

File No. 200132

Committee Item No. 1

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date February 24, 2020

Board of Supervisors Meeting

Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- Memorandum of Understanding (MOU)
- Grant Information Form
- Grant Budget
- Subcontract Budget
- Contract/Agreement
- Form 126 - Ethics Commission
- Award Letter
- Application
- Form 700
- Vacancy Notice
- Information Sheet
- Public Correspondence

OTHER (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
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Completed by: Victor Young Date February 20, 2020

Completed by: _____ Date _____

1 [Amending Board Rules of Order- Administration of Oaths and Issuance of Subpoena Duces
2 Tecum]

3 **Motion amending the Board of Supervisors Rules of Order to set forth the process for**
4 **administration of oaths to individuals testifying before the Board, and to authorize the**
5 **Government Audit and Oversight Committee to administer oaths and issue subpoenas**
6 **duces tecum.**

7
8 MOVED, That the Board of Supervisors hereby amends Rule 3.3 of the Board of
9 Supervisors Rules of Order by adding Rule 3.3.1 and Rule 3.3.2 to read as follows:

10 **3.3. Committee Authority.** Committees shall consider only items which have been
11 referred to them by the President, or by the Board, and which have been posted, published,
12 and noticed. The basic function of each committee is to inquire and to recommend actions to
13 the full Board. Additional committee authority exists only when specifically authorized by
14 ordinance or by the Board. Committees shall provide an opportunity for public comment only
15 with regard to items posted, published, and noticed on their meeting agendas. No Supervisor
16 or combination of Supervisors shall employ or engage the services of any person, or authorize
17 or incur any charge, debt or liability against the City unless authority first shall have been
18 given by the Board or is provided by law.

19 **3.3.1. Administration of Oaths at Government Audit and Oversight Committee**
20 **Meetings.** By oral motion adopted by a majority of the members of the Government Audit &
21 Oversight Committee, the Committee may instruct the Committee Clerk to administer an oath
22 to any person testifying before the Government Audit & Oversight Committee, excluding City
23 employees testifying in their official capacity and persons testifying during public comment.
24 Upon adoption of such a motion, the Committee Clerk shall administer an oath to the person
25 testifying before the Government Audit & Oversight Committee. Any testimony following such

1 an oath shall be given under penalty of perjury. In addition to the authority granted by this
2 Rule, the Board by written motion may authorize any standing committee to administer oaths,
3 consistent with Charter, Section 16.114.

4 **3.3.2. Issuance of Subpoena Duces Tecum by the Government Audit & Oversight**
5 **Committee.** By oral motion adopted by a majority of the members of the Government Audit &
6 Oversight Committee, the Committee may instruct the Committee Clerk to issue a subpoena
7 duces tecum to individuals whose testimony is sought in public hearings on File with the Clerk
8 of the Board, with the request to appear at the Government Audit & Oversight Committee and
9 respond to questions and produce any related materials in their possession on the hearing
10 subject matter; and, be it

11 FURTHER MOVED, That the Board of Supervisors hereby adds Rule 4.27 to the Board
12 of Supervisors Rules of Order as follows:

13 **4.27 Administration of Oaths.** By oral motion adopted by a majority of the members
14 of the Board, the Board may instruct the Clerk to administer an oath to any person testifying
15 before the Board, excluding City employees testifying in their official capacity and persons
16 testifying during public comment. Under adoption of such a motion, the Clerk of the Board
17 shall administer an oath to the person testifying before the Board. Any testimony following
18 such an oath shall be given under penalty of perjury.

Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

2020 FEB -4 P 4: 12

BOARD OF SUPERVISORS
rec'd by ll

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Supervisor Peskin, *RONEN*

Subject:

[Amending Board Rules – Administration of Oaths and Issuance of Subpoena Duces Tecum]

The text is listed:

Motion amending the Board of Supervisors Rules of Order to set forth the process for administration of oaths to individuals testifying before the Board, and to authorize the Government Audit & Oversight Committee to administer oaths and issue subpoenas duces tecum.

Signature of Sponsoring Supervisor:

[Handwritten Signature]