

November 17, 2022
Item 5

**SUBJECT: RECEIVE INFORMATION ABOUT UPDATED COMMISSIONER'S
HANDBOOK**

SUMMARY

In July, Council updated its *City Council Meeting Rules of Procedure* for how its meetings are conducted. Council directed those applicable similar changes be made to the *Commissioner's Handbook*. Substantive parallel modifications incorporate Rosenberg's Rules of Order and other procedural requirements. General updates for accuracy with current City operations were also made.

The updated *Commissioner's Handbook* is available on the City's website at: https://www.cityofpleasantonca.gov/documents/clerk/Commission%20and%20Committee%20Member%20Handbook_FINAL.pdf and a paper copy will be provided to any commissioner upon request.¹

RECOMMENDATION

Receive information and ask questions about updated *Commissioner's Handbook*.

FINANCIAL STATEMENT

Implementation of the updated *Commissioner's Handbook* has no financial impact to the City. The City already complies with state-mandated public noticing and meeting requirements.

¹ As the *Commissioner's Handbook* includes copies of Council policies and resolutions which are currently being updated, Section VI. City Commission Related Resolutions and City Policies is expected to be amended shortly. The City's public website maintains the most up-to-date handbook.

BACKGROUND

Until its July 2022 adoption of new *City Council Meeting Rules of Procedure*, the Council relied on Rules and Operating Procedures from 1995. Some provisions of those 1995 rules had been superseded by changes in state law. And, the Council also made policy decisions to modify and clarify some meeting procedures.

The *Commissioner's Handbook* similarly has been in place for many years (circa 2004) without significant update. The Council, when updating its own rules, directed staff to make applicable parallel changes to the *Commissioner's Handbook*.

DISCUSSION

The significant substantive changes to the *Commissioner's Handbook* are described as follows:

Rosenberg's Rules of Order.ⁱ The simpler rules of parliamentary procedure in Rosenberg's Rules of Order have been adopted (replacing Robert's Rules of Order). These rules continue to provide that the chairperson conducts the meeting; the process to make and amend basic motions is not altered; and sets forth how to raise questions of procedure and points of privilege. Attached is a Cheat Sheet of Rosenberg's Rules.

Continuing an item.ⁱⁱ When an individual commissioner continues an agenda item (not subject to a legal or City deadline), the commissioner must now "... state the reason for such continuance." This requirement is new. The handbook has also been updated to clarify that a continuance by an individual commissioner may only occur one time for an item (a vote by the commission is needed to continue the item a second time).

Present and voting.ⁱⁱⁱ Counting votes has changed to the "present and voting" rule. If a commissioner is present, but is silent or abstains from voting, the vote tally will reflect that the commissioner was present for determining a quorum but will be listed as not voting or abstaining if due to a conflict of interest.

Review of written materials / oral presentations.^{iv} After agenda materials are distributed, commissioners remain encouraged to ask staff any clarifying questions before the meeting. The handbook has now been changed to state that: "Responses provided by staff may be shared with the entire commission as supplemental agenda material."

Public hearing / comment.^v During the public hearing or public comment period for an agenda item, commissioners still can ask questions of speakers, each other, or staff. The handbook has now been amended to clarify that: "Commissioners are limited to asking technical or clarifying questions on the items and shall not at this portion of the meeting express personal opinion or debate the merits of an item under consideration." Those opinions and debate are to occur during the later Commission Deliberation and Action period.

Matters initiated by commission for discussion / action.^{vi} This section has been streamlined to retain the ability for an individual commissioner to obtain information from

staff, or have an item placed on a future agenda if a majority of the commission present agrees.

Items considered after 11:00.^{vii} Change to provide that at or prior to 10:30 p.m., the commission, after consultation with staff, will vote to determine which items remaining on the agenda are to still be considered that evening – with goal to complete items by 11:30 p.m.

Chairperson applies rules.² The chairperson remains the presiding officer for the meeting. Decisions by the chairperson regarding procedural rules are final, unless overruled by a majority of the commission present.^{viii}

Non-Substantive amendments. Other changes to the *Commissioner's Handbook* were to reflect actual practices, including: update Order of Agenda Items; reference current technology used to record meetings; and clarify emergency situations allowing for action on items not on the agenda per state law.

Updates not related to meeting procedures. Other amendments to the *Commissioner's Handbook* include: make City history more current; explain that councilmembers are elected by district and only the mayor is elected at-large; describe actual City structure of 12 departments; list all commissions and committees; reference that appointed officials must timely file Statements of Economic Interest; clarify that Economic Vitality Committee, Youth Commission and youth members of other commissions are exempt from Conflict of Interest disclosure requirements; add City Vision Statement and City Values Statement.

Submitted by:

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Attachment:

1. Rosenberg's Rules of Order Cheat Sheet

ⁱ See pages 29 and 37 of new *Commissioner's Handbook*. All page references hereafter are to the new handbook, unless specifically noted.

ⁱⁱ See page 36.

ⁱⁱⁱ See pages 34-35.

^{iv} See page 31.

^v See page 32.

^{vi} See pages 25 and 27.

^{vii} See page 30.

^{viii} See Rosenberg's Rules of Order page 2., The Role of the Chair.

² See pages 28-30. As the chairperson is tasked with applying the procedural rules described in the *Commissioner's Handbook* and Rosenberg's Rules of Order, a paper copy of the handbook will be provided to the chairperson.

ROSENBERG'S RULES OF ORDER CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn" (Only needed prior to the end of the agenda)	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question" or "Call the question"	No	Yes	No	No	2/3
Postpone consideration of	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Introduce a motion	"I move that..." or "I move to..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..." (You can also ask for a friendly amendment, which is less formal; if mover and second concur, no vote needed)	No	Yes	Yes	Yes	Majority
Refer to a Committee	"I move that the question be referred to a committee for more study"	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Object to considering some undiplomatic or improper matter	"I object to consideration of this question" (This would generally just be used if something is not on the agenda)	Yes	No	No	No	2/3
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..." (Only a member of the prevailing side can make a motion to reconsider)	Yes	Yes	Only if original motion	No	Majority
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).