

RULES FOR THE SACRAMENTO AREA COUNCIL OF GOVERNMENTS MAY 2024

NOTE: These Rules are intended to provide for the orderly conduct of Council meetings and for the orderly operation of the Council. SACOG was established on January 15, 1981 by a Joint Powers Agreement (JPA) approved by four member counties and fourteen member cities. These Rules are adopted in accordance with relevant provisions of JPA, last amended July 1, 2023, which among other things reflects six member counties and 22 member cities.

These Rules are intended to be consistent with, and complementary to, other policies governing the operation of the Council, including but not limited to the Strategic Plan, the Racial Equity Action Plan, and the Board Code of Conduct.

1. Time, Place and Notice of Meetings:

- a. Time and Place of Meetings. Regular meetings of the Board shall be held on the third (3rd) Thursday of each month unless another date is determined by the Chair or determined by the vote of the Board. The agenda of each regular meeting shall specify the time and place of the subsequent meeting. All regular and special meetings shall be held at a time and place convenient to the public within the jurisdiction of a member city or county.
- b. Calling a Special Meeting. The Chair or a majority of the Council may call a special meeting of the Board. Special meetings are generally discouraged because it may be difficult to schedule special meetings where all directors are able to attend. Special meetings should only be called when there is a unique and time sensitive matter that cannot be adequately addressed through the regular meeting schedule. Requests for a special meeting must be initially made to the Chair. If the Chair declines to call a special meeting, then an interested director may appeal to other directors. However, in determining whether a majority of the Council would call a special meeting, the director must avoid engaging in serial meetings or discussions in violation of the Ralph M. Brown Act. If directors desire to call a special meeting by majority vote, then at least eight (8), but less than a majority of, directors shall notify the Board Clerk, who will then solicit a majority concurrence by e-mail within a set time period. If a majority concurs in calling the meeting, the Board Clerk will give notice of the special meeting.
- c. Notice of Special Meetings. Notice of a special meeting shall be delivered personally or by any other means, including electronically, to each member of the Board, and to each local newspaper of general circulation, radio or television station requesting notice in writing. The call and notice shall specify the time and place of the special

meeting and the business to be transacted. Such notice shall be received at least 24 hours before the time of such meeting as specified in the notice.

- d. Notice of Regular Meetings. Notice of the time and place of any regular meeting, or adjourned regular meeting, shall be given to any newspaper of general circulation, radio or television station requesting notice in writing in the manner provided for notice of special meetings.

2. **Conduct of Meetings:**

- a. All meetings of the Board shall be open and public and all persons shall be permitted to attend any meeting of the Board except as otherwise provided by law.
- b. Directors shall adhere to the Board Code of Conduct during all meetings and shall maintain order during meetings.
- c. In all matters, it shall be the policy of the Board that the Chair shall have the right to open and close meetings and public hearings.
- d. Meetings shall generally be conducted in person. The Chair may approve virtual participation for directors, and/or the Council may adopt a policy governing virtual meeting participation. Meetings may take place in more than one physical location. To the extent allowed under state law, the Council may hold partial or fully virtual meetings.
- e. A reasonable time near the beginning of each regular meeting shall be set aside for public input and comment on matters within the Council's subject matter jurisdiction. Except for matters scheduled for formal public hearing, all public input and comment on matters on the agenda shall be made during the public comment period unless the Chair directs that public comment on a matter or matters appearing on the agenda be made when the matter regularly comes up on the agenda.
- f. The Chair may limit the time of testimony upon a particular issue.
- g. The Chair may adjourn any meeting to a time and place within the jurisdiction of the Council. Less than a quorum of the members, or the Board Clerk if no members are present, may adjourn a meeting.
- h. Matters raised at a meeting which may not be acted upon pursuant to the Brown Act (Gov. Code, § 54950 et seq.) shall, at the direction of the Chair, be referred to staff or placed on the agenda of a future Council meeting.
- i. A director shall recuse from a closed session if the item to be discussed in closed session involves litigation, or potential litigation, where the director serves on another public agency board that is adverse to SACOG in the matter. All

information received by the Council and each director in a closed session shall be confidential. However, a director may disclose information obtained in a closed session that has direct financial or liability implications for the director's member agency to: (a) the member agency's legal counsel for purposes of obtaining advice on whether the matter has direct financial or liability implications for the member agency; and (b) to the member agency's governing board in a closed session. A director may also disclose closed session information to an alternate that is attending closed session in place of the director.

- j. If at any point during a meeting the Council no longer maintains a quorum, the Chair may elect to continue the meeting and proceed as a committee of the whole. A committee of the whole may continue to receive information and deliberate but may not take any action. A meeting of a committee of the whole shall be conducted in public in full compliance with the Brown Act, with these Rules, and with all otherwise applicable rules for a Council meeting.

3. **Agenda; Posting of Agenda:**

- a. An agenda shall be prepared at the direction of the Executive Director and approved by the Chair before each meeting of the Council. The agenda shall include a brief substantive description of each item of business to be transacted or discussed at the meeting together with the time and location of the meeting.
- b. The Executive Director shall cause a copy of the agenda to be posted in a location accessible to the public at the Council offices, 1415 L Street, Suite 300, Sacramento, California, and on the agency's website, at least 72 hours before each regular meeting and at least 24 hours before each special meeting. The Executive Director shall keep a record of the posting of agendas.

4. **Order of Business:**

The regular order of business of the Council shall be:

Roll Call
Public Communications
Agenda of the Council
Adjournment

The Chair shall have discretion to modify the order of items on the agenda or to call items out of the order stated on the agenda.

5. **Chair:**

The Chair shall be entitled to vote on all matters before the Council, may make or second any motion, and present and discuss any matter as a member of the Council. The Chair shall preserve order and decorum and shall decide questions of order and

procedure not otherwise provided in the Council Rules. The Chair may use Rosenberg's Rules of Order for guidance in deciding questions of parliamentary procedure.

In accordance with the Ralph M. Brown Act, the Chair may order any person who is causing an actual disturbance to be removed from the meeting.

6. **Alternate Directors:**

Each appointing authority is entitled to appoint one alternate director for each director appointed. With respect to the City and the County of Sacramento, because these two member agencies may appoint one, two, or in the case of the County of Sacramento, three directors, each of whom represents the same member agency and each of whom would vote in an unweighted vote, the Sacramento City Council or the Sacramento County Board of Supervisors may elect to appoint "cross alternates" (i.e. the SACOG members are appointed each other's alternate) or the Sacramento City Council or Sacramento County Board of Supervisors may appoint different members of their respective Council or Board as alternate SACOG Board directors. If cross alternates are appointed, the director who is present may vote for on behalf of a director for whom the director serves as an alternate in an unweighted vote. A director who serves as a "cross alternate" for an absent director shall only be counted as one director (and not also as an alternate) for the purposes of establishing a quorum of the Board.

7. **Ex Officio or Nonvoting Board Seats:**

For the purposes of increasing citizen participation and outreach, improving efforts to further inclusion and inclusive decision-making, implementing the Council's Racial Equity Action Plan, and developing and strengthening governmental cooperation and partnerships, the Council may establish additional ex-officio and/or nonvoting board seats. If established, ex officio or nonvoting directors shall not count toward a quorum and shall not be able to vote on Council matters but shall be given notice of all meetings and the opportunity to participate in all Council discussions.

8. **Referrals:**

The Council may accept, by letter or resolution, referrals for study and report from any duly constituted advisory or legislative body or their representatives. Reports will be made and returned to the referring body within a reasonable time.

9. **Annual Report:**

At the close of each calendar year, the Council shall render a written report on its activities to each member city and county.

10. **Initiative:**

The Council may, upon its own initiative, institute action to carry out any routine or special study or project.

11. **Coordination:**

It is the policy of the Council to establish technical and advisory liaison with any other agency or body seeking to improve the quality of planning, health, safety, welfare, and government services for the Sacramento region.

12. **Transmittal of Planning Information:**

- a. The Council hereby approves, as a regular operating procedure, the transmittal of planning information to respective Boards of Supervisors, City Councils, City and County Planning Commissions of its members, the Governor's Office of Planning and Research, and any other agency which may request in writing such information.
- b. Further, it is the Council policy that:
 - (1) Its staff should work closely, in an advisory role, with local agencies during the preparation and revision of local plans, and seek the participation of local agencies in the preparation of regionwide plans.
 - (2) Its staff should participate in public hearings on local plans to:
 - (a) explain the major findings, goals, and recommendations of regionwide plans;
 - (b) describe the interrelationships between regionwide plans and the proposed local plans;
 - (c) describe differences between the plans; and
 - (d) advocate implementation of regionwide plans through local plans.

13. **Directors' Expenses:**

- a. Directors shall receive a fee for attending and participating in each Council meeting, committee meeting or other meeting authorized by the Board in an amount not to exceed \$100 per meeting. The Board shall review this amount from time to time and make adjustments as appropriate. Directors shall also be reimbursed for mileage in an amount not to exceed the IRS approved rate. Only those directors whose local jurisdiction does not reimburse for mileage to attend a SACOG meeting are eligible for mileage reimbursement.

- b. In cases where a director attends two or more contiguous meetings at SACOG, mileage shall be reimbursed only for one round trip. If a director rides with others or utilizes a publicly owned vehicle no mileage reimbursement will be given.
- c. When attending various conferences and meetings outside of the region, including those of State and National Associations, directors shall be reimbursed for actual and necessary expenses when deemed essential to the conduct of the Council business and when authorized by the Board. Such expenses shall be subject to the procedures and limitations established in the Board Travel Policy and, as applicable, the Personnel Rules.
- d. An alternate director shall be entitled to receive the same expenses as a director. However, if both a director and an alternate attend a Board meeting, only the director shall be entitled to such expenses.
- e. Reimbursement of directors' expenses for a., b., and c. above, shall be limited to funds budgeted for that purpose.
- f. Reimbursement of a director's expenses may be waived by an individual director, and in no event shall a reimbursement from Council funds duplicate reimbursement by another public agency.

14. **Citizen Participation and Public Information:**

It is Council policy that every reasonable effort possible shall be made to involve a broad cross section of the region's citizenry in its planning program and to increase engagement with community representatives of Black, Indigenous, Asian, Pacific Islander, Hispanic/Latino, and communities of color, along with low-income rural, urban, and other underrepresented communities to help shape SACOG's projects and programs. This effort shall include, but not limited to:

- a. Publication of news releases to all news media in the region as appropriate.
- b. Sponsorship of workshops on timely issues as appropriate.
- c. Appointment of citizen representatives to Council policy committees.
- d. Investing in and strengthening partnerships with community representatives, leaders, and organizations by establishing regular meetings with community-based organizations (CBOs), funding CBOs to work with SACOG to engage community members, and maintaining regular communications with CBOs.
- e. Soliciting the broadest possible review and comment on all significant reports, studies, and plans prepared by the Council.

- f. Strengthening efforts to engage and build relationships with tribal governments, in partnership with local agencies in the region.
- g. Continuous evaluation and improvement of the Council's Racial Equity Action Plan. to regularly assess the equity impacts of proposed policy decisions through the consistent application of race, equity and inclusion best practices.
- h. Monitoring regional racial equity indicators such as economic, demographic, land use, transportation, and housing outcomes in order to track the impact of the racial equity action plan.

15. **Committees**

- a. Board Standing Committees. The Council has identified the need to establish standing committees of the Board to assist the Board in the conduct of its business. The Council may establish one or more standing committees as the Council deems appropriate, and once established, the Chair may appoint to these standing committees Council directors or official representatives of the member agencies. No standing committee shall include a quorum of the directors of the Board. Except as otherwise allowed by these rules, each standing committee shall be advisory to the Council and shall be chaired by a director. The Council may create, modify or disband standing committees as the Council deems appropriate.
 - (1) Each standing committee shall have a written statement which identifies the standing committee's charge, mission, duties or responsibilities.
 - (2) Standing committee members shall serve for one (1) year or as determined by the Chair.
 - (3) All standing committee meetings shall be held in accordance with the Brown Act (Gov. Code, § 54950 et seq.).
 - (4) Each standing committee member shall have one (1) vote unless otherwise specified.
 - (5) A standing committee member shall no longer hold membership should one of the following occur: resignation; three (3) consecutive unexcused absences; expiration of a term; dissolution of the committee; or ceasing to represent the member jurisdiction. The Chair shall rule on the excusability of absences.
 - (6) Directors, alternate directors and elected officials who are designated as official representatives to SACOG from their member agency when appointed to a standing committee shall be entitled to receive the same

reimbursement for expenses as a director for attendance at a standing committee meeting as set forth in Section 12 of these rules.

- (7) The Council may establish *ex officio* or other nonvoting seats on standing committees, which seats may be held by individuals that are not directors. The Chair shall appoint representatives to nonvoting seats unless the Council establishes a different mechanism for making the appointment.
- (8) Standing Committees may only take final action if the Board, in a duly noticed public meeting, votes to refer a matter to a standing committee for final action. The Board should only refer matters to a standing committee for final action if the matter is time-sensitive or there are other unique circumstances justifying standing committee approval. The standing committee shall then take final action in a duly noticed public meeting following public comment on the item. Directors who are not members of the standing committee may attend the meeting and participate in the public comment process in accordance with the Brown Act. A report of the action shall be filed with the Board at its next meeting or as soon as practicable. In referring a matter to a standing committee for action, the Board may, but is not required to, establish a mechanism to appeal the standing committee's decision to the Board.

b. Policy, Technical and Other Advisory Committees. The Council may also identify the need to establish various policy, technical or other advisory committees to assist the Council in formulating solutions to current planning issues. To ensure that a broad cross section of the region's citizenry is involved in Council committees, the Council hereby sets forth several policies which govern all committees. The Council shall require each committee to develop its own set of bylaws to ensure its smooth operation, subject to Council approval. Specifically, the Council shall require each committee to adhere to the following:

- (1) The Council shall prepare and maintain a written statement for each committee which identifies the committee's charge, mission, duties or responsibilities.
- (2) The Council shall identify the number and composition of members of each committee necessary to accomplish the stated purpose. The Council may establish terms and term limits for Committees.
- (3) The Council's Board Code of Conduct and Racial Equity Action Plan shall apply to all committees.
- (4) Each committee member shall have one (1) vote unless otherwise specified. Votes of alternates shall not be counted except for those alternates representing public agencies in the absence of the regular member.

- (5) A member shall no longer hold membership should one of the following occur: resignation; three (3) consecutive unexcused absences; expiration of a term; dissolution of the committee; or ceasing to represent the jurisdiction or the capacity to which one was selected.
- (6) Citizens who serve on Council committees, who are not reimbursed by another public agency, may be eligible to request reimbursement for actual mileage and meeting expenses incurred in attending committee meetings, with the authorization of the Council. Use of Council funds shall be limited to funds budgeted and shall be subject to the procedures and limitations established in the Board Travel Policy.

16. Executive Director:

The Board shall appoint an Executive Director who shall serve at the pleasure of the Board. The Executive Director shall be the Chief Executive Officer of the Council and shall have such duties as may be prescribed by the Board. The Executive Director shall employ such other staff members as necessary to accomplish the Council's program, consistent with the overall work plan, annual budget, personnel rules, position plan and salary plan. The Executive Director shall be responsible for all projects and property of the Council and shall file with the Treasurer of the Council, as required by the Board, an official bond in an amount to be determined by the Board, guaranteeing the faithful performance of the Executive Director's duties.

17. Staff:

- a. In the Executive Director's absence, the Executive Director shall designate a deputy to serve as Acting Executive Director. Should the absence exceed 30 days, the Council shall appoint an Acting Executive Director.
- b. The Executive Director shall maintain the Council operating budget, and shall be responsible for submitting a preliminary budget to the Council in April and a final budget no later than June of each year. The Executive Director is authorized to make necessary adjustments to the various budgetary line items for each program element. Adjustments which are made shall be for the purpose of carrying out the objectives of the program or in order to close out budget accounts. The Executive Director shall advise the Council when such adjustments are made. All other adjustments to the budget shall require prior approval of the Council.
- c. The Executive Director shall include as part of the agency's budget an amount of funds to be held in either a general fund reserve account or in an SB-325 reserve account. The amounts shall represent those funds which are in excess of funds needed to support the programs and activities of the Council for the current budget year. Expenditures made out of reserve accounts will require the express

approval of the Council, and, generally, will be available for the following purposes:

- (1) Reducing cash flow difficulties.
- (2) Grant program opportunities which may occur during the program year.
- (3) Audit reconciliations.
- (4) Any other matter which this Council may determine at a future date.

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