



FAIRVIEW

FIRE PROTECTION DISTRICT

POLICY

MEETINGS AND AGENDAS

NUMBER: 104.3
EFFECTIVE: 2023

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- I. Purpose.** To provide guidance on meetings and agendas.
- II. Policy.** It shall be the policy of the Fairview Fire Protection District (“District”) to organize District business in a transparent manner and to comply with California state law, including, for example, the Brown Act (Government Code Section 94950 *et seq.*). This will enable the Board of Directors (“Board”) to make informed decisions and constituents to easily access information used by the Board to deliberate.
- III. Requirements.**
- A. Meetings**
1. Regular Meetings
 - a. The regular meetings of the Board of Directors will generally be held on the last Monday of November, January, March, May, July, and September.
 - b. The Board will adopt its regular meeting calendar no later than January for each calendar year; adjustments may be made where the last Monday of a month falls on a holiday or during a holiday week.
 - c. At least 72 hours before each regular meeting, the Board or its designee shall post an agenda at one or more locations freely accessible to members of the public and on the District's website. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session.
 2. Special Meetings
 - a. A special meeting may be called at any time by the President, the presiding officer, or a majority of the members of the Board by delivering written notice of the date, time, and place to each member of the Board; by delivering to each newspaper of general circulation, radio station, or television station that has previously requested such notices in writing; and by posting the notice on the FFPD official website. The notice shall be delivered personally or by other means and shall be received at least 24 hours before the time of the meeting as specified in the notice. The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to the public.

3. Emergency Meetings in Emergency Situations.
 - a. In case of an emergency situation involving matters upon which prompt action is absolutely necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24 hours' notice or posting requirement. Closed sessions are permitted during an emergency meeting under Government Code § 54957 if agreed to by 2/3 vote of the members present.
 - b. News media who have requested notification for special or emergency sessions must be notified by telephone at least one hour in advance of an emergency meeting (except for "dire" emergencies), and all telephone numbers provided must be tried. If telephones are not working, the notice requirements are deemed waived, but news media who have made the prior written notification request must be notified as soon as possible of the meeting and any action taken.
4. Public Opportunity to Address the Board
 - a. The Board at all regular and special meetings shall provide an opportunity for members of the public to directly address the Board on any item of public interest not appearing on the agenda and before or during the consideration of the agenda items. The Board may adopt a reasonable policy limiting the total amount of time allocated to public testimony on issues or items for each speaker. Three (3) minutes is considered reasonable for individual speakers, and five (5) minutes for organizations or group representatives, unless otherwise designated by the Board.
 - b. "Speaker's Cards" shall be available on a table near the entrance to the Board meeting room. Any member of the public desiring to address the Board shall complete a Speaker's Card and turn it into the Recording Secretary or the District Secretary. The Recording Secretary or the District Secretary shall present the Speaker's Cards to the Board President. The Board President will announce the names from the Speaker's Cards. Those speaking in regard to a specific agenda item on the meeting agenda will be recognized by the Board President when the Board is considering that item. Those speaking with regard to issues that are not on the agenda will be recognized during "Public Comment Period."
5. Quorum
 - a. A quorum is established by law as a majority of the total membership of the District Board. The District Board, which has a total membership of five (5) members, requires three (3) members to conduct a meeting and requires three (3) votes in agreement to pass a motion, resolution or ordinance.
6. Communications/Gatherings
 - a. A majority of the Board shall not, outside of an authorized meeting as identified above, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. However, an employee or district official may engage in separate conversations with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long

as that employee or district official does not communicate the comments or position of any Board members to other Board members.

7. Meeting Procedures

- a. The proceedings of the Board shall be conducted in accordance with the provisions of Laws applicable thereto and generally accepted rules of order and parliamentary procedures as found in Roberts Rules of Order, except as otherwise expressly established by a majority of the total membership of the Board.

8. Meeting Attendance

- a. Each Board member shall be present at the hour set for each regular meeting and at the time set for any adjourned or special meeting. Any member not present when the roll of the Board is called shall be designated in the minutes as absent. If a Board member arrives after a meeting commences, the recording secretary shall note his or her arrival time in the minutes. Any Board member who misses three (3) consecutive meetings without prior notice to the President shall be declared vacated by the Board.
- b. If any member of the Board is unavailable to attend a meeting, the Board member shall notify the Board President prior to the meeting.

B. Election of Officers

1. At the regular meeting in January of each year, or whenever there is a change in order of the Board either by resignation or death, the Board shall elect a President, Vice President, Assistant Vice President, Secretary, and Treasurer.
2. The term of officers shall be for one year.
3. Upon the occurrence of a vacancy, the Board shall fill such vacancy in accordance with the laws.

C. Meeting Proceedings

1. The President, when present, shall preside over all meetings of the Board, shall take the chair at the hour appointed for every board meeting, and shall immediately call the members to order and proceed with the business of the Board. In the absence of the President, the Vice President shall assume all of these same duties. In the absence of both the President and Vice President, the Assistant Vice President shall assume the President's duties, including those identified below.
2. Powers and Duties of the Board President
 - a. *General Direction.* The President shall have general direction over the meeting and assign seats for the use of Board members and members of the staff, if required.
 - b. *Execute Contracts and Documents.* The President shall sign contracts, leases, and other official documents approved by the Board.
 - c. *Order and Decorum.* The President shall preserve order and decorum; prevent demonstrations or willful interruptions; and, in accordance with the law, order removal from the boardroom any person whose conduct is deemed disruptive; and order the meeting room cleared whenever deemed necessary.

- d. *Allocate Time for Public Comment.* The President shall allocate the total length of time for public comment on any matter in advance of such comments, provided the concurrence of the Board. As stated herein, allocating three (3) minutes for each public comment shall be deemed reasonable, absent more specific instruction by the Board.
 - e. *Other Powers.* The President shall exercise other powers as may be specified by formal Board action.
 - f. *Official Spokesperson.* Shall be the official spokesperson for the Board and the principal contact with outside legal counsel and the press.
3. Right to Public Participation; Exception for Disruption
- a. All demonstrations will be prohibited during meetings, including without limitation cheering, yelling, whistling, hand clapping, and foot stomping. In the event that any meeting is willfully disrupted by any person in attendance so as to render the orderly conduct of such meeting unfeasible, the President of the Board may issue a formal warning to that person or in the discretion of the President, order that person removed from the meeting.
 - b. In the event that any meeting is willfully disrupted by a person or any group of persons, so as to render the orderly conduct of such meeting unfeasible and so as to block the restoration of order without the removal of said person or group, the President of the Board may order the meeting room cleared and may continue in session. In the case of a cleared meeting, only matters appearing on the agenda may be considered by the Board for the remainder of the session.
 - c. Duly accredited representatives of the press and other news media, except those participating in the disturbance, shall be allowed to reenter and/or attend any cleared meeting.
 - d. Nothing in this section shall prohibit the Board from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting cleared pursuant to this exception.

D. Agenda Organization

- 1. The business of each regular meeting of the Board shall be in the order as printed on the agenda or as directed by the President of the Board. Generally, this shall be as follows:
 - a. Call to Order.
 - b. Pledge Allegiance.
 - c. Roll Call.
 - d. Welcome by President.
 - e. Public Comment Period: Opportunity to Discuss Matters of Public Interest within District Jurisdiction Not on Agenda.
 - f. Fire Chief's Report.
 - g. Adoption of Preliminary Budget (when required).
 - h. Public Hearing on Preliminary Budget (when required).

- i. Adoption of Final Budget (when required).
- j. Other Information or Action Items.
- k. Accountant's Report.
- l. Approval of Minutes.
- m. Committee or Special Reports.
- n. Correspondence.
- o. Summary of meeting action items.
- p. Comments by Members of the Board.
- q. Proposed Items for Next Meeting Agenda.
- r. Scheduling of Future Meeting.
- s. Adjournment.

2. Reconsideration of Previous Vote

- a. After a matter has been approved by the Board, that matter may be placed on the Board agenda for reconsideration only by a Board member who voted in favor of same, or by majority vote of the Board members.

IV. Hybrid Meetings. Consistent with Section 54953(f) of the California Government Code, Directors may only participate via teleconference *without* first publishing the place from which they plan to participate in the District's Brown Act agenda *if* a quorum of members of the Board participate in person in the same location and if the District is providing the legally required means by which the public may remotely hear, visually observe, and remotely address the Board. To satisfy such requirements, the District will ensure that during all such hybrid meetings of the Board, at least one of the following means of public access is available and in operation:

- A two-way audiovisual platform.
- A two-way telephonic service and a live webcasting of the meeting.

Any Director who intends to participate remotely, either due to "just cause" or with the District Board's approval of a request to participate remotely due to "emergency circumstances," shall promptly make arrangements with the General Manager to ensure doing so complies with Section 54953 of the California Government Code. The General Manager and any Director may consult Counsel to the District for support.

V. Responsibility. It shall be the responsibility of the Directors and the General Manager to conduct meetings and prepare agendas in compliance with this Policy.

- VI. **Meeting Broadcasts** When appropriate, the Governing Board may live broadcast the open session of its regular and special meetings to ensure online, simultaneous access to its meetings to community stakeholders not in attendance at the meetings. When appropriate, the Governing Board may also record such broadcasts and provide the footage online for a set period of time to ensure that any member of the public who missed the meeting can review the footage. After the District publishes any such footage of a Board meeting, the District shall maintain and not disable public access to the recorded footage for a time period no shorter than one year. The General Manager may delete the recorded footage after it has been publicly posted for one year.



Melissa Dimic
President of the Board of Directors,
Fairview Fire Protection District

Date: 3/27/23