

## CITY SELECTION COMMITTEE

### SAN BERNARDINO COUNTY

#### RULES AND REGULATIONS

1. General / Legal – These rules and regulations are adopted to assist in carrying out the duties of the City Selection Committee (Committee) of San Bernardino County (County). (Gov. Code 50275.) In all cases, the provisions of law shall apply, and in case of any conflict, the provisions of law shall prevail. (See, for example, Gov. Code 50270 et sec. or the law governing bodies to whom appointments are to be made.) Interpretation or opinions by the Attorney General, Legislative Counsel, and County Counsel shall also apply. In the absence of other authority, Roberts Rules of Order shall be used to guide the conduct of proceedings.
2. Clerk – The Clerk of the Board of Supervisors shall act as Secretary and Clerk to the Committee. (Gov. Code 50270.5 and 50276.) The Committee Clerk may appoint an alternate Committee Secretary, if needed; however, it is the standing desire of the Committee that the permanent Committee Clerk regularly be present.
3. Members – The Mayors of all eligible cities shall constitute the members of the Committee. (Gov. Code 50270.) Each Mayor may designate another member of the respective city council to act in his or her place. (Gov. Code 50271.) Such designation shall be made in writing, signed by the Mayor, and filed with Committee Clerk, and shall remain in force until withdrawn by the respective Mayor.
4. Chair and Vice Chair – The Committee shall select, by majority vote of the total number of Committee members, a Chair and Vice Chair. The Chair and Vice Chair shall each serve a two-year term. A Chair and Vice Chair whose terms have expired may continue to serve in that capacity until new selections are made. In the event of a vacancy of the Chair, the Vice Chair shall automatically succeed to the Chair to fulfill the remainder of the Chair's term. At the next meeting a new Vice Chair shall be selected to fulfill the remainder of the term. In the event of a vacancy of both the Chair and Vice Chair, the Committee Clerk shall call a special meeting for the selection of a Chair and Vice Chair to serve for the remainder of the term. The Chair and the Vice Chair may be re-elected. Elections shall be conducted, and the term of office shall commence at the next meeting to be held as established by the elected Chair. (Gov. Code 50274.)
5. Meetings – The meeting of the Committee shall be held on the same date and immediately after the conclusion of the San Bernardino County Transportation Authority Board Meeting. Meetings shall be held to appoint representatives to various bodies, as provided elsewhere in these rules or under law. The Chair may call a special meeting of the Committee at any time. The Chair shall call a special meeting of the Committee upon the written request of at least 50 percent of the members of the Committee. When the Chair is required to call a special meeting, pursuant to this section or by law, such a

meeting shall be called and held within 60 days after receipt of such written request or as otherwise required by law. Not less than three weeks prior to the date fixed for a special meeting of the Committee, the Chair shall notify the Committee Secretary of the date, time, and place of the special meeting. At least two weeks prior to the date of any meeting of the Committee, the Committee Secretary shall give notice of the meeting to each member of the Committee. (Gov. Code 50277 and 50278.) Shorter notice may be given if the Chair determines there is a need for immediate action, but only to the extent necessary. This exception must be construed narrowly and in consideration of similar standards in the Ralph M. Brown Act.

6. Quorum – A majority of the total number of Committee members shall constitute a quorum of the Committee. Special rules may define a quorum for purposes of certain appointments. (See, for example, Section 11 below regarding appointments to the South Coast Air Quality Management District (South Coast AQMD) board.) Whenever a quorum is not present, the Committee meeting shall be postponed or adjourned to a subsequent time and place, as determined by the Chair. (Gov. Code 50272.)
7. Voting – A majority vote of the total number of Committee members is necessary for the appointment of representatives to boards, commissions, or agencies, except as otherwise provided by law. (See, for example, Section 11 below regarding appointments to the South Coast AQMD board.) In all appointments, the current appointee shall continue to serve, unless otherwise prohibited by law, until a new appointment, with the necessary votes, is made. All votes and actions taken by the Committee shall be recorded in writing by the Committee Clerk. The written record of any vote or action taken by the Committee shall include the name of each member voting and how he or she voted. (Gov. Code 50272 and 50275.)
8. Nomination and Appointment Process – For the appointment of representatives to any body, the following procedures shall apply, unless otherwise provided herein or by law:
  - A. The Committee Clerk shall send an announcement via e-mail of the pending appointment to each Mayor, city manager, city clerk, and incumbent, at least 45 days prior to the Committee meeting scheduled for the making of the appointment.
  - B. Each city clerk shall be advised to transmit, and shall transmit, the pending appointment information via e-mail to every city council member within 3 business days of receipt.
  - C. Applicants must submit a letter of interest to the Committee Clerk no later than 25 days prior to the date scheduled for the appointment. Each applicant should include a resume of the applicant's background and information that would qualify him or her for the appointment and that describes his or her platform.
  - D. The Committee Clerk shall e-mail copies of all application information and meeting agenda materials to each Mayor, city manager, city clerk, and incumbent

no later than 20 days prior to the scheduled appointment date, in order that consideration within and between cities may occur.

- E. Each city clerk shall be advised to transmit, and shall transmit, the application information and meeting agenda materials via e-mail to every city council member within 3 business days of receipt.
  - F. The Committee shall make an appointment from those persons who have timely applied, or by nomination of any other members that did not submit an application, at the scheduled meeting by vote as provided in Section 7 or as otherwise provided herein or under law.
  - G. If the Chair, or a majority vote of the total number of committee members, determines that the modification of any period of time or procedure set forth in these rules and regulations would be more appropriate for purposes of filling a vacancy or making an appointment, the Chair shall call a meeting for such appointment. In such circumstance the vacancy shall be filled or the appointment made by circulation of declarations of candidacy or by nominations from the floor. The regular voting procedure will apply.
  - H. The City Clerk shall notify the Committee Clerk within five business days of a change to the position of Mayor or to the Council membership for their respective city.
9. Removal – Any member of a body or alternate member appointed by the Committee may be removed at any time, without notice, and without cause by the Committee, unless the Committee’s authority to remove is otherwise regulated or restricted by law.
10. LAFCO Appointment – The terms of office of each member and alternate appointed to the Local Agency Formation Commission (LAFCO) board shall commence the first of May and shall be for four years and until the appointment and qualification of his or her successor. When a LAFCO member’s term has expired, the Committee shall appoint the successor for a full term of four years. A member may be removed at anytime and without cause by the Committee. Any vacancy in the Committee-appointed membership of LAFCO shall be filled for the unexpired term by appointment by the Committee. (Gov. Code 56334.)
11. South Coast AQMD Board Appointment – The Committee shall appoint a Mayor or a member of the city council of a city in the portion of the County included in South Coast AQMD. The appointment shall be made by not less than a majority of Committee members from a city that has not less than a majority of its population in the portion of the County included in South Coast AQMD. Population shall be determined on the basis of the most recent verifiable census data developed by the California Department of Finance. Persons residing in unincorporated areas or areas of the County outside the South Coast AQMD shall not be considered for the purposes of this section. The appointee shall serve a four-year term and until his or her successor is appointed. No

Mayor or member of a city council shall hold office on the South Coast AQMD board for more than 60 days after ceasing to be a Mayor or member of a city council, and the membership on the board held by that person terminates upon the expiration of that 60-day period. Any vacancy shall be filled within 60 days. (Health & Safety Code 40420 and 40422.)

12. RAN Board – The Committee shall appoint a Mayor to serve as a member on the local Remote Access Network (RAN) board. (Pen. Code 11112.4.(b) (the provision is silent as to alternate and term).)
13. Countywide Oversight Board Appointment - Pursuant to Health and Safety Code section 34179, subdivision (j), the Committee shall appoint one primary member to the Countywide Oversight Board. Such member shall serve at the pleasure of the Committee. The Committee shall also appoint an alternate member to serve on the Countywide Oversight Board as may be necessary to attend any meeting of the Countywide Oversight Board in the event that the Committee's primary member is unable to attend any meeting for any reason. If the alternate member attends any meeting in place of the primary member, the alternate member shall have the same participatory and voting rights as all other attending members of the Countywide Oversight Board. The alternate member shall serve at the pleasure of the Committee.
14. Interagency Council on Homelessness (ICH) - Pursuant to the Bylaws of the ICH, there will be one city representative for each region of the ICH. There are five regions, namely, the West Valley Region, Central Valley Region, East Valley Region, Desert Region, and Mountain Region. City representatives shall be selected by the Committee. Should a city seat not be filled within 30 days of a vacancy, the seat will default to an at-large position from the same region, with said appointment being made by the ICH members. City representatives are not required to be council members but must be at the level of a department director or higher.
15. Amendments to Rules and Regulations – The Committee may amend the rules and regulations. Any amendment to the rules and regulations shall be done by majority vote of the total number of Committee members, at a regular or special meeting of the Committee. Any amendment to the rules and regulations approved by the Committee shall take effect immediately upon approval unless otherwise provided for in the motion to approve the amendment.

Adopted on November 10, 1982.

Amended on February 12, 1986 (add RAN Board, clarify various terms).

Amended on March 6, 1987 (add Hazardous Waste Advisory Committee).

Amended on April 29, 1988 (generalize quorum; add South Coast AQMD language).

Amended on March 5, 2003 (shorten notification periods, provide for Chair to call special meetings, add City Managers as individuals to be notified, and remove reference to Hazardous Waste Advisory Committee).

Amended on October 4, 2017 (add new section 13 regarding appointments to the Countywide Oversight Board).

Amended on March 7, 2018 (clarify Chair and Vice Chair terms if expired; amended regular meeting requirement, notification timeframe and allowance for e-mail communication of meetings; amended notice requirement for amendments to Committee's rules and regulations).

Amended on November 6, 2019 (change all references to SCAQMD to South Coast AQMD; add new section 14 regarding appointments to the Interagency Council on Homelessness; amend rules 5 and 8F to allow for alternate Special Meeting notification under certain limited circumstances)

Amended on May 4, 2022 (set meeting to be held on same day as SBCTA Board meeting; add incumbent position for the distribution of meeting materials; and clarify the timeframe for city clerks to distribute meeting materials to city council members.)