

## ECONOMIC VITALITY COMMITTEE REPORT

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December 15, 2022  
City Attorney's Office

**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*. The 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 attached.

**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.

## **BACKGROUND**

Prior to 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 Some provisions of those 1995 rules had been superseded by changes in state law.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 changes to the *Commissioner's Handbook* are described as follows:

Rosenberg's Rules of Order.<sup>i</sup> 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.<sup>ii</sup> 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 to publicly state a reason 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 using this method; a vote by the commission is needed to continue the same item a second time (subject to any legal limitations).

Present and voting.<sup>iii</sup> 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 the commissioner will be listed as: not voting; or abstaining – particularly if due to a stated conflict of interest.

Review of written materials / oral presentations.<sup>iv</sup> After agenda materials are distributed, commissioners remain encouraged to ask staff 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." And, under state open meeting laws, materials provided to the entire commission before a meeting must also be made available to the public.

Public hearing / comment.<sup>v</sup> During the public hearing or public comment period for an agenda item, commissioners still can ask technical or clarifying questions of speakers, each other, or staff. The handbook has now been amended to provide 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." Opinions and debate are to occur during the later Commission Deliberation and Action period.

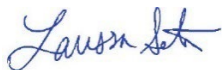
Matters initiated by commission for discussion / action.<sup>vi</sup> This section has been streamlined to retain the ability for a commissioner to obtain information from staff, or have an item placed on a future agenda if a majority of the commission present agrees.

Chairperson applies rules. 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.<sup>vii</sup>

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 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. *Commissioner's Handbook* (Nov. 2022)
2. Rosenberg's Rules of Order Cheat Sheet

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

<sup>ii</sup> See page 36.

<sup>iii</sup> See pages 34-35.

<sup>iv</sup> See page 31.

<sup>v</sup> See page 32.

<sup>vi</sup> See pages 25 and 27.

<sup>vii</sup> See pages 28-30 and also see Rosenberg's Rules of Order page 2., The Role of the Chair.