

CITY OF YUBA CITY  
STAFF REPORT

**Date:** November 5, 2019

**To:** Honorable Mayor & Members of the City Council

**From:** Administration

**Presentation By:** Terrel Locke, Assistant to the City Manager

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Summary

**Subject:** Rules and Regulations Governing City Council Meetings

**Recommendation:**

- A. Adopt an Ordinance amending the Yuba City Municipal Code Sections 2-1.01 through 2-1.06 of Chapter 1 Pertaining to the Rules and Regulations Governing City Council Meetings, and waive the second reading
- B. Adopt a Resolution setting the Order of Business and Parliamentary Procedures for City Council Meetings

**Fiscal Impact:** None.

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Purpose:

To provide the City Council with flexibility in the business administration of their meetings.

Background:

The City Council requested that an ordinance be brought for their consideration to amend the Municipal Code regarding the rules and regulations governing City Council Meeting in order to provide flexibility to manage the order of business on the Council agendas and parliamentary procedures.

The last ordinance that was adopted amending this section of Chapter 1 was Ordinance No. 006-91 adopted in May 1991.

Analysis:Ordinance Amendment

- *Section 2-1.02 "Order of Business.* This section is being recommended to be repealed in its entirety and designated as reserved.
- *Section 2-1.04 "Rules of Conduct".* This section is being recommended to be repealed in its entirety and designated as reserved. The current Rules of Conduct have the following categories:
- Other minor changes are being proposed in support of the above changes and to clarify language. These updates are highlighted in Attachment A – Ordinance Pertaining to the Rules and Regulations Governing City Council Meetings.

Resolution

The attached resolution provides an outline for a revised Order of Business for City Council meeting agendas to replace the order of business that was included in the Municipal Code that is being repealed.

The proposed resolution also provides for the implementation of Rosenberg's Rules of Order (Attachment 3) for the parliamentary procedures. These procedures are less complicated than Roberts Rules of Order and are recommended by the League of California Cities.

**Fiscal Impact:**

None.

**Alternatives:**

1. Provide Staff with direction for modifying the Council's preference for "Order of Business".
2. Provide staff with direction for Council's alternate preference of Parliamentary Procedures".

**Recommendation:**

- A. Adopt an ordinance amending the Yuba City Municipal Code Sections 2-1.01 through 2-1.06 of Chapter 1 Pertaining to the Rules and Regulations Governing City Council Meetings, and waive the second reading
- B. Adopt a resolution setting the Order of Business and Parliamentary Procedures for City Council Meetings

Attachments:

1. Ordinance pertaining to the rules and regulations governing City Council Meetings
2. Resolution adopting guidelines for the Order of Business governing City Council Meeting
3. Rosenberg's Rules of Order

Prepared By:

*/s/Terrel Locke*

Terrel Locke  
Assistant to the City Manager

Submitted By:

*/s/ Michael Rock*

Michael Rock  
City Manager

Reviewed by:

City Attorney

SLC by email

# ATTACHMENT 1

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
AMENDING SECTIONS 2-1.01 THROUGH 2-1.06 OF CHAPTER 1 OF TITLE 2  
OF THE YUBA CITY MUNICIPAL CODE, PERTAINING TO THE RULES AND  
REGULATIONS GOVERNING CITY COUNCIL MEETINGS**

WHEREAS, the City Council of the City of Yuba City has adopted an ordinance for the content of agendas, conduct of meetings, and other procedures, rules, and regulations regarding the time, place, manner and decorum of City Council meetings; and

WHEREAS, to improve efficiency in the legislative process, including access to current information, and to allow flexibility in making needed changes, the City Council desires to amend the Yuba City Municipal Code in part and to repeal and move sections regarding certain rules and procedures which require frequent changes that can be more easily addressed by Resolution if necessary, which is more efficient; and

WHEREAS, the City Council desires to update the above-referenced sections from the Municipal Code.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Yuba City does ordain as follows:

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** Subsection (a) of Section 2-1.01 “Meetings”, of Chapter 1 of Title 2 of the Yuba City Municipal Code is hereby amended to read in its entirety as follows:

Section. 2-1.01. - Meetings.

- (a) *Regular meetings.* Regular meetings of the Council shall be held **without notice** on the first and third Tuesdays of each month. The meetings shall be held in the Council Chambers in the City Hall of the City of Yuba City, California or at such other place as the Council may, from time to time, prescribe. In the event a Tuesday falls upon a legal holiday, the regular meeting which otherwise would have occurred on that date shall be held on the first business day thereafter. In the event that Christmas Eve and/or New Year's Eve falls on a Tuesday the regular meeting, which otherwise would have occurred on that day, shall be held on the first business day which is not a holiday thereafter. Meeting commencement times shall be set by a resolution of the City Council.

**Section 3** Section 2-1.02 “Order of business”, of Chapter 1 of Title 2 of the Yuba City Municipal Code, is hereby repealed in its entirety and that Section designated as “reserved.”

**Section 4.** Section 2-1.03 “Agenda/posting—Action on other matters”, of Chapter 1 of Title 2 of the Yuba City Municipal Code, is hereby amended to read in its entirety as follows:

Section 2-1.03 Agenda/posting—Action on other matters

The City Manager shall cause to be prepared an agenda of the Council meeting **~~which shall be prepared in accordance with the order of business as provided for~~**

**Section 2-1.02 above.** A copy of said agenda shall be furnished to each member of the Council, the City Clerk and the City Attorney at least 24 hours prior to the Council meeting.

At least 72 hours before a regular meeting the City Manager or his or her designee shall post the agenda which shall contain a brief general description of each item of business to be transacted or discussed at the meeting. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public. No action shall be taken on any item not appearing on the posted agenda.

Notwithstanding the above, the Council may take action on items of business not appearing on the posted agenda under any of the following conditions:

- (a) Upon a determination by a majority vote of the Council that an emergency situation exists as defined in the public meeting law (Government Code § 54956.2(b)(1));
- (b) Upon a determination by a two-thirds vote of the Council or if less than two-thirds of the Council members are present, a unanimous vote of those members present that the need to take action arose subsequent to the agenda being posted; and
- (c) The item was posted as hereinbefore required for a prior meeting of the Council occurring not more than five calendar days prior to the date action is taken on the item and at the prior meeting the item was continued to the meeting at which action is being taken.

**Section 5.** **Section 2-1.04 “Rules of Conduct”, of Chapter 1 of Title 2 of the Yuba City Municipal Code, is hereby repealed in its entirety and that Section designated as “reserved.”**

**Section 6.** Section 2-1.05 “Rules of Decorum” of Chapter 1 of Title 2 of the Yuba City Municipal Code, is hereby amended read in its entirety as follows:

Section. 2-1.05. - Rules of decorum.

While the Council is in session, the chair shall preserve order and decorum. No person in attendance shall either by conversation or otherwise delay or interrupt the proceedings or the peace of the Council or disturb either any Council member or any member of the public while speaking nor refuse to obey the orders of the Council of the presiding officer except as otherwise provided. Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Council shall be forthwith by the presiding officer barred from further audience before the Council unless permission to continue shall be granted by a majority vote of the Council. All persons addressing the Council shall step to the designated podium and **the Council may request the person addressing the Council to shall** give his or her name **and address** in an audible tone of voice for the record. All remarks shall be addressed to the Council as a body and not to any member thereof. No person other than the Council and the person having the floor shall be permitted to enter into any discussion either directly or through a member of the Council without the permission of the chair. No question shall be asked a Council person except through the chair. Every person in attendance desiring to speak shall address the chair and, upon recognition by the chair, shall confine himself/herself to the question under debate avoiding all personalities and indecorous language. Any person in attendance, once recognized by the chair, shall not be interrupted when speaking unless it shall be to call him/her to order or as otherwise here and before provided. If a

person, while speaking, shall be called to order he/she shall cease speaking until the question of order shall be determined and if in order he/she shall be permitted to proceed. A Council person may request, through the chair, the privilege of having a written abstract of his/her statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

**Section 7.** Section 2-1.06 "Approval of legislation and contract", of Chapter 1, of Title 2 of the Yuba City Municipal Code is hereby amended to read in its entirety as follows:

Sec. 2-1.06. - Approval of Legislation and Contract.

- (a) *Preparation of ordinances.* All ordinances shall be prepared or approved as to the form by the City Attorney. No ordinance shall be prepared for presentation to the Council unless ordered by a majority vote of the Council or requested in writing by the City Manager or his/her designee.
- (b) *Prior approval.* All ordinances and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his or her authorized representative and shall have been examined and approved for the administration by the City Manager or his or her authorized representative when there are substantive matters of administration involved.

~~(c) *Introducing for passage or approval. Ordinances, resolutions, and other matters or subjects requiring action by the Council shall be introduced and sponsored by a member of the Council; provided, however, the Mayor, City Manager or his/her designee, or City Attorney may present ordinances, resolutions, and other matters or subjects to the Council, and any Council member may assume sponsorship thereof by moving that such ordinances, resolutions, matters, or subjects be adopted; otherwise, they shall not be considered.*~~

**Section 8.** If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

**Section 9** This ordinance shall be effective thirty (30) days after its adoption and shall be published as provided for by law.

Introduced and read at a regular meeting of the City Council of the City of Yuba City the 15<sup>th</sup> day of October 2019, and adopted at a regular meeting thereof held on the 5<sup>th</sup> day of November 2019, by the following vote:

AYES:

NOES:

ABSENT:

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Shon Harris, Mayor

ATTEST:

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Patricia Buckland, City Clerk

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY:

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Shannon L. Chaffin, City Attorney  
Aleshire & Wynder, LLP

# ATTACHMENT 2



**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
ADOPTING GUIDELINES FOR THE ORDER OF BUSINESS AND  
PARLIAMENTARY PROCEDURES GOVERNING  
CITY COUNCIL MEETINGS**

**WHEREAS**, it is necessary to provide for the orderly and efficient conduct of meetings of the City Council; and

**WHEREAS**, it is desirable to ensure advance notice to all interested persons of matters to be considered by the City Council.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Yuba City as follows:

**A. ORDER OF BUSINESS**

The business of the Council shall be taken up for consideration and disposition in the following order:

- Closed Session
- Call to Order
- Roll Call
- Invocation/Inspiration
- Pledge of Allegiance
- Agenda Modifications/Approval of Agenda
- Reports and Communications
  - City Attorney Report on Closed Session
  - City Manager Report
  - City Council AB 1234 Reports
- Ceremonial Presentations
- Public Communications/Comments
- Consent Items
- Business-Discussion Items
  - Public Hearings
  - Ordinances
  - General Items
- Future Agenda Items
- Adjournment

**B. PARLIAMENTARY PROCEDURES**

The procedures for the meetings of the City Council shall be governed by Rosenberg's Rules of Order.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on November 5, 2019 by the following vote:

AYES:

NOES:

ABSENT:

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ATTEST:

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Shon Harris, Mayor

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Patricia Buckland, City Clerk

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY

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Shannon Chaffin, City Attorney  
Aleshire & Wynder, LLP

# ATTACHMENT 3

# Rosenberg's Rules of Order at a Glance

## The Three Basic Motions

*Simple majority to pass / open to debate*

**Basic Motion:** "I move that we..."

**Motion to Amend:** suggests changes to the basic motion.

**Motion to Substitute:** replaces the basic motion entirely.

## Special Motions

*Simple majority to pass / no debate, goes directly to vote*

**Motion to Adjourn:** ends the meeting.

**Motion to Fix a Time to Adjourn:** ends the meeting at a set time.

**Motion to Recess:** break in the meeting. Chair sets length of the break.

**Motion to Table:** defers the motion under discussion to a future date.

## Motions that Permanently Close Discussion

*2/3 majority to pass / no debate, goes directly to vote*

**Motion to Limit Debate:** stops debate. "I move the question."

**Motion to Close Nominations:** stops new nominations for a position.

**Motion to Object to the Consideration of a Question:** rare, stronger form of tabling. Used before debate has begun.

**Motion to Suspend the Rules:** temporarily changes meeting rules. Cannot be used to suspend non-parliamentary bylaws. Can be debated.

## Meeting Interruptions

*May be used at any time. Chair responds by asking you to state your point.*

**Point of Privilege:** points out uncomfortable surroundings, like a cold room or being unable to hear a speaker.

**Point of Order:** points out failure to follow correct meeting procedures.

**Call for Orders of the Day:** points out that the discussion has strayed from the agenda.

**Appeal:** reverses a Chair's ruling when passed by simple majority. Requires a second and can be debated.

**Withdraw a Motion:** used by the person making the motion. Others may immediately reintroduce the motion if they wish.

## Motion to Reconsider

*Simple majority to pass / open to debate*

May only be made by a member who previously voted in the majority for the item. Must be made during the same meeting (or at the very next meeting, assuming it's been added to the agenda).

## Life of a Motion

1. Chair announces item subject and number
2. Sponsor introduces item
3. Board asks technical questions for clarification purposes
4. Public comment on the item
5. Chair asks for motion
6. Chair asks for second
7. Board debates motion
8. Board votes
9. Chair announces result

## Notes:

- All motions require a second before they can be voted upon.
- You must be recognized by the Chair before speaking.
- Chair may set limits on debate time or number of speakers.
- Abstentions don't count in vote tally.
- A tie vote fails to pass.
- To recuse, publicly state reason for recusal and leave room during debate and vote.

*Rosenberg's Rules of Order:*  
Simple Parliamentary  
Procedures for the 21st Century





## MISSION:

*To restore 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 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 educational conferences and research, and publishes *Western City* magazine.

### About *Western City* Magazine

*Western City* is the League of California Cities' monthly magazine. *Western City* provides lively, interdisciplinary analyses of issues affecting local governance. Its goal is to offer immediately practical ideas, information and bigger-picture policy issues and trends. For more information, visit [www.westerncity.com](http://www.westerncity.com).

"Rosenberg's Rules of Order" first appeared in *Western City* magazine in August and September 2003.

### About the Author

Dave Rosenberg is an elected county supervisor representing the 4th District in Yolo County. He also serves as director of community and intergovernmental relations, director of operations, and senior advisor to the governor of California. He has served as a member and chair of numerous state and local boards, both appointed and elected, and also served on the Davis City Council for 12 years, including two terms as mayor. He has taught classes on parliamentary procedure and has served as parliamentarian for large and small governing bodies. In the fall of 2003, Gov. Davis appointed Rosenberg as a judge of the Yolo County Superior Court.

# Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century

by Dave Rosenberg

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that hasn't 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 purpose. If you are running the British Parliament, *Robert's Rules of Order* is a dandy and quite useful handbook. On the other hand, if you're running a meeting of 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."

This publication covers the rules of parliamentary procedure based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified and slimmed down for 21st century meetings, yet they retain the basic tenets of order to which we are accustomed.

"Rosenberg's Rules of Order" are supported by the following four principles:

- 1. Rules should establish order.** The first purpose of the 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 citizens feel they have been able to participate in the process.

- 4. Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of the rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, the 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) and fully participate in the process.

## The Chairperson Should Take a Back Seat During Discussions

While all members of the governing body should know and understand the rules of parliamentary procedure, it is the chairperson (chair) who is charged with applying the rules of conduct.

The chair should be well versed in those

rules, because the chair, for all intents and purposes, makes the final ruling on the rules. In fact, all decisions by the chair are final unless overruled by the governing body itself.

Because the chair conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the body in debates and discussions. This does *not* mean that the chair should not participate in the debate or discussion. On the contrary, as a member of the body, the chair has full rights to participate in debates, discussions and decision-making. The chair should, however, strive to be the last to speak at the discussion and debate stage, and should not make or second a motion unless he or she is convinced that no other member of the body will do so.

## The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, 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 road map for the meeting. And 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 subject is. The chair should then announce the format that will be followed.

**Second**, following that agenda format, the chair should invite the appropriate people to report on the item, including any recommendation they might have. The appropriate person may be the chair, a member of the governing body,

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There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire to move on.

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a staff person, or a committee chair charged with providing information about the agenda item.

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

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

**Fifth**, the chair should invite a motion from the governing body members. The chair should announce the name of the member 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 who seconds the motion. It is normally good practice for a motion to require a second before proceeding with it, 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 a vote on the 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 members of the governing body. If there is no desired discussion or the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or a very brief discussion, the vote should proceed immediately, and there is no need to repeat the motion. If there has been substantial discussion, it is normally best to make sure everyone understands the motion by repeating it.

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Debate on policy is healthy; debate on personalities is not. The chair has the right to cut off discussion that is too personal, too loud or too crude.

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**Ninth**, the chair takes a vote. Simply asking for the “ayes” and then the “nays” is normally sufficient. 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), a simple majority determines whether the motion passes or is defeated.

**Tenth**, the chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members, 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 10 days’ notice for all future meetings of this governing body.”

### Motions in General

Motions are the vehicles for decision-making. It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus on the motion before them.

Motions are made in a simple two-step process. First, the chair recognizes the member. Second, the member 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 10 days’ notice in the future for all our meetings.”

The chair usually initiates the motion by:

1. Inviting the members to make a motion: “A motion at this time would be in order.”
2. Suggesting a motion to the members: “A motion would be in order that we give 10-days’ 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 normally should do so only if he or she wishes a motion to be made but no other member seems willing to do so.

### The Three Basic Motions

Three motions are the most common:

1. **The basic motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”
2. **The motion to amend.** If a member wants to change a basic motion that is under discussion, he or she 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.



**3. The substitute motion.** If a member wants to completely do away with the basic motion under discussion and put a new motion before the governing body, he or she 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 so is their effect, if passed.

A motion to amend seeks to retain the basic motion on the floor, but to 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 that if a member makes what that member calls a motion to amend, but the chair determines it is really a substitute motion, the chair's designation governs.

### When Multiple Motions Are Before The Governing Body

Up to three motions may be on the floor simultaneously. The chair may reject a fourth motion until the three that are on the floor have been resolved.

When two or three motions are on the floor (after motions and seconds) at the same time, the *first* vote should be on the *last* motion made. So, 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 *passes*, 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 complete. No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) *failed*, the chair would proceed to consideration of the second (now the last) motion on the floor, the motion to amend.

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 now move to consider the main motion (the first motion) as *amended*. If the motion to amend failed, the chair would now move to consider the main motion (the first motion) in its original format, not amended.

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## The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items.

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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). And 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):

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

**A 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 range from a few minutes to an hour. It requires a simple majority vote.

### A 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.

**A 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 may 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 may 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.

**A 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 for the question." When a member of the body makes such a motion, 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 to the motion, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body. Note that 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

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 occur when the body is taking an action that 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," "I move the question," "I call for 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.

pend 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.

### 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 reconsider is made.

A motion to reconsider requires a majority vote to pass, 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 or at the very next meeting of the body. 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 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 the 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.

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## If you are running the British Parliament, Robert's Rules of Order is a dandy and quite useful handbook.

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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, decisions are made with a simple majority vote. 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

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary, because 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 sus-

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. And 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

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It is usually best to have a motion before the governing body prior to discussing an agenda item, to help everyone focus.

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lege 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

**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 here 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.

Public input is essential to a healthy democracy, and community participation in public meetings is an important element of that input. The challenge for anyone chairing a public meeting is to accommodate public input in a timely and time-sensitive way, while maintaining steady progress through the agenda items. The rules presented here for conducting a meeting are offered as tools for effective leadership and as a means of developing sound public policy. ■

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Motions to amend and substitute motions are often confused. But they are quite different, and so is their effect, if passed.

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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 focus on the item and the policy in question, not on 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, too loud or 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 privi-

lege 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, "Let's 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.

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