

**California Code of Regulations, Title 23. Water.
Division 6. Delta Stewardship Council
Chapter 1. General Provisions.
Addition of Article 2 (commencing with section 5000.10). Council Meetings.**

Additions are in underline. Deletions are in ~~strikeout~~.

Section 5000.10. Purpose.

This article is for the purpose of providing orderly and effective conduct at council meetings conducted pursuant to Water Code section 85200.

Note: Authority Cited: Section 85210, Water Code. Reference: Section 85200, Water Code.

Section 5000.11. Definitions.

For purposes of this article, the following terms have the following meanings:

(a) "Act" means the Bagley-Keene Open Meeting Act (Gov. Code, § 11120 et seq.).

(b) "Council" means the Delta Stewardship Council created pursuant to Water Code section 85200.

Note: Authority cited: Section 85210, Water Code. Reference: Section 11120 et seq., Government Code; and Section 85200, Water Code.

Section 5000.12. Quorum.

The council, when there is less than a quorum in attendance, may meet as a committee of the council and subsequently submit their recommendations to the council when a quorum is present.

Note: Authority cited: Section 85210, Water Code. Reference: Sections 85200 and 85210.5, Water Code.

Section 5000.13. Election and Duties of Chair and Vice Chair.

(a)(1) The council shall elect a chair and a vice chair from among the full council membership when there is a vacancy in either position.

(2) The chair and vice chair shall not serve for more than four years in those roles, respectively.

(b) The chair shall do all of the following:

(1) Preside over all meetings of the council.

(2) Serve as presiding officer for appeals challenging certifications of consistency pursuant to Water Code sections 85225.10, 85225.20, and 85225.25 and California Code of Regulations, title 23, section 5020 et seq.

(3) Decide questions of procedure.

(c) In the chair's absence or inability to preside, the vice chair shall preside, including serving as presiding officer for appeals challenging certifications of consistency pursuant to subsection (b).

Note: Authority cited: Section 85210, Water Code. Reference: Sections 85200, 85201 and 85210, Water Code.

Section 5000.14. Overruling the Chair.

A decision of the chair with respect to the interpretation or applicability of this article shall be overruled only by a majority vote of the full membership of the council.

Note: Authority cited: Section 85210, Water Code. Reference: Sections 85200 and 85210.5, Water Code.

Section 5000.15. Public Comment.

(a) A person may submit a comment in writing on any agenda item. A person submitting a comment shall provide the council with a copy of the comment no later than noon, Pacific Time, the business day before the meeting at which it is to be considered.

(b) Members of the public present at the meeting shall be given an opportunity to make relevant oral comments on any agenda item.

(c) Notwithstanding subsection (b), the chair or other presiding member may limit or preclude comments as necessary for the orderly conduct of business.

Note: Authority cited: Section 85210, Water Code. Reference: Section 11125.7, Government Code; and Section 85200, Water Code.

Section 5000.16. Duties of Chief Counsel and Clerk to Council.

(a) The chief counsel, or their designee, shall attend all meetings of the council and shall serve as parliamentarian and be prepared to advise the council on questions of law.

(b) The clerk to the council, or their designee, shall attend all meetings of the council, facilitate orderly public comment, and maintain a full and complete record of all meetings and the vote of each member.

(c) (1) For a closed session held pursuant to the Act, the clerk, or another officer or employee designated by the council, shall attend each closed session and record the topics discussed and decisions made at all closed sessions.

(2) The minutes of a closed session taken by any person other than the clerk pursuant to this subsection shall be retained in a separate minute book by the chief counsel.

Note: Authority cited: Section 85210, Water Code. Reference: Section 11126.1, Government Code; and Sections 85200 and 85210, Water Code.

Section 5000.17. Record of Meetings.

The transcript, minutes, and resolutions approved in meetings shall be the original evidence of actions taken at any meeting.

Note: Authority cited: Section 85210, Water Code. Reference: Section 85200, Water Code.