sea Level Rise Resiliency District (District) Board that describe the way the Board does its business.

The purpose of these guidelines is to ensure transparency in the Board's operations and to set a standard of professionalism for the conduct of the Board's business. The Flood and Sea Level Rise Resiliency District wishes to establish a tradition of open government and civil, intelligent public discourse. These guidelines are intended to enhance public participation and Board debate so that the best possible decisions can be made for the Flood and Sea Level Rise Resiliency District.

2. Authority of the Board

1. The Board is the policy and lawmaking body of the countywide Flood and Sea Level Rise Resiliency District. State law define the powers and responsibilities of the Board. To the extent of any conflict between these Guidelines and state law, state law shall prevail.

2. General Authorities and Applicability

The Board shall determine its own rules and order of business. When not in conflict with the Constitution or laws of the State of California, these Board Guidelines (“Guidelines”) shall be in effect upon adoption by resolution of the Board.

3. Revisions to these Rules

The Board shall review and revise these Guidelines as needed.

4. Rosenberg’s Rules of Order

To the extent these Guidelines do not address an issue of parliamentary procedure for legislative body meetings, *Rosenberg’s Rules of Order: Simple Parliamentary Procedures for the 21st Century* shall apply.

3. Duties

1. Duties of Board Chair

- A. To conduct meetings of the Board as its chairperson.
 - 1. Ensure that consideration of items on the agenda move along without delay.
 - 2. Ensure that petitioners, proponents and opponents are heard but not allowed to disrupt the meeting.
 - 3. Ensure that decorum is maintained at the meeting.
 - 4. In presiding over matters where the public has provided testimony and/or raised questions, the Chair should:
 - a. Restate the question coming before the Board.
 - b. Direct questions or comments requiring a response to staff for a response.
 - c. Ensure that staff and members of the public direct their comments to the chair.
 - d. If necessary, help keep Board Member questions relevant to the matter being considered by the Board.
 - e. If necessary, consider calling for a brief recess if orderly conduct of the meeting is being disrupted.
 - f. Announce the decision of the Board on all subjects.
 - 5. To ensure that each member of the Board is provided an opportunity to completely express their views on items of business, the Chair should:
 - a. See that Board Members ask to be recognized by the Chair before speaking.
 - b. Ensure that each Board Member is given the opportunity to fully express their views.
- B. On behalf of the Board, to officially welcome dignitaries, officials, and gatherings.
- C. To review the agendas of meetings of the Board and participate in their preparation as necessary.

- D. To serve as the District's primary contact for the media.
- E. Nothing under the Chair's duties shall limit any individual Board Member's ability to interact with members of the public.

2. Duties of Vice Chair

In the absence of the Chair from the City or a Board meeting, the Vice Chair shall possess all powers of the Chair and be subject to all prescribed duties for that office.

3. Duties of Board Members

- A. Arrive on time for all Board meetings.
- B. Review all meeting materials in preparation for Board meetings.
- C. Fulfill any other roles or perform any other tasks as may be assigned by the Board.

4. Selection of Chair and Vice Chair

1. Board reorganization, including selection of Chair and Vice Chair occurs annually at the regular meeting in December.
2. The Board believes that experience as a Board Member will assist those who are selected to serve as Chair or Vice Chair, and that it is in the District's best interest that these selections be made in a manner that permits the Chair and Vice Chair to gain that experience in governing and to acclimate themselves to the jobs, tasks, and roles prior to assuming their respective offices.
3. The Board has not established a regular rotation of members into the Chair and Vice Chair positions so all members are eligible to fill the positions and can be selected by a majority of the Board to remain in the position without any term limitation.
4. A Board Member may decline to serve as Chair or Vice Chair.

5. Board Member Conduct

1. Members shall:
 - A. Always put the public interest first;
 - B. Treat each other, staff, and members of the public with dignity, courtesy, and respect;
 - C. Maintain confidentiality of all closed session materials and discussion;
 - D. Be attentive to others, limiting interruptions and distractions;
 - E. Encourage diverse viewpoints in debate while being mindful not to prolong discourse or block consensus;
 - F. Agree to respectfully disagree
 - G. Keep comments clear, concise, and on-topic;
 - H. Start and end meetings on time, work from the agenda;
 - I. Present problems in a way that promotes discussion and resolution.
2. Board Members are subject to all the provisions of the District's *Harassment, Discrimination and Reasonable Accommodations for Disabilities Policy*. **(Note that this District policy will be developed and adopted by the Board subsequent to commencement of the FSLRRD in January 2020)**

6. Meetings

1. All Board decisions must be made at District Board meetings. Before taking action, the Board may be informed by city, county or other public agency representatives, project applicants, interested members of the public, and District staff.
2. No business may be transacted by the Board at a regular or special meeting unless a quorum of the membership is present (4 members). Action on any item of business shall be by a majority of the full Board (4 members) regardless how many members are present or voting. In some cases, as defined by government code, a 2/3 or 4/5 vote is required which shall require support by 5 or 6 Board members respectively.
3. Board Meeting Dates
 - A. If at any time any regular meeting of the Board falls on a holiday, the regular meeting shall be cancelled or held on the next business day or the earliest business day within a week.
 - B. Once a year the Board shall adopt a schedule of Board meeting dates and locations for the following year.
 - C. Meeting dates and locations may be amended with the approval of the Board.
4. Types of Meetings
 - A. **Regular Meetings** are conducted at a location established by the Board and will be held on the second Monday of each month. The meetings begin at 4:00 p.m. It is District policy to make every effort to complete and distribute the agenda and related reports no later than the preceding Thursday.
 - B. **Special Meetings** are called at a non-regular meeting date and time in accordance with the requirements of the Ralph M. Brown Act. They are generally called by the Chair or Board with a minimum of 24 hours' notice.
 - C. **Closed Sessions** can be part of either special or regular meetings. The Board conducts its business in public to the greatest extent possible. State law recognizes that public discussion of certain items could jeopardize the public interest, compromise the District's position, or cost the citizens of San Mateo County financially, and, therefore, generally allows the Board to hold closed session meetings for the consideration of certain matters.
 - D. **Emergency Meetings** are allowed per the Ralph M. Brown Act when the Board determines that an emergency situation exists.

5. Voting

A motion, second, and a majority vote of the Board shall be required for any formal action of Board.

6. The Chair with the approval of a majority of the Board members present, can change the order of hearing of items on the agenda.

7. Public Participation

A. Members of the public are encouraged and invited to participate in the legislative process by submitting written comments before the meeting or speaking in person at a meeting.

B. It is the intent of these rules to allow everyone to be heard without fear of jeers or cheers that may discourage public participation. For this reason, these rules are taken seriously. Disruptive or unruly behavior may result in removal from the Board meeting.

C. Time Limits for public comment:

1. Individual Speakers - 3 minutes

2. The Chair may, at his/her discretion, adjust the amount of time allotted to the speaker(s) when needed

D. Individuals who wish to speak should submit a speaker card to the Clerk of the Board to be called up at the appropriate time.

8. Regular Agenda Items will generally follow the following sequence:

A. Staff / applicant presentation

B. Board Member questions to applicant and/or staff

C. Open public hearing (or public comment section) for comments

D. Close public hearing (or public comment section)

E. Response by staff to public questions/concerns, if warranted

F. Board discussion and deliberation

G. Board votes

9. Action Minutes

- A. The Board shall use Action Minutes (action minutes contain very little, if any, narrative content) or light summary at the discretion of the Clerk of the Board, to record their proceedings.
- B. Motions and votes are shown in the record.
- C. Audio or video recordings will be used at all regular District meetings and when feasible for special meetings of the Board in order to provide a verbatim record of meetings.
- D. Hard copy handouts and PowerPoint or other visual presentation materials will become part of the public record and will be made available on the District website.
- E. Meeting minutes, handouts, presentation materials and recordings will be retained and made available to the public consistent with the Documents Retention Policy adopted by the District Board.

10. Conflict of Interest

- A. Conflicts of interest of the Board are governed by state law, including the Political Reform Act (PRA) and Government Code.
- B. It is the responsibility of every Board Member to identify his or her possible conflicts. Whenever it appears to a Board Member they may have a prohibited financial or economic interest in any District contract, or other matter that may be presented to the Board, the Board Member should alert the District's Counsel at the earliest opportunity so that District Counsel may advise the Board of any necessary action to address the conflict.

7. Meeting Agendas

1. Agenda Order

Board agendas will be prepared by the District CEO and Clerk of the Board and presented to the Board in the order described below.

A. Opening

1. Pledge of Allegiance
2. Roll Call

B. Public Comment

Members of the public wishing to comment on any item not appearing on the agenda may address the Board at this time. State law prevents the Board from taking action on any matter not on the agenda. Comments may be referred to staff for follow up. Public comment is limited to a total of 15 minutes; however, an opportunity for additional public comment will be provided later in the agenda, if needed.

C. Action to Set Agenda

A majority of the Board members present shall take action to set or modify the agenda as published.

D. Consent Calendar

All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by one motion without discussion. If discussion is desired, that item may be removed and considered separately.

E. Presentations

Informational items presented by staff or outside agencies for which no formal action is to be taken.

F. Regular

Non-routine items requiring an oral presentation and discussion before action is taken.

G. Reports

CEO and Board Members report on their various activities in support of the District's business. This may include reports from any ad hoc subcommittees that may be established by the Board.

G. Future Agenda Items

Board members may request that items be placed on future agendas per the process outlined below.

H. Adjourn

2. Agenda Item Submission

A. Persons who can place matters on the agenda: District CEO or the District's Counsel

B. Board Member:

1. A Board Member may request an item be considered on a future agenda and, upon agreement of a majority of Board, staff will prepare a staff report and place the item on a subsequent agenda.
2. Board Members may make this request verbally during a meeting or may submit a written request.

C. Members of the Public

1. A member of the public may request Board action in the following ways:
 - a. Written correspondence to the Board
 - b. Speak during the Public Comment period at a Board meeting
2. Upon agreement of a majority of the Board, the item requested by a member of the public may be placed on a future agenda.

8. Financial Matters

1. Board Member Expense Reimbursement Policy

A. Authorized Expenses

1. District funds, equipment, supplies, titles, and staff time must only be used for authorized District business and in compliance with the District's Procurement Policy and accounting standards. Members of the Board are entitled to reimbursement of the actual cost of expenses, including meals, that are reasonably incurred in the performance of official duties. Expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:
 - a. Communicating with representatives outside of San Mateo County on regional, state and national government matters of interest to the District.
 - b. Attending educational seminars, approved by the Board, that are designed to improve officials' skill and information levels.
 - c. Participating in local, regional, state, and national organizations whose activities effect the District's interests; however, a member of the Board shall not accept an elected or appointed position that would require anticipated costs to the District of more than \$100 annually without Board approval.
 - d. Attending fundraising events for nonprofit entities providing services of benefit to the District and /or its residents.
 - e. Attending District events.
2. All other expenses require prior approval by the Board.
3. The District will not reimburse the following expenses:
 - a. The personal portion of any trip.
 - b. Political contributions or events.
 - c. Family expenses, including partner's expenses when accompanying official on agency-related business.
 - d. Entertainment expenses, such as movies, sporting events, or cultural events.

- e. Non-mileage personal automobile expenses, including repairs, citations, insurance or gasoline.
- f. Alcohol
- g. Expenses incurred for events that are social in nature such as parties, retirements, holiday events, and picnics and are not of benefit to the mission of the District.

B. Cost Control

To conserve District resources and keep expenses within community standards for public officials, expenditures should adhere to the following guidelines. If expenses are incurred that exceed these guidelines, the cost borne or reimbursed by the District will be limited to the costs that fall within these guidelines.

1. Airfare

Airfares that are equal to or less than those available through the League of California Cities, the California State Association of Counties and the State of California are presumed to be the most economical and reasonable for purposes of reimbursement under this policy. Members are required to use coach or economy class air travel accommodations.

2. Airport Parking

Long-term parking must be used for travel exceeding 24 hours.

3. Automobile

Mileage shall be reimbursed at IRS rates presently in effect (see www.irs.gov). These rates are designed to compensate the driver for gasoline, insurance, maintenance, and other expenses. In addition, drivers may be reimbursed for bridge and road tolls. For rental vehicles, only receipted fuel expenses will be reimbursed.

4. Car Rental

Rental rates that are equal or less than those available through the State of California's website (<http://www.catravelmart.com/default.htm>) shall be considered the most economical and reasonable for purposes of reimbursement under this policy.

5. Conferences/Meetings

If such lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor for the meeting in question if such rates are available at the time of booking. If the group rate is not available, rates that are equal to or less than the group rate at the host hotel are presumed to be reasonable and reimbursable for purposes of this policy.

6. Internet

Officials will be reimbursed for Internet access connection and/or usage fees away from home, if Internet access is necessary for District business.

7. Lodging

Lodging expenses will be reimbursed or paid for when travel on official District business reasonably requires an overnight stay. Lodging rates shall not exceed those provided in the Code of Federal Regulations and as listed by the website of the US General Services Administration (available online at <http://www.gsa.gov/portal/content/104877> or by searching www.gsa.gov for the term 'CONUS')

8. Meals

Reimbursable meal expenses and associated gratuities will not exceed the most recent CONUS rates. Current CONUS rates can be found at www.gsa.gov/perdiem.

When the meal function is an organized event, the official or employee shall be reimbursed the amount being charged by the event organizer for the meal. The District will not reimburse Board members for alcohol/personal bar expenses. Events organized by the District, such as a reception following Board reorganization, may include serving wine or beer at the discretion of the Board Chair.

9. Taxis/Shuttles/Car Service

Taxis or shuttle fares may be reimbursed, including a 15 percent gratuity per fare, when the cost of such fares is equal or less than the cost of car rentals, gasoline, and parking combined, or when such transportation is necessary for time-efficiency. The use of car services such as Uber or Lyft is permitted. Board Members shall use the least expensive and most efficient form of ground transportation.

10. Telephone/Fax/Cellular

Officials will be reimbursed for actual telephone and fax expenses incurred on District business. Telephone bills should identify which calls were made on District business.

11. Transportation

Officials traveling on District business shall use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct, time-efficient route. Government and group rates must be used when available.

C. Expense Reports

1. Expense reimbursement requests must be submitted on an expense report form provided by the District. Reports must document how the expenditure met the requirements of this policy.
2. Expense reports must be submitted within 30 days of an expense being incurred and must be accompanied by receipts documenting each expense and documentation of the event, if available (such as an agenda, conference schedule, or training flyer).
3. Expense reports are a public record.

D. Audits of Expenses

All expenses are subject to verification that they comply with this policy, the District's Procurement Policy and accounting standards.

E. Reports on Meetings

Each official shall briefly give an oral report on any Brown Act meetings they attended for which they receive expense reimbursement at their next Board meeting.

9. Communication

1. Written Communications

- A. All letters, memoranda, and email communications involving Board Members, the subject of which relate to the conduct of government or the performance of any governmental function, with a few exceptions as outlined in the Public Records Act, are public records and shall be retained consistent with the adopted District Records Retention Policy.
- B. Each Board member will be provided a District email address and should use and encourage the public to use that address for any items related to business of the District.
- C. Emails received by Board members through private, city or county email address should be forwarded to their District email account and to the Clerk of the Board and the District CEO so they can be retained as part of the District records.

2. Attorney-Client Privilege

- A. The District, in adopting this policy, does not waive attorney-client-privilege or any other privilege associated with a closed session authorized under the Ralph M. Brown Act.

3. Ralph M. Brown Act

- A. Each Board Member should be mindful of all requirements of the Brown Act in communicating with each other.

4. Mail Processing

- A. Members of the Board may receive mail and other materials through the District's Office.
- B. Clerk of the Board or staff open all incoming mail for the Chair and Board Members, unless it is labeled personal and confidential.
- C. Clerk of the Board disseminate these materials to individual Board Members. District staff will scan and email correspondence and provide other materials to Board Member's homes/offices.
- D. General correspondence addressed to Board Members as a whole, may be opened and delivered to all Board Members if appropriate.

5. Correspondence

- A. The Clerk of the Board is authorized to receive and take administrative action on all correspondence directed to the Board. The Clerk of the Board may also respond to correspondence submitted to the full Board on non-agenda items or authorize a staff member to respond. A courtesy copy is provided to each Board Member.
- B. Generally, correspondence relating to a specific Board agenda item shall be distributed with the agenda report; correspondence received after the publication of agenda packets is to be compiled and distributed to the Board prior to the Board meeting.
- C. After the Board has taken a position on an issue, official correspondence should reflect this position. While Board Members who may disagree with a position are free to prepare correspondence on such issues as private citizens, District letterhead, official Board title, and staff support should not be utilized. In addition, District letterhead and staff support cannot be utilized for personal or political purposes.
- D. District letterhead, logo, insignia and brand, as well as, staff support cannot be utilized for personal or political purposes.

6. Written Communications for Board Meetings

- A. The deadline for the receipt of written communications for inclusion in the agenda packet is up to 5:00pm the Monday, one week prior to the Board meeting. This is to allow for adequate staff review and analysis and to ensure public access to information.
- B. Materials distributed to Board Members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the District, or at the conclusion of the meeting if prepared by another person.
- C. If a Board Member receives materials regarding an agenda item, s/he shall forward it to the Clerk of the Board and the District CEO as soon as possible.
- D. If late correspondence is received, the Board will determine at the meeting whether to continue or refer the item to staff if it may result in significant changes to a project, or significant new information has become known.

7. Board - Staff Relations

- A. Individual Board Members may make requests of District staff through the District CEO for limited research and information without the formal concurrence of a majority of the member's colleagues. Requests that will require significant staff time may be referred to the full Board and only pursued if supported by a majority of the Board.

- B. Board Members are encouraged to submit their questions on agenda items to the District CEO as far in advance of the meeting as possible so that Staff can be prepared to respond at the Board meeting.
- C. Board Members should direct any questions on staff reports to the District CEO or designee.
- D. Clarifications or technical questions will be answered before the meeting whenever possible.
- E. Questions and all staff-prepared responses will be forwarded to all Board Members.
- F. Board members may not direct staff activities. Staff work may be requested through the District CEO or through action of the Board on an agenda item.

8. Speaking for “the District”

Similar to written correspondence, when Board Members are requested to speak to groups or are asked the Board’s position on an issue, the response should reflect the position of the Board as a whole. Of course, a member may clarify his/her vote on a matter by stating, for example, “While I voted against X, the Board voted in support of it.” When representing the District at meetings or other venues, it is important that those in attendance gain an understanding of the Board’s position rather than that of an individual member.

9. Speaking as an Individual

On occasion, Board Members may wish to transmit correspondence on an issue upon which the Board has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the Board as a whole, but for themselves as an individual member of the Board. District letterhead and office support may be utilized in these circumstances.

10. Legislative

1. Board Legislative Committee

- A. It is the policy of the District Board that the Board be involved in the development of the District position on significant pending federal and state legislation that may directly impact the District.
- B. At minimum, the Chair and Vice Chair are the District's Legislative Committee. The maximum number of Legislative Committee members is three.
- C. The Legislative Committee shall meet annually or as needed to draft the District's annual legislative priorities, and shall meet when necessary to develop recommendations for the District's position on legislative matters.
- D. Pending legislation for consideration by the Legislative Committee can be submitted to the Committee by a Board Member or the District Chief Executive Officer (CEO).
- E. The Committee's recommendations shall be presented to the Board for its consideration.
- F. The Board shall direct the Chair or other District official to communicate the District's position on legislative matters to the appropriate legislative bodies.

11. References

1. [Ralph M. Brown Act](#) (California Government Code, § 54950 et seq.)
2. [California Public Records Act](#) (California Government Code, § 6250 et seq.)
3. [AB 1234](#) California Government Code, § 53232.3
4. [Rosenberg's Rules of Order](https://www.cacities.org/Resources/Open-Government/RosenbergText_2011.aspx) https://www.cacities.org/Resources/Open-Government/RosenbergText_2011.aspx
5. [Continental United States \(CONUS\) rates](https://www.gsa.gov/perdiem): <https://www.gsa.gov/perdiem>