RESOLUTION NO. 2015-142

**RESOLUTION OF THE BOARD OF SUPERVISORS OF NAPA COUNTY, STATE OF CALIFORNIA, EFFECTIVE NOVEMBER 3, 2015, AMENDING PART I, SECTION 8 AND PART I, SECTION 8B OF THE NAPA COUNTY POLICY MANUAL REGARDING TIME LIMITS ON PUBLIC SPEAKERS AT MEETINGS OF THE BOARD OF SUPERVISORS**

 **WHEREAS,** California Government Code section 54954.3(b) requires public entities to adopt reasonable regulations of public meetings, including regulations as to the time allotted for public speakers; and

 **WHEREAS,** public bodies generally have discretion to make adjustments, including increases or reductions, in allotted public speaking time, as may be reasonably necessary for the timely and orderly conduct of public meetings; and

**WHEREAS,** the Napa County Policy Manual generally provides that public speakers at Board meetings shall be allotted up to three minutes per person; and

**WHEREAS,** the Board desires to amend the Napa County Policy Manual to provide clear notice to all public speakers that the Board Chair may exercise discretion, in the interests of the efficient and orderly conduct of Board meetings and depending on the circumstances of the particular Board meeting or agenda item, to increase or reduce the three-minute time limit per speaker on any Board agenda item within reason (but in no event less than two minutes per speaker),

 **NOW, THEREFORE, BE IT RESOLVED** that, effective as of November 3, 2015, the Napa County Board of Supervisors hereby amends the Napa County Policy Manual, as follows:

1. The Board hereby modifies Napa County Policy Manual, Part I, Section 8 (“Board of Supervisors”) as shown by the redlined changes in Exhibit “A,” attached hereto and incorporated herein, and directs the Clerk of the Board of Supervisors to integrate the changes into Section 8 of the Board Policy Manual so that the Section reads in the manner set forth in Exhibit “B,” attached hereto and incorporated herein. The seventh paragraph of the “Agenda Policy” provisions (shown as having been last amended on January 10, 1967) is amended to read as follows:

The time of 9:00 a.m. to 9:15 a.m. is set for public input, with a limit of up to three minutes per person, unless the Board Chair affirmatively grants more time, and to introduce items for Board consideration for future agendas. The time limit of up to three minutes per public speaker shall also apply to public speakers on each discussion item and noticed public hearing on the Board's agenda (except as to applicants or appellants who are parties to noticed hearings). The per person time limit for public input at the beginning of the Board meeting or on any specific agenda item may be reduced by the Board Chair to less than three minutes (but in no event to less than two minutes per speaker) as may be reasonably necessary for the orderly and efficient conduct of Board meetings. Any reduction of the time limit should be announced by the Board Chair prior to the beginning of the public speaking segment of each item to which the reduction applies.

2. The Board hereby modifies Napa County Policy Manual, Part I, Section 8B, Rule 11 (“Persons Addressing the Board – Other Than Noticed Appeal Hearings”) as shown by the redlined changes in Exhibit “C,” attached hereto and incorporated herein and directs the Clerk of the Board of Supervisors to integrate the changes into Section 8B, Rule 11, of the Board Policy Manual so that Rule 11 reads in the manner set forth in Exhibit “D,” attached hereto and incorporated herein.

a. The title of Rule 11 is amended to read as follows:

RULE 11. Persons Addressing the Board

b. Paragraph A of Rule 11 is hereby amended to read as follows:

A. Each speaker shall be permitted to be heard once for up to three minutes on any Board agenda item unless the Chair affirmatively grants additional time. The three-minute per speaker time limit for public input on any agenda item may be reduced by the Board Chair to less than three minutes (but in no event to less than two minutes per speaker) as may be reasonably necessary for the orderly and efficient conduct of Board meetings. Any reduction of the time limit should be announced by the Board Chair prior to the beginning of the public speaking segment of each item to which the reduction applies. The per person time limit shall not apply to applicants or appellants who are parties to matters that are the subject of noticed hearings.

 **THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board held on the 3rd day of November, 2015, by the following vote:

 AYES: SUPERVISORS LUCE, CALDWELL and DILLON

 NOES: SUPERVISORS NONE

 ABSENT: SUPERVISORS WAGENKNECHT and PEDROZA

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 DIANE DILLON, Chair of the Board of Supervisors

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| PPROVED AS TO FORMOffice of County CounselBy: *Jeffrey M. Richard* Chief Deputy County CounselDate: October 9, 2015 | APPROVED BY THE NAPA COUNTYBOARD OF SUPERVISORSDate: November 3, 2015Processed By:  Deputy Clerk of the Board | ATTEST: GLADYS I. COILClerk of the Board of SupervisorsBy: |

Amended 1/10/67

Amended \_\_\_\_-15; Resolution 2015-\_\_\_

Agenda Policy

In order that the Board of Supervisors may be fully informed on all matters coming before their body, the staff will have ample opportunity to investigate, review and recommend appropriate action; and so a comprehensive agenda can be prepared of the meeting of the Board of Supervisors, the following procedure has been established by the Board of Supervisors and will be followed in all instances, except extenuating situations.

All items to be placed on the Agenda must be submitted by the requesting department on the prescribed Agenda worksheet available from the County Administrator's Office.

The deadline for submission of the Agenda worksheet, along with all supporting backup, to the County Administrator's Office is Noon on the Wednesday preceding the date of the Board meeting, with the exception of the Conservation, Development and Planning Commission and the Public Works Department which have until 5:00 p.m. on Wednesday.

Except for emergency type items, as determined by the County Administrator or as directed by the Board, any request filed after that time will be held until the following Board of Supervisors meeting.

In the event there is not sufficient time for the staff to review, investigate and recommend on the various items to be placed on the Agenda, the County Administrator will notify the petitioners that these items will be held until a subsequent meeting of the Board of Supervisors. If backup is not included in the Agenda packet, the matter may be continued.

The County Administrator will prepare a printed Agenda, indicating in narrative form a summary of each request and will make recommendations on all items which are non-policy. Said Agenda to be posted 72 hours prior to the meeting.

The time of 9:00 a.m. to 9:15 a.m. is set for public input, with a limit of up to three minutes per person, unless the Board chair affirmatively grants more time, and to introduce items for Board consideration for future agendas. The time limit of up to three minutes per public speaker shall also apply to public speakers on each discussion item and noticed public hearing on the Board's agenda (except as to applicants or appellants who are parties to noticed hearings). The per person time limit for public input at the beginning of the Board meeting or on any specific agenda item may be reduced by the Board Chair to less than three minutes (but in no event to less than two minutes per speaker) as may be reasonably necessary for the orderly and efficient conduct of Board meetings. Any reduction of the time limit should be announced by the Board Chair prior to the beginning of the public speaking segment of each item to which the reduction applies.

The first and third Tuesday of each month will be designated for agenda items related to general County issues; the second and fourth Tuesdays of each month will be designated for planning land use items and public hearings. Efforts will be made to maintain this scheduling whenever possible.

Upon completion of the Board of Supervisors meeting, proceedings will be prepared indicating all actions taken by the Board of Supervisors at the meeting. If any individual wishes further information on any item, they should contact the Clerk of the Board of Supervisors.

One postage-paid copy of the Agenda and Minutes will be provided to every newspaper, radio and television station and library in the County, if requested.

One copy of the Agenda and Minutes will be provided to each County Department and to any member of the general public providing a stamped, self-addressed envelope.

Copies of the Agenda will be available, free of charge, at the County Administrator's Office on the Monday prior to the Board of Supervisors' meeting.

Copies of Action Minutes will be available in the Clerk to the Board of Supervisors' Office. Copies of the most recent meeting will be free of charge. All others will be according to the established fee.

One postage-paid copy of the Action Minutes will be mailed to each City or Town Clerk in the County for distribution to their respective Council members, if requested.

Amended 1/10/67

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**RULE 11. Persons Addressing the Board**

Any person desiring to address the Board when recognized by the Chair shall give his or her name for the purpose of the record.  In the interest of facilitating the business of the Board, the following shall apply:

A. Each speaker shall be permitted to be heard once for up to three minutes on any Board agenda item unless the Chair affirmatively grants additional time. The three-minute per speaker time limit for public input on any agenda item may be reduced by the Board Chair to less than three minutes (but in no event to less than two minutes per speaker) as may be reasonably necessary for the orderly and efficient conduct of Board meetings. Any reduction of the time limit should be announced by the Board Chair prior to the beginning of the public speaking segment of each item to which the reduction applies. The per person time limit shall not apply to applicants or appellants who are parties to matters that are the subject of noticed hearings.

B. Speakers who have written material to present to the Board are requested to provide ten (10) copies to the Clerk.

C. Speakers shall address the Board when he/she has first been recognized by the Chair and shall not address their comments or questions directly to staff or to members of the audience.

D. Speakers are requested to keep their comments brief and not to repeat previous testimony.

E. All pagers, cell phones or other electronic communicative devices belonging to the public, press or County personnel must be placed on silence mode or be turned off while a Board meeting is in session.

F. Written materials submitted to the Board electronically or as hard copies in advance of a public hearing shall be made available to the public for review and inspection, consistent with requirements of the Brown Act. Specifically, the Clerk shall cause a copy of such materials to be made available for inspection in Room 310 of the County building during normal business hours, and may also post such materials on the County’s website.

G. Presenters wishing to utilize power point presentations or other electronic media must make arrangements with the Clerk at least twenty-four (24) hours in advance.

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