

**AUBURN AREA RECREATION AND PARK DISTRICT MEETING OF THE
PROGRAM, PERSONNEL, POLICY, FEE & LEGAL REVIEW COMMITTEE AGENDA**

TUESDAY, MAY 21, 2019, 10:30 AM

**CANYON VIEW COMMUNITY CENTER
471 MAIDU DRIVE, AUBURN, CA 95603**

Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet are available for public inspection in the District's Office at 471 Maidu Drive, Auburn, CA 95603. In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the District Clerk at (530) 537-2187. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

1.0 CALL TO ORDER

Holbrook _____ Ainsleigh _____

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

3.0 PUBLIC COMMENT – This is the time wherein any person may comment on any item not on the agenda within the subject matter jurisdiction of the Committee Chairperson, please state your name and address for the record (optional). There is a time limitation of three minutes.

4.0 BUSINESS

4.1 Approval of Minutes from the April 17, 2019 Program, Personnel, Policy, Fee & Legal Review Committee Meeting

Recommendation: Review and approve minutes.

4.2 Letter Opposing SB 13: Impact Fees on Accessory Dwellings

Shall the Auburn Area Recreation and Park District (ARD) send a letter opposing SB 13, a bill which would prohibit impact fees on Accessory Dwelling Units (ADUs) Smaller than 750 square feet and significantly limits the impact fees that may be charged on larger ADUs?

4.3 Prohibited Acts and Crime in ARD Parks and Facilities

Shall the Auburn Area Recreation and Park District (ARD) Create a policy addressing how criminal acts will be processed and pursued?

4.4 Process for Selecting ARD Friend of Recreation

Shall the Auburn Area Recreation and Park District (ARD) create a more defined process on how the Friend of Recreation Award winner is chosen?

4.5 New Job Description; Temporary Special Project Coordinator

Shall the Auburn Area Recreation and Park District (ARD) Approve the creation of a new job/job description for a Temporary Special Projects Coordinator?

4.6 Approval of Legal Bills from April, 2019

Recommendation: Review and approve legal bills.

Discussion Items:

1. Robert's Rules of Order, Rosenberg's Rules of Order and Policy– see attachment.

5.0 ITEMS TO BE CONSIDERED AT FUTURE PROGRAM, PERSONNEL, POLICY & FEE COMMITTEE MEETINGS

5.1 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

ADJOURNMENT

AUBURN AREA RECREATION AND PARK DISTRICT
This agenda is hereby certified to have been posted as follows:

5-17-19
Date

1:35 p.m.
Time

P. Laram
Secretary to the Board

**Auburn Area Recreation and Park District
Minutes
of the Program, Personnel, Policy, Fee & Legal Review Committee Meeting
Wednesday, April 17, 2019 at 1:00 p.m.
Canyon View Community Center
471 Maidu Drive
Auburn, CA 95603**

1.0 CALL TO ORDER

The meeting of the Program, Personnel, Policy, Fee & Legal Review Committee was called to order at 1:01 p.m.

ROLL CALL

Directors Holbrook and Ainsleigh were present.

2.0 ANNOUNCEMENTS, AGENDA REVIEW, CHANGES AND APPROVAL

None.

3.0 PUBLIC COMMENT- This is the time wherein any person may comment on Any item not on the agenda within the subject matter jurisdiction of the Committee. After you are recognized by the Committee Chairperson, please state your name and address for the record (optional). There is a time limit of three minutes.

None.

4.0 BUSINESS

4.1 Approval of Minutes from the March 20, 2019 Program, Personnel, Policy, Fee & Legal Review Committee Meeting

The minutes from the March 20, 2019 Program, Personnel, Policy, Fee & Legal Review Committee meeting were reviewed and approved by the Committee.

4.2 Naming of an ARD Facility after Bill and Jenny Jansen

Naming of an ARD Facility after Bill and Jenny Jansen was reviewed by the Committee and forwarded to the Board of Directors with a split vote of Director Ainsleigh in favor and Director Holbrook opposed.

4.3 Approval of Legal Bills from March, 2019

The legal bills from March, 2019 were approved.

Discussion Items:

1. **Prohibited Acts and Crime in ARD Parks and Facilities**– a proposed policy for this item will be prepared and reviewed at the May, 2019 Program, Personnel, Policy, Fee and Legal Review Committee meeting.
2. **Review: ARD Policies Related to Employees Committing a Crime Away from Work** – this item was reviewed by the Program, Personnel, Policy, Fee and Legal Review Committee meeting. Legal counsel will be contacted regarding investigation of a crime by an employee who is away from work. An update will be given to the Policy Committee at the May, 2019 meeting.

5.0 ITEMS TO BE CONSIDERED AT FUTURE PROGRAM, PERSONNEL, POLICY, FEE & LEGAL REVIEW COMMITTEE MEETINGS

None.

5.1 PENDING ITEMS REQUIRING MORE DETAILED RESEARCH

None.

ADJOURNED

As there was no further business, the meeting was adjourned at 1:32 p.m.

Board Secretary

Date

Item #4.2 Cover sheet – Letter Opposing SB 13: Impact Fees on Accessory Dwellings

Auburn Area Recreation and Park District Policy Committee meeting May, 2019

The Issue

Shall the Auburn Area Recreation and Park District (ARD) send a letter opposing SB 13, a bill which would prohibit impact fees on Accessory Dwelling Units (ADUs) smaller than 750 square feet and significantly limits the impact fees that may be charged on larger ADUs? The California Special District Association (CSDA) has put out a call to action to oppose this bill.

Background

CSDA has requested that special districts write letters to local and state legislators opposing SB 13 (Wieckowski). Senator Bob Wieckowski (D-Fremont) is authoring Senate Bill 13, which would prohibit impact fees on accessory dwelling units (ADUs) smaller than 750 square feet and significantly limit the impact fees that can be charged for larger ADUs. Given that revenue for local governments is tightly restricted by the California Constitution, fees are one of the few ways special districts can offset the indirect costs of growth. Impact fees are critical for park, fire protection, and other types of districts trying to recoup their costs for providing infrastructure and services to new ADU developments. An informational sheet from CSDA, with more information, is attached.

An opinion piece from the San Jose Mercury News is also attached.

Recommendation for the Policy Committee

Review and approve sending the letter opposing SB 13. Forward this to the Board with a positive recommendation.

Alternatives available to the Policy Committee

- 1) Do not approve the letter
- 2) Amend the proposed letter and approve

Fiscal Impact

There is no fiscal impact to send the letter

Attachments

- Letter to CA State Senator Bob Wieckowski opposing SB 13
- CSDA article
- Opinion piece from the San Jose Mercury News



AUBURN AREA RECREATION AND PARK DISTRICT

May 30, 2019

The Honorable Bob Wieckowski
California State Assembly
State Capitol
Sacramento, CA 95814

RE: Senate Bill 13 (Wieckowski) – Oppose [As Amended March 11, 2019]

Dear Senator Wieckowski:

The **Auburn Area Recreation and Park District (ARD)** is respectfully opposed to Senate Bill 13. SB 13 prohibits impact fees on Accessory Dwelling Units (ADUs) smaller than 750 square feet and significantly limits the impact fees that may be charged to larger ADUs. ARD serves 48,000 residents in the greater Auburn area, providing a variety of recreation and park services.

Given that revenue for local governments is tightly restricted by the California Constitution, fees are one of the few ways that special districts can offset the indirect costs of growth. Impact fees are critical for park, fire protection, and other types of districts trying to recoup their costs for providing infrastructure and services to new accessory dwelling unit developments.

Recreation and park districts depend on impact fees to establish new parks as neighborhoods grow. Park fees were implemented during the post war boom to ensure that all California neighborhoods would have access to parks and open space. For our district, Quimby and park development fees make up 6.7% of our total annual revenue for FY 18/19.

ARD uses these fees to provide new facilities and amenities for our residents. Examples of upcoming projects that rely on developer fees include the long-awaited Auburn Bike Park and the expansion of Regional Park, bringing recreational and health opportunities to underserved residents in north Auburn.

Impact fees are an important tool for special districts to provide services, infrastructure, and quality of life for local communities. The impact fee caps in SB 13 will reduce local government funding for public safety and quality of life investments. For these reasons, the Auburn Area Recreation and Park District respectfully opposes SB 13 unless it is amended.

Sincerely,

**Kahl Muscott, District Administrator
Auburn Area Recreation and Park District**

CC: Francisco Montes, Office of Senator Bob Wieckowski
Frank Bigelow, CA Assembly
Rylan Gervase, Legislative Representative, California Special Districts Association



**California Special
Districts Association**

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Cap on Impact Fees



Details

Senator Bob Wieckowski (D-Fremont) is authoring Senate Bill 13, which would prohibit impact fees on accessory dwelling units (ADUs) smaller than 750 square feet and significantly limit the impact fees that can be charged for larger ADUs. Given that revenue for local governments is tightly restricted by the California Constitution, fees are one of the few ways special districts can offset the indirect costs of growth. Impact fees are critical for park, fire protection, and other types of districts trying to recoup their costs for providing infrastructure and services to new ADU developments.

New restrictions on impact fees could not come at a more critical time for the bottom line of fire services already stretched thin by California's ever more dangerous fire season. Impact fees pay for increasing firefighting capacity, acquiring new personnel, facilities, vehicles, and equipment to maintain service levels and protect the lives and property within new structures, including ADUs. With substantial increases in neighborhood density, comes the need to increase crews and purchase additional fire response apparatus.

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Legislative
Representative
leading this issue](#)



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Recreation and park districts are also dependent on impact fees to establish new parks as neighborhoods grow. Park fees were implemented during the post war boom to ensure that all California neighborhoods would have access to parks and open space. Some park districts report being dependent on Quimby and park development fees for up to three quarters of all their revenue.

future advocacy on
this and other similar
issues

Impact fees are an important tool for special districts to provide services, infrastructure, and quality of life for local communities. The impact fee caps in SB 13 will reduce local government funding for public safety and quality of life investments.

SB 13 is substantially similar to SB 831 (Wieckowski), which CSDA members strongly opposed in 2018. SB 831 was ultimately stopped due to the overwhelming opposition from special districts.

Take Action

CSDA has taken an oppose position on SB 13. Please submit your opposition to SB 13 as soon as possible. The bill has already passed the Senate Housing Committee and will be heard in Senate Governance and Finance Committee in April. If you have any questions about the bill, please contact CSDA Legislative Representative Rylan Gervase at rylang@csda.net.



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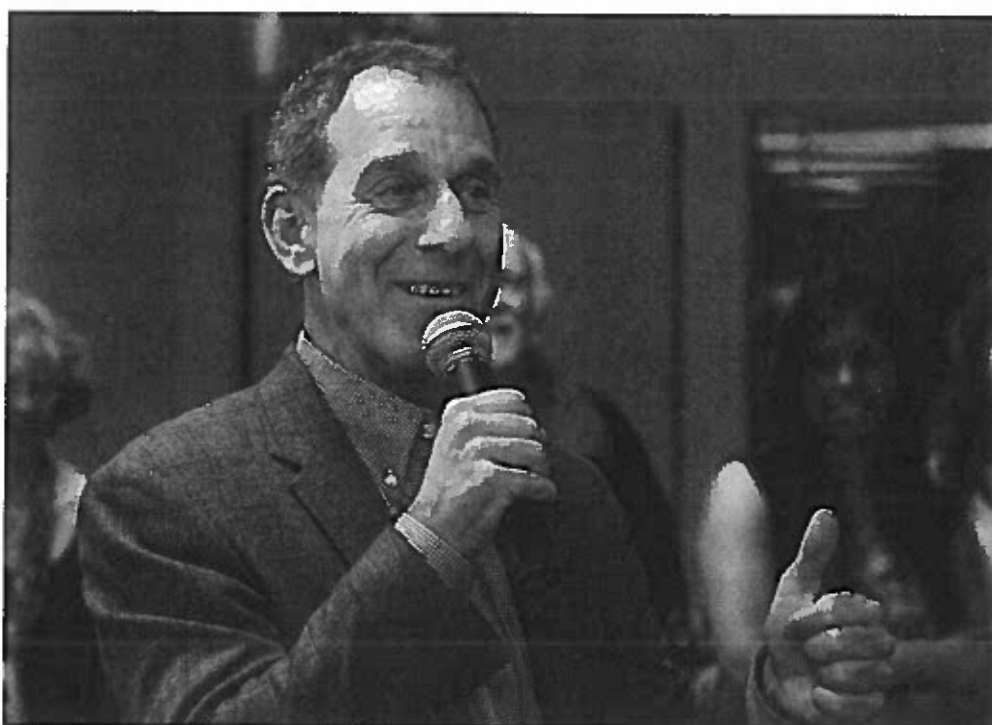
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Opinion > Commentary

Opinion: Streamlining granny flats will ease housing crisis

5

Legislation will remove barriers facing California homeowners



Doug Duran/Bay Area News Group

State Sen. Bob Wieckowski's SB 13 will help California ease its housing crunch by making it easier to build granny units on their property.

By **BOB WIECKOWSKI** and **MATT MAHOOD** |

PUBLISHED: April 16, 2019 at 6:10 am | UPDATED: April 16, 2019 at 6:12 am

California needs to streamline regulations on developing accessory dwelling units (ADUs) in order to ensure that cities like San Jose can provide a key piece to the affordable housing puzzle.

ADUs, also known as granny flats or in-law units, offer desperately needed housing that can help provide affordable housing options for renters as well as a substantive source of income for homeowners. ADUs can be inhabited by children returning home from college, new Silicon Valley employees or even grandparents looking to downsize and age in place.

ADVERTISING

Cities across the state have adopted their own ADU policies and programs to help homeowners apply for permits to develop them. However, there are still significant barriers in various city policies that hinder a homeowner's ability to construct an ADU. The city of San Jose is permitting fewer ADUs annually than the city of Los Angeles' rate of almost 400 permits a month. Part of the reason for this significant difference has to do with population size and staff capacity, but regulations are really the root cause of the clog in the pipeline.

At a recent state legislative hearing on ADUs, the state Department of Housing and Community Development (HCD) outlined several barriers facing California homeowners. They include owner occupancy rules and deed restrictions that require an owner to live in one of the units, unreasonable minimum lot sizes that restrain development, substantial fees that have not been revised, and fire sprinkler requirements that violate state law.

Both residents and businesses should support Sen. Bob Wieckowski's SB 13, which would make it easier for cities to build ADUs by streamlining the permit process and deconstructing many of the barriers just listed. The bill, which recently passed its first committee hearing with bipartisan support, creates a tiered-fee structure with rates that rise based on the size of the ADU. It prohibits owner-occupancy requirements, which are not used on other forms of housing. It provides an amnesty program that would ease the path to permitting pre-existing, unpermitted units and brings them up to code. It also allows for enhanced enforcement to ensure local agencies are following the law on ADUs.

ADU reform is low hanging fruit that can be easily streamlined and implemented across California to help meet Gov. Gavin Newsom's housing goal of 3.5 million new housing units by 2025 and San Jose Mayor Sam Liccardo's goal of 25,000 new homes by 2023. This would bring much needed housing to our local teachers, seniors, college graduates, construction workers and so many more Bay Area residents that are being priced out of their communities due to the lack of supply and the increase in demand. If we fail to fully embrace the potential of ADUs to be part of the solution to this housing shortage, we will see more of our neighbors hitting the road for good.

Sen. Bob Wieckowski, D-Fremont, represents the 10th District in the California Senate.. Matt Mahood is the president and CEO of The Silicon Valley Organization.

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Item 4.3 Cover sheet – Prohibited Acts and Crime in ARD Parks and Facilities

**Auburn Area Recreation and Park District (ARD) Program, Policy, Fee and Legal Review Committee
April, 2019; May, 2019**

The Issue

Shall the Auburn Area Recreation and Park District (ARD) create a policy addressing how criminal acts will be processed and pursued? Director Holbrook requested that this item be considered.

Background

It has been suggested that ARD should create a policy on how it will pursue and process prohibited acts and crimes in ARD parks and facilities. Currently, no such policy exists.

ARD Ordinance #1 addresses how prohibited acts/crimes in District parks and facilities will be handled in several sections:

SECTION 1. Authority and purpose. California Public Resources Code section 5786.1 empowers the District's Board to adopt and enforce ordinances necessary for the administration, government and protection of all property, improvements and facilities under its management or belonging to the District. The purpose of this ordinance is to establish a body of law denoting prohibited and required conduct on District property and provide for the enforcement and punishment for violations.

SECTION 7. Violations; penalties. Violation of a District ordinance is a misdemeanor unless the park ranger, Auburn City Police, Placer County Sheriff or duly authorized law enforcement officer issuing the citation specifies on the citation that the violation is an infraction.

- A. Every violation determined to be a misdemeanor is punishable by a fine not to exceed \$1,000 and or six months in the County Jail. Each incident in which a violation occurs is a separate offense.
- B. Every violation determined to be an infraction is punishable by a fine not to exceed \$100 dollars for a first violation, a fine not to exceed \$200 for a second violation of the same ordinance within one year or a fine not to exceed \$500 for each additional violation of the same ordinance within one year. Each incident in which a violation occurs shall be considered a separate offense.
- C. Notwithstanding this section, any violation may be enforceable under any other law that exists at the discretion of the enforcing officer.
- D. Any judge or commissioner of a judicial District laying wholly or in part within the District shall have jurisdiction over all prosecutions under this article for violations adopted by the Board of Directors

E. Expulsion. In addition to any other penalty for a violation of this ordinance, the District Administrator, or his or her designees, including contractors, referees, umpires and other sports officials empowered to do so, may require the violator to immediately leave the park or facility and to remain out of the park or facility for the remainder of the day on which the violation occurred. It shall be a misdemeanor or infraction for any person so expelled to return to the park or facility the same day after having been lawfully ordered to leave, or for a person so ordered to not promptly leave. (Amended 11/29/15)

SECTION 8. Enforcement. The Board of Directors of the District may, by resolution, designate that class of District employees as park rangers, who shall be empowered to exercise such arrest and citation authority in accordance with state law for infraction and misdemeanor violations of District or county ordinances, or state law, committed within a District park or facility. The District Administrator shall cause to be administered a special enforcement training program designated to instruct each employee who will exercise such arrest and citation authority regarding the provisions of the statutes and ordinances to be enforced, the evidentiary prerequisites to proper procedures for making arrest, or otherwise prudently exercising such arrest and citation authority and the legal and practical ramifications and limitations attendant thereto.

The District Administrator shall have the primary responsibility for the enforcement of this ordinance and other ordinances of the District unless otherwise specifically stated therein. Each District park ranger, Auburn City Police, Placer County Sheriff or duly authorized law enforcement officer is hereby granted permission to enter upon both public and restricted areas of all park and park facilities within their respective jurisdictions to maintain public order or to prevent, remedy, or take other appropriate action with respect to violations of the provisions of this ordinance or of other applicable laws or regulations.

Staff has created a policy to be added to the District Policy Manual. That proposed policy is attached.

Recommendation for the Policy Committee

Review and discuss the proposed new policy on prosecuting criminal acts and violations of District policy. Provide any suggested edits and forward to the Board for review and approval.

Fiscal Impact

N/A

Attachments

Proposed new policy on prosecuting criminal acts and violations of District Ordinances, Policies.

Proposed new policy on prosecuting criminal acts and violations of District Ordinances, Policies

XXXIX. Criminal Acts and Violations of District Ordinance and Policy

The District takes seriously criminal acts committed in District parks and facilities, as well as violations of ARD Ordinance #1 and District Policies. The District will advocate that criminal acts and violations of ordinances and policies be prosecuted to the full extent of the law. The District will endeavor to work with local law enforcement in this process.

Item 4.4 Cover sheet – Process for Selecting ARD Friend of Recreation

Auburn Area Recreation and Park District (ARD) Policy Committee meeting May, 2019

The Issue

Shall the Auburn Area Recreation and Park District (ARD) create a more defined process on how the Friend of Recreation Award winner is chosen?

Background

Every year, ARD awards the “ARD Friend of Recreation Award” at the annual State of Community Dinner. Information on the Friend of Recreation Award is as follows:

The Auburn Area Recreation and Park District Friend of Recreation award is given to the person, organization or group that has made a significant contribution to parks, recreation and active leisure in the Auburn area. This award is presented annually at the State of the Community Dinner.

Specific criteria for nominees/winners are as follows:

- The person’s, organization’s or group’s contribution should include the last 5 years
- Volunteers, ARD employees and contract employees are eligible for the award
- Nominees from entities outside of ARD can be considered (Tevis Cup, Placer High, local youth sports organizations, etc.)

Typically, the ARD Board is polled for nominations, and then voting takes place based on those nominations. This process is not formalized anywhere.

A proposed formal process could look like this:

- 1) Staff submits an agenda item at a Board meeting asking for nominations. Each Board member would be allowed a brief time to share why the nominee should be considered. The date for this would be based on the date for the State of the Community Dinner, which occasionally fluctuates (was in September, 2018 and is in May, 2019).
- 2) A vote is taken on all nominees, using a process similar to how the Board chooses a chairperson (first nominee with three “aye” votes is the winner).

Alternatively, steps 1 and 2 could be separated in to two meetings, however this could raise some issues with timing.

Recommendation for the Policy Committee

Review and provide direction. Send a recommendation to the Board.

Fiscal Impact

N/A

Attachments

N/A

Item 4.5 Cover sheet – New Job Description; Temporary Special Project Coordinator

Auburn Area Recreation and Park District Policy Committee meeting May, 2019

The Issue

Shall the Auburn Area Recreation and Park District (ARD) approve the creation of a new job/job description for a Temporary Special Projects Coordinator?

Background

ARD is in need of a position that would allow for the hiring of individuals with special construction and project skills. This would be a temporary position, and any persons hired for a job would be terminated/laid off after the job is completed.

Per ARD Personnel Policy:

Temporary employees have no regular job status and are employed for short-term assignments. Temporary employees are considered “at will” and can be terminated by the District, with or without cause at any time. Short-term assignments generally are for periods of three months or fewer; however, such assignments may be extended by the Department Head with approval of the District Administrator. Temporary employees are not eligible for employee benefits except as mandated by applicable state or federal law

Recommendation for the Policy Committee

Staff recommends that the Policy Committee review the Temporary Special Project Coordinator job description and forward it to the Board with a positive recommendation.

Fiscal Impact

Dependent on the length of each project

Attachments

Temporary Special Project Coordinator job description

TEMPORARY SPECIAL PROJECTS COORDINATOR

DEFINITION AND PURPOSE: Under the general direction of the District Administrator, the Temporary Special Projects Coordinator performs a variety of skilled and semi-skilled tasks in the construction, improvements, maintenance and repair of park and recreation facilities, including District buildings.

ESSENTIAL JOB FUNCTIONS:

Responsibilities and duties include, but are not limited to the following:

- Coordinates and performs work related to the construction of new District parks, facilities and amenities.
- Coordinates and performs work related to the repairs and maintenance of District parks, facilities and amenities/
- Safely and effectively operates a variety of equipment, including, but not limited to backhoes, bull dozers, graders, trenchers, tractors, forklifts, SWECO, skid steers and bobcats.
- Safely and effectively operates a variety of carpentry tools including, but not limited to skill saws, cordless drills, reciprocating saws and nail guns.
- Ensure proper operation of equipment by performing regular checks on their functionality
- Perform minor repair work during functioning problems
- Inform and advise the management for major repairs or maintenance
- Work in adherence to safe practices, procedures, work site or traffic laws
- Maintains a positive relationship with the public in accordance with the policies and procedures of the District
- Performs major and minor construction and repairs of District buildings and structures
- Performs minor plumbing repairs
- Maintains tools, equipment, and supplies in proper condition
- Performs minor electrical repairs
- May be on-call in an emergency situation evenings and weekends

NON-ESSENTIAL JOB FUNCTIONS:

- May assist with other infrastructure needs, including swimming pool maintenance, irrigation and general park maintenance
- Other duties as assigned

KNOWLEDGE, SKILLS AND ABILITIES

General knowledge of common methods, equipment and tools used in park and building construction and maintenance; basic understanding of electrical systems and components; must be able to work independently; maintain records and prepare reports; communicate effectively both verbally and in writing; analyze and resolve

unusual situations through application of District policy; meet the public in situations requiring diplomacy and tact; establish and maintain cooperative working relationships with District employees, contractors, user groups, and the general public; must have the ability to perform safe work practices, follow directions and procedures, both written and oral; must have ability to work in a team environment.

EDUCATION REQUIREMENTS AND QUALIFYING EXPERIENCES

High School diploma or equivalent.

Minimum three years experience performing job functions as described in the Essential Job Function section

LICENSES AND CERTIFICATES

First Aid and CPR certifications are strongly recommended.

Must possess and maintain a valid California C driver's license and a satisfactory driving record based upon specific program needs.

Position requires fingerprint and background check per Section 5164 of the Public Resource Code. Conviction of certain criminal offenses may prohibit employment.

WORK ENVIRONMENT

Position requires sitting, standing, walking, reaching, twisting, turning, kneeling, bending, stooping, squatting and making repetitive hand movements in the performance of daily duties, occasionally on uneven terrain. The position also requires both near and far vision when reading documents, inspecting plans and operating a computer. The need to climb stairs and lift, carry and push tools, equipment and supplies weighing up to 100 pounds is sometimes required. The position requires working in both an indoor, temperature controlled office environment and in outdoor environments in all weather conditions including wet, heat and cold and be exposed to heavy dust and pollen and cleaning chemicals. The noise level of the indoor setting may be loud. The noise level of the outdoor setting can be loud, especially when working around construction, maintenance and turf care equipment, and equipment used at special events such as generators and amplified instruments.

Position requires both day and evening hours, including weekend shifts and holiday shifts. Split shifts may be required.

COMPENSATION: Temporary position.

Temporary employees have no regular job status and are employed for short-term assignments. Temporary employees are considered "at will" and can be terminated by

the District, with or without cause at any time. Short-term assignments generally are for periods of three months or fewer; however, such assignments may be extended by the Department Head with approval of the District Administrator. Temporary employees are not eligible for employee benefits except as mandated by applicable state or federal law

Wage rate range

\$50.00 - \$63.81/hr.

Auburn Area Recreation and Park District is an Equal Opportunity Employer.

DRAFT

Discussion Item #1. Cover sheet – Robert’s Rules of Order, Rosenberg’s Rules of Order and ARD Policy

Auburn Area Recreation and Park District Policy Committee May, 2019

The Issue

A discussion about Auburn Area Recreation and Park District (ARD) policies and procedures regarding the conduct of business at Board meetings. Director Holbrook has requested that this item be considered.

Background

The ARD Board Policy and Procedure Manual references Robert’s Rules of Order twice:

Section III: Conduct of Business

Meetings of the Board of Directors shall be conducted by the Chairperson in a manner consistent with the policies of the District. *Roberts Rules of Order, Newly Revised* may be used as a general guideline for meeting protocol. District policies shall prevail whenever they are in conflict with *Robert’s Rules of Order, Newly Revised*.

Section III: Rules of Debate

2. The use of informal procedures by the Board or the failure of the Board to act strictly in accordance with Robert’s Rules of Order shall be deemed waived by all Board Members, unless a Board Member expresses his/her objections at the time when such matter is pending.

Director Holbrook has requested that these policies and Rosenberg’s Rules of Order (see attached) be discussed.

Recommendation

Review and provide direction.

Fiscal Impact

N/A

Attachments

Rosenberg’s Rules of Order.



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes *Western City* magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.


Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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