
California Underground Facilities Safe Excavation Board

February 10–11, 2025

Agenda Item No. 6 (Action Item) – Staff Report

Resolution 25-02-01: Board Policies

PRESENTER

Brittney Branaman, Acting Executive Officer

AUTHOR

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SUMMARY

Five Board policies are up for review in 2025. As there are no changes in relevant state or federal legislation, staff is not proposing to amend any of these five Board policies. Although not required for review in 2025, policy G-01: Parliamentary Procedure will be updated to better effectuate the Board’s mission.

STRATEGIC PLAN

2020 Strategic Plan Objective: Build Board operations to achieve compliance, reporting, and operational excellence in a resource-efficient manner.

BACKGROUND

During its first meeting in January 2018, the Board adopted policies relating to organization; responsibility and accountability; governance; compliance; and legislative framework. These policies are reviewed at annual, biennial, or triennial intervals, as identified within each policy.

DISCUSSION

Pursuant to the established review period of each of the Board’s adopted policies, five policies are designated for review in 2025. Staff proposes no changes to these policies. Although not up for its biennial review, staff is recommending changes to G-01: Parliamentary Procedures.

In May 2022, the Board amended its parliamentary procedure policy (G-01) to define a quorum as “no less than three members or a majority of currently-seated, appointed members. However, this definition allows for a quorum of less than a simple majority of the Board’s full statutory membership. Given the Board is comprised of individuals chosen for their different

backgrounds and experience, the Board’s decisions should reflect the considered judgment of at least a significant and representative number of the Board’s members. The Board’s quorum policy has been adjusted to reflect this.

Finding and maintaining a quorum can be difficult when there are member abstentions. As a matter of public policy, abstentions are generally disfavored absent a conflict of interest. Members of the Board have a duty to vote on the issues before them in order to carry out the purposes for which the Board was created. However, this must be balanced by the duty for members to avoid situations in which their allegiances may be divided between their personal interests and the public interests that they are duty-bound to promote.

In addition to adjusting the quorum policy, staff recommends the Board adopt additional parliamentary procedures to maintain consistency throughout the Board’s existence. These changes include updating the foundation of the Board’s parliamentary procedure from the 11th edition to the 12th edition of Robert’s Rules of Order.

Table 1 includes a list of all the policies subject to review at this time and G-01: Parliamentary Procedures.

Table 1: List of Board Policies Subject to Review in 2025

No.	Policy Number and Title	Proposed Changes
1	B-01: History	No change
2	B-05: Enforcement Philosophy	No change
3	C-01: Compliance with Legislative and Administrative Process Elements	No change
4	L-00: Legislative Framework	No change
5	G-01: Parliamentary Procedure	Change
6	G-02: Election of Board Chair and Vice Chair	No change

Policy Revisions

Category: Governance

G-01 Parliamentary Procedure

Current Policy

Parliamentary procedure shall be conducted as follows. Any question of procedure not addressed in the governance provisions of this manual shall be addressed using the 11th

Edition of Robert's Rules of Order.

- Procedures for small boards identified in the 11th Edition of Robert's Rules of Order shall apply, including, but not limited to, the following:
 - Motions need not be seconded.
 - There shall be no limit to the number of times a member may speak to a debatable question.
 - Informal discussion of a subject is permitted while no motion is pending.
- A majority of the currently-seated, appointed members constitute a quorum, however, in no case shall a quorum be fewer than three.

2025 Proposed Amendment (Replacement)

The Board's parliamentary procedure is based on Robert's Rules of Order 12th Edition. When appropriate, the procedures for small boards apply. California law and regulation take precedence over parliamentary procedure rules. The following parliamentary rules also apply to the Board's meetings:

1. A quorum must be present for a meeting to begin and to continue. The minimum number of members constituting a quorum is a majority of nine seats which is five.
2. Each member participating in a decision must be given an opportunity to provide input.
3. All members, including the Chair, must vote or abstain for matters requiring a formal vote.
4. Members may nominate and vote for themselves for board positions.
5. All violation decisions and Board resolutions must be documented by a recorded vote.
6. Motions may have, but do not require, a second.
7. Meetings adjourn upon notice by the Chair. If all business for the day is complete, a vote is not required. A vote must be taken to end a meeting early if there is business to be continued to another day.
8. Committees may not consist of more than two board members.

RECOMMENDATION

Staff recommends the Board approve policy G-01: Parliamentary Procedure (see attached).

Attachments

1. G-01: Parliamentary Procedure
2. Resolution 25-02-01 amending Policy No. G-01

Category:	Governance	Process Number:	G-01
Title:	Parliamentary Procedure		
Adopted:	January 9, 2018	Resolution:	18-01-05
Revision:	May 9, 2022	Resolution:	22-05-01
	DRAFT		

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Monitoring Method: Staff
Frequency: Biennial

CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD

RESOLUTION No. 25-02-01

A RESOLUTION OF THE CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD UPDATING POLICY G-01 (PARLIAMENTARY PROCEDURE)

Whereas Government Code § 4216.12 identifies the general responsibilities of the California Underground Facilities Safe Excavation Board, including to investigate possible violations and to enforce the Dig Safe Law;

Whereas Government Code § 4216.13 specifies the appointing powers and composition of the nine-member board, which includes the knowledge and expertise required for appointment, such as that in subsurface installation operation, contract locating, contract excavation, worker safety for contract excavation, and agriculture;

Whereas the Board adopted policies during its first public meeting in January of 2018 and has reviewed and updated those policies regularly;

Whereas Board Policy No. G-01 outlines its parliamentary rules; and

Whereas amending Board Policy No. G-01 to change the quorum requirement to a majority of its statutory membership and not based on the number of appointed members will allow the Board to act under the auspices of a majority of its diverse, knowledgeable, and experienced members;

Whereas amending Board Policy No. G-01 to formalize current Board policies will help ensure Board consistency in the future.

Be it resolved that the Board amends and adopts Policy No. G-01 to update its parliamentary procedures.

Date of Adoption: _____

I hereby certify that the attached resolution is a true and exact copy of Resolution No. 25-02-01 adopted by the California Underground Facilities Safe Excavation Board on February 10, 2025: RESOLUTION OF THE CALIFORNIA UNDERGROUND FACILITIES SAFE EXCAVATION BOARD UPDATING POLICY G-01 (PARLIAMENTARY PROCEDURE) TO MODIFY QUORUM.

Brittney Branaman, Acting Executive Officer

Chair

Date: February 10, 2025