

H. Election of Board Chair and Vice Chair on Agenda

H. Board Work Group Policy and Charter.

Pursuant to the Board's authority under Gov. Code Section 15606(a) to prescribe rules for its own governance and the transaction of its business, and Section 15609 to hold meetings each month at times and places in the state for performing its duties, the Board has established the following Work Group Policy and Charter as the governance structure to be used when it determines committees are necessary or useful in addressing specific issues or concerns:

1. Work Group Policy is established to:

- Set forth policies that govern the Work Group structure consistent with the Board's constitutional and statutory responsibilities and this Governance Policy, all relevant law, and Board Proceedings procedures.
- Guide the Board in establishing and convening Work Group meetings while upholding the effectiveness and integrity of the Board's processes, including oversight, accountability, transparency, efficiency, and decision-making.
- Identify and distinguish between the role of the Board Members and their team members as well as the Executive Director and Agency team members. This Work Group Policy applies to both Board Members and their staff.

2. Chair, Co-chair, and Work Group Members:

- In proposing/establishing a Board Work Group, the Chair or the Board Member will state its specific purpose and who will serve as the Work Group Chair and Co-Chair. Once approved by the Board, each Board Member will serve as a full Member and participant of the Work Group.
- *The Work Group Chair and Co-Chair shall perform these duties only to conduct and carry out the assigned purpose of the Work Group and shall not interfere with or assume the role of the Board Chair or Vice Chair in Section VIII of this Governance Policy.*
- The Work Group Chair and Co-Chair shall establish the Work Group meeting plan, agenda, supporting material, the list of and invitations to invited/scheduled presenters and participants, the location and facility, and preparation of meeting minutes.
- The Chair of the Board and Executive Director, or designated team member, will review the meeting plan for legal and technical purposes and transmit it to the Board Proceedings Division as appropriate.
- The Work Group Chair and Co-Chair are responsible for conducting the Work Group meeting and drafting Work Group report(s) so that the information is available to the full Board and the public at a regular date-specific Board meeting.

3. Notice Requirements of Work Group Meetings.

- The Board shall publicly notice each Work Group meeting consistent with public agenda notice (PAN) process and the Bagley-Keene Open Meetings Act to ensure the Board's stakeholders and the public of their opportunity to fully engage in the discussions, actions, and decisions of the Board and have a seat at the table.
- Board Work Groups may only discuss meeting items publicly noticed on the public agenda notice.
- The Board Work Group agenda, minutes, materials and reports shall fulfill all Board Proceedings procedures and public meeting requirements.
- The Board shall schedule the Work Group adjacent to a regularly scheduled Board Meeting; or, if due to the urgency or importance of the matter or the demands and competing priorities of the BOE team members, the Board may schedule the Work Group meeting at different time.

4. Report Out on Work Group Information.

- Following the adjournment of the Work Group meeting, the Work Group Chair shall prepare the meeting minutes and related tasks, including compiling materials received or reports needed for the full Board's consideration.
- The Work Group Chair will submit the draft minutes to the Chair of the Board and the Executive Director for approval, and upon approval, transmit to Board Proceedings for posting to the BOE website for Board approval at a regularly scheduled Work Group or Board meeting.
- The full Board will direct the Work Group's schedule of updates and reports.
- The Work Group Chair shall report at the Board's next regular meeting, accompanied by a written report reflecting the Work Group's discussions, recommendations, and findings.
- Conclusion. The Board shall determine and publicly announce the conclusion and final adjournment of the Work Group, including the outcomes, report(s) and/or Board actions resulting from its efforts.

Current Text: Page 13, VIII. BOARD CHAIR AND VICE-CHAIR

A. Election of Board Chair and Vice Chair on Agenda

The Board shall automatically place on the agenda an election to take place in December for the offices of Chair and Vice Chair of the Board, or earlier if there is no December meeting. The Chair and Vice Chair shall serve a full 1-year term which shall begin January 1 of the following year and will end on December 31. There is no limit on serving consecutive terms. If there is a tied vote, the currently serving Chair or Vice-Chair, as the case may be, shall continue to serve.

Proposed Change A: Page 13, VIII. BOARD CHAIR AND VICE-CHAIR

A. Election of Board Chair and Vice Chair on Agenda

During gubernatorial election years when the terms of Board of Equalization members are subject to an election in November of that year (2022, 2026, 2030, 2034, et al), the

Board shall automatically place on the agenda of the following year's January Board meeting (2023, 2027, 2031, 2035, et al) an election for the offices of Chair and Vice Chair of the Board, to be voted on by the newly elected members of the State Board of Equalization.

During non State Board of Equalization election years (2023 - 2025, 2027 - 2029, 2031 - 2033, et al), the election for the offices of Chair and Vice Chair of the Board shall automatically be placed on the agenda of the December Board meeting of that year.

The Chair and Vice Chair shall serve a full 1-year term which shall begin in January of each year during the Board meeting and will end the following January during the Board meeting.

There is no limit on serving consecutive terms. If there is a tie vote, the currently serving Chair or Vice-Chair, as the case may be, shall continue to serve.

Proposed Change B: Page 13, VIII. BOARD CHAIR AND VICE-CHAIR

A. Election of the Board Chair and Vice Chair on the Agenda

The Board shall automatically place on the agenda an election to take place in December for the offices of Chair and Vice Chair of the Board, or earlier if there is no December meeting. During an election year, the Board shall defer the election of the Chair and Vice Chair until after the duly elected Board Members are sworn into office. In such instances, the Board will place on the agenda an election to take place in January for the offices of Chair and Vice Chair of the Board. The Chair and Vice Chair shall serve a full 1-year term which shall begin January 1 of the following year and will end on December 31, with the exception of an election year. During an election year, the Chair will continue to serve as Chair until the election of new officers and will set and approve the agenda in December for the subsequent January Board meeting. If the Chair is termed out, not re-elected, or decides not to run for re-election, the Vice Chair will serve as Chair. If both the Chair and Vice Chair are termed out, not re-elected, or decides not to run for re-election, the Executive Director will have the State Controller call the first meeting to order pending the election of officers. There is no limit on serving consecutive terms. If there is a tied vote, the currently serving Chair or Vice-Chair, as the case may be, shall continue to serve.

Additional Proposed Change C (Can be added to either Proposal A or B, above or to original text): Page 13, VIII. BOARD CHAIR AND VICE-CHAIR

A. Election of Board Chair and Vice Chair on Agenda (Addition of language in italics below)

The Board shall automatically place on the agenda an election to take place in December for the offices of Chair and Vice Chair of the Board, or earlier if there is no December meeting. The Chair and Vice Chair shall serve a full 1-year term which shall begin January 1 of the following year and will end on December 31. There is no limit on serving consecutive terms. If there is a tied vote, the currently serving Chair or Vice-Chair, as the case may be, shall

continue to serve. *The Board's vote for a Work Group Chair and a Work Group Co-Chair shall authorize the Members selected to perform only those Work Group duties and to conduct only those Work Group meetings for the assigned purpose of the Work Group and does not connote any transfer of the role of the Board Chair or Board Vice Chair in this Governance Policy.*