

RESOLUTION NO. 3736

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BARTLESVILLE
ADOPTING COUNCIL MEETING RULES OF PROCEDURE AND REPEALING
ALL OTHER EXISTING MEETING RULES OF PROCEDURE.**

WHEREAS, the City Council wishes to adopt new, comprehensive rules of procedure for its meetings; and

WHEREAS, the City Council has met to discuss this topic numerous times; and

WHEREAS, the attached rules represent the spirit and intent of those discussions; and

WHEREAS, the City Council wishes to repeal all previously adopted Council rules and be governed solely by these new rules.

NOW THEREFORE, BE IT RESOLVED that the Bartlesville City Council does hereby adopt the attached meeting rules in their entirety.

BE IT FURTHER RESOLVED that all previously adopted Council rules relating to the conduct of City Council meetings be repealed.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Bartlesville, Oklahoma, held the 7th day of April 2025.

City of Bartlesville

LSCL

Mayor

Jason M...

City Clerk



CITY COUNCIL MEETING RULES OF PROCEDURE

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1. Authority

These rules of procedure are established for the effective and fair conduct of City Council meetings and to help promote public confidence in the integrity of local government. By adopting these rules, the City Council intends to balance a policy of public involvement in local government and efficient conduct of its business meetings. In support of and respect for an open, fair, transparent and informed decision-making process, the Bartlesville City Council recognizes:

- Civil, respectful, and courteous behavior are an important part of the democratic and decision-making process; and
- Uncivil discourse and/or discourteous and inappropriate behavior have a negative impact on the character and productivity of the decision-making process; and
- To preserve the intent of open government and maintain a positive environment for citizen input and Council decision-making, the following City Council Meeting Rules have been established.

1.1 General Authorities and Applicability

1.1.1 The Charter of the City of Bartlesville provides that the city council shall determine its own council meeting rules. Until such time as they are amended or new rules are adopted by resolution, these rules govern the order and conduct of business of the City Council, legislative bodies that meet concurrently with the council, council committees, and council-established boards, commissions, authorities, and committees. Ad hoc committees are not subject to these rules.

1.1.2 These rules are applicable to council-established boards, commissions, and committees, as well as to the persons sitting on those boards, commissions, authorities, and committees. Those council-established boards, commissions, and committees that are authorized to adopt rules of procedure shall adopt rules that are consistent with these Rules and may not be in conflict with the Charter of the City of Bartlesville, Bartlesville Municipal Code, the Constitution, or laws of the State of Oklahoma.

1.2 General Administration

1.2.1 The council shall review and revise these rules at least annually, or as needed.

1.2.2 During council discussions, deliberations, and proceedings, the presiding officer has the primary responsibility to ensure that the council, staff, and members of the public adhere to these rules.

1.2.3 Any council member who thinks the rules are being violated may make a "point of order"

to call for the presiding officer to enforce the rules.

1.3 Amendment

Any rule may be adopted, altered, amended, or repealed by resolution at any time by a majority vote of the council, provided that it is placed on an agenda in accordance with these rules.

1.4 Rosenberg's Rules of Order

To the extent these rules do not address an issue of parliamentary procedure for legislative body meetings, *Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century, Revised 2011* shall apply.

2. **Purpose**

The purpose of these rules is to document the City Council's accepted practices and to clarify expectations by establishing guidelines for the orderly, consistent, and fair conduct of the City Council's business.

These rules of procedure are intended to help implement, but do not limit or supersede, the state and local laws that govern the requirements and responsibilities for the City Council's meetings. Those laws include but are not limited to the Open Meetings Act, Open Records Act, Bartlesville Municipal Charter, and Bartlesville Municipal Code.

These rules of procedure are not intended to limit the inherent power or the general legal authority of the City Council, and failure to follow these rules will not invalidate a City Council action.

3. **Applicability**

These rules of procedure apply to the preparation, posting, and distribution of the agendas for City Council meetings. They also relate to the orderly discussion of items and the City Council's voting procedures to take formal action or provide direction to staff.

4. **Presiding Officer**

The mayor is the presiding officer for each meeting of the City Council that the mayor attends. In the mayor's absence, the vice mayor shall be the presiding officer for the meeting when the vice mayor is present. In the absence of both the mayor and the vice mayor, the council members present at the meeting shall select a presiding officer.

The presiding officer shall have the mayor's duties and responsibilities for conducting City Council meetings.

5. Mayoral Duties and Responsibilities

The mayor is elected by a majority of the City Council. The mayor is a member of the City Council and has all the powers of a council member. The mayor enjoys, and shall not be deprived of, any rights and privileges as a council member. Additionally, the mayor shall have all the powers and duties granted by the Bartlesville Municipal Charter and Bartlesville Municipal Code.

5.1 Appointment of Vice Mayor and Vice Mayor Duties and Responsibilities

The vice mayor shall be elected by a majority of the City Council. The vice mayor is a member of the City Council and has all the powers of a council member. The vice mayor enjoys, and shall not be deprived of, any rights and privileges as a council member.

If the mayor is absent or unable to act, the vice mayor shall then serve for the mayor, and shall have all of the powers and duties of the mayor until such time as the mayor returns or is again able to act.

5.2 Appointments to Authorities, Boards, Commissions, Authorities, and Committees

The council shall appoint its own members to designated committees by majority action of the council in accordance with the council policy related to such appointments. The council shall also appoint other committee members as authorized by the rules of each committee and the council policy related to such appointments.

5.3 Seats on the Dais

The mayor shall sit at the center of the dais for all City Council meetings. If the mayor is absent, the presiding officer shall sit at the center of the dais.

In December of each year, the remaining seats on the dais shall be filled moving outward from the mayor's seat by the vice mayor with remaining seats to be filled in order of seniority with any ties to be decided by random action at the mayor's discretion.

5.4 Mayor's and Council Offices at City Hall

Neither the mayor nor any City council member shall be provided an office at City Hall. Meeting rooms are available for the use of council members on a first come, first served basis.

5.5 Conducting Meetings

The mayor's duties and responsibilities for conducting City Council meetings as the presiding officer are as follows:

5.5.1 Call to Order

The mayor shall call the meeting to order at the appointed time. If both the mayor and the vice mayor are absent, then the City Attorney or City Manager shall call the meeting to order and the council members present shall then select a presiding officer for that meeting.

5.5.2 Preservation of Order

The mayor shall preserve order and decorum, and shall discourage personal, verbal attacks on council members, staff, and/or members of the public, but shall not prohibit criticisms of the policies, procedures, programs, or services of the City. The mayor shall confine debate to the item under discussion. Any council member may call for a point of order if they observe a violation of these rules, and the mayor shall address the situation. See also Section 10 for Rules of Behavior.

5.5.3 Questions of Parliamentary Procedure

The mayor shall determine all questions of parliamentary procedure in consultation with the City attorney who shall serve as the Council's official parliamentarian.

5.5.4 Reordering of Agenda

The mayor may reorder the items on the agenda for a noticed meeting.

5.5.5 Motion to Be Stated and Roll Call Votes

The mayor, or the council member who made the motion, shall state all motions submitted for a vote by the City Council; and the mayor or the City clerk shall announce the result of the vote. A roll call vote shall be for all council actions.

6. General Rules – City Council Meetings

City Council meetings shall be open to the public, but the public shall be excluded from executive sessions as authorized by state law.

City Council meetings shall be open to the media, but the media shall be excluded from executive sessions as authorized by state law.

City Council meetings may be recorded by the public and the media in accordance with Section 10.1.5, provided such recordings do not interfere with orderly conduct of the meetings and do not constitute a persistent disruption of the proceedings.

6.1 City Council Meeting Schedule

Each December, an annual calendar for the regular meetings of the council shall be posted in accordance with the charter.

6.2 Quorum

The presence of three council members shall constitute a quorum of the City Council necessary to transact business at a meeting. In the event a quorum is not in attendance, those attending the meeting will be named in the minutes, and they shall continue the meeting to a set date, time, and location. If all council members are absent, the City manager or City attorney shall continue the meeting to a set date, time, and location.

6.3 Absences

6.3.1 Absence

If a council member is absent for any reason other than illness from all City Council meetings for three (3) consecutive months, his or her office becomes vacant and shall be filled as any other vacancy in accordance with the Bartlesville Municipal Charter.

6.3.2 Absentee Participation

State law generally does not permit absent council members to attend meetings remotely. Additionally, absent council members are discouraged from communicating their opinions on agenda items to staff or to other council members to convey at the council meeting on behalf of the absent council member.

6.4 Types of Meetings

6.4.1 Regular Meetings

The City Council shall meet in the City Council Chambers at City Hall, 401 S. Johnstone Avenue, for all regular City Council meetings. The regular meetings shall begin at 5:30 p.m. on the first Monday of each month, unless otherwise specified by posted notice.

6.4.2 Special Meetings

Special meetings may be called by the mayor, the City manager, or by a majority of council members. The call and notice for a special meeting must specify the items to be considered and the date, time, and location for the meeting.

The City Council may take final action at a special meeting that is not a workshop.

6.4.3 Special Meeting Workshops

The City Council may meet informally in special meetings designated as workshops that are called by the mayor, the City manager, or by a majority of Council members. Workshops are special

meetings intended for: training purposes, team building, strategic planning, to receive briefings and background information, and hold general discussions on major issues before City Council action is required. Special meeting workshops are also intended for the City Council to work with staff to develop administrative items such as the budget, for the City Council to receive public input on matters of community wide concern, and for similar activities.

Workshops are open to the public and are meetings for purposes of the Open Records Act. The City Council may provide direction, but unlike other special meetings the City Council may not take a final action at a workshop.

6.4.4 Executive Session Meetings

Executive sessions may only be held as authorized by state law and shall be held in accordance with the provisions of the Open Meetings Act. Executive sessions will typically be held at the end of another meeting but may be called as a special meeting.

After meeting in executive session, the City Council shall reconvene in open session and the presiding officer shall confirm that in accordance with state law, no action was taken.

6.4.5 Concurrent Meetings

As the council members are also the members of authorities, boards, commissions, authorities, and committees, the City Council may concurrently convene the meetings of the City and such other bodies as may be required for the efficient execution of the business of the City.

Joint meetings of the City Council and any other legislative body or bodies shall be noticed as a meeting for each body.

6.4.6 Teleconferenced Meetings

State law on teleconferenced meetings is extremely impractical and inefficient. As such, no such meetings shall be held under current State law.

6.4.7 Continued Meetings

Any meeting of the City Council may be continued to a later date. Such continuation shall not require additional notice, but the date, time, and location of the continued meeting shall be announced during the motion to continue the meeting.

6.4.8 Emergency Meetings

If the mayor, City manager, or at least three council members determine that a catastrophic event has caused an emergency situation to exist as defined by law, then the City Council may

immediately hold an emergency meeting in accordance with the Open Meetings Act.

6.4.9 City Council Committees

The City Council and City manager may form ad hoc City subcommittees that do not have final decision-making authority. Ad hoc City subcommittees comprised solely of less than a quorum of the City Council and that are limited to both a defined task and a duration are not subject to the Open Meetings Act.

The City Council may form standing City Council subcommittees by either resolution or ordinance.

City Council standing subcommittees comprised of less than a quorum of the City Council and having other members, shall comply with the Open Meetings Act and follow these rules of procedure.

6.4.10 Votes

Votes of the City Council shall be conducted by public roll call only. Committees may use other methods to call votes. Council members may recuse themselves from discussion and voting based on conflicts as identified in our Council Code of Ethics. State law does not recognize votes to abstention, and any vote to abstain shall be counted as a "No" vote.

6.5 Notice and Agenda Posting

The City clerk shall post the notices and agendas for each City Council meeting in the bulletin board in front of City Hall and on the City's website.

6.5.1 Regular Meetings

It is the City Council's expectation that the agendas for regular meetings should be posted at least 24 hours prior to the meeting in accordance with the Open Meetings Act, and that agenda packets shall be delivered to the City Council at least six (6) days before the meeting dates.

6.5.2 Special Meetings and Workshops

Notice of the call for a special meeting must be sent to each council member at least 2 business days before the special meeting. Notice shall also be posted at least 2 business days prior to the meeting in accordance with the Open Meetings Act. Agendas must be posted at least 24 hours before the special meeting date. Agenda packets shall be provided to the council as far in advance of the meeting as is reasonably possible.

6.6 No Surprises Rule

The council and City staff shall engage in honest, open communications about City business. As such, whenever possible, the council and staff shall use a "No Surprises Rule." All questions, concerns, comments, documents, research, etc., shall be shared openly, equally, and in accordance with all applicable laws between the City manager and City Council. While the council is not prohibited from asking questions that were not communicated prior to a council meeting, council members are encouraged to communicate all questions as far in advance of the meeting as is practical.

6.7 Actions Limited to Posted Agendas

The City Council shall not discuss or take action on any item not appearing on the posted notice or agenda for that meeting. However, council members and staff may make brief announcements, statements, or reports at a time indicated on the agenda.

The City Council may take action on items not appearing on the agenda only in the following situations:

- a. If an emergency situation (as defined by law) exists; or
- b. If there is a need for immediate action that came to the City's attention after the agenda was posted, action may be taken only at regular meetings under the agenda item titled new business as permitted by the Open Meetings Act.

6.8 Maximum Length of Council Meetings

All council meetings shall be adjourned within two and a half (2.5) hours of their start time. In the event that the entire council participates in one or more consecutive, official meetings where the entire council serves as the board, then the final consecutive meeting shall adjourn within three hours of the start time of the first meeting. These meetings may be extended beyond the time limit by a majority of the council for an additional 30 minutes to allow for final agenda items to be decided. At the conclusion of this time limit, the meeting shall be continued in accordance with section 6.4.7 of these rules.

6.9 Minutes

6.9.1 All Proceedings Recorded

An account of all open meetings of the City Council shall be recorded, and minutes prepared, by the City clerk or designee. After the City Council approves the meeting minutes, the City clerk shall enter them into official minute books of the City Council.

6.9.2 Official Record of the Meeting

City Council meetings, which are open to the general public, are recorded by electronic means, however, audio and video tapes of such City Council meetings are not the official record of those

meetings. The approved minutes constitute the only official record.

6.10 Staff Attendance

6.10.1 City Manager

The City manager, or designee, shall attend all City Council meetings. The City manager may make recommendations and shall have the right to take part in all discussions of the City Council, but shall have no vote.

6.10.2 City Attorney

The City attorney, or designee, shall attend all City Council meetings unless excused by the Mayor. Upon the City Council's request, the City attorney shall provide opinions and recommendations, either written or oral, on questions of law and procedure.

6.10.3 City Clerk

The City clerk, or designee, shall attend all City Council meetings open to the general public. The City clerk shall record, prepare, and maintain the official record of such City Council's proceedings and perform other related duties as may be prescribed by the City manager.

6.10.4 Department Heads/Employees

Department directors and employees shall attend City Council meetings as directed by the City manager.

6.10.5 Security

The chief of police, or designee, serves as security and will attend City Council meetings as directed by the City manager.

6.11 Meetings That Are Not Subject to the Open Meetings Act

A quorum of the City Council may attend conferences and similar gatherings, open community meetings organized by a person or organization other than the City Council, open and noticed meetings of another legislative body other than a City advisory body, and social and ceremonial gatherings without complying with the notice and agenda requirements in these rules of procedure, provided that the council members do not discuss among themselves business of a specific nature that is within the City's subject matter jurisdiction.

Meetings of an ad hoc City subcommittee are not subject to these rules of procedure unless the mayor or City Council expressly state that the committee shall follow these rules.

Briefings of less than a quorum of the City Council are not subject to these rules of procedure.

6.12 Televised Meetings

City Council meetings held in the council chambers are generally telecast via local television and available via streaming video on the City's official website and recorded for later viewing. Other standing committee, board, commission, and authority meetings held in the council chambers may be televised using the same technology but are not required. Meetings held outside of the council chambers shall not typically be televised.

7. Development of Agenda

The City manager, with approval from the mayor, is responsible for preparing the City Council's meeting agenda. Items may also be placed on an agenda for City Council consideration in the following ways: by direction of the mayor; by direction of the City manager, by direction of the City attorney in consultation with the City manager; or by direction of a council member.

The agenda shall contain a brief general description of each item of business to be transacted or discussed, including any items to be discussed in executive session.

8. Order of Business – Regular Meetings

The usual order of business for Council meetings shall be as follows:

1. Call to Order
2. Roll Call
3. Invocation Provided by Ministerial Alliance
4. Public Comment on Agenda Items
5. City Council Announcements and Proclamations
6. Authorities, Boards, Commission, and Committee Openings Announcement
7. Consent Agenda
8. Public Hearings
9. Agenda Items
10. New Business (only permitted at regular meetings)
11. City Manager and Staff Reports
12. City Council Comments and Inquiries
13. Adjournment

8.1 Call to Order and Roll Call

The beginning of the meeting is reserved for bringing the meeting to order. The mayor shall call to order the business meeting of the City Council. The City clerk shall note the time the meeting was called to

order for the official record. After calling the meeting to order, the mayor shall request a roll call from the City clerk to determine if a quorum of the council is present.

8.2 Invocation

The invocation shall be provided by the Bartlesville Ministerial Alliance. If no invocation is provided by the Ministerial Alliance, then the mayor may request that a member of the council or public provide the invocation.

8.3 Public Comment on Agenda Items

As further defined in Section 9 of these rules, the public may provide comments on agenda items during this section. The public must sign up in advance of the start of the meeting and must declare which agenda item(s) for which they wish to make comment. This section is limited solely to comment on agenda items. By state law, the council may not engage in conversation or answer questions during this item.

8.4 City Council Announcements, Proclamations, and Openings

This section of the meeting is reserved for announcements and proclamations by the council. Proclamations are ceremonial documents issued at the discretion of the mayor. They provide an opportunity for the council to recognize exceptional events, organizations, and people and to increase public awareness of issues having community-wide significance to the City of Bartlesville. Proclamations will be issued in accordance with the Proclamation Guidelines identified in our Council Handbook.

8.5 Consent Agenda

The Consent Agenda is an efficient means of approving routine items of City business without discussion or debate. Any item on the consent agenda may be removed by a council member for further discussion, but all items remaining on the consent agenda are to be approved by a single motion and vote. (It is strongly suggested that any item to be pulled be communicated to the City manager as far in advance of the meeting as possible, so the City manager may ensure that the appropriate staff are present to answer council questions.) Items removed may be further discussed before action is taken. The consent agenda does not need to be read in full before taking action as all items on the agenda are clearly stated and available for both the public and Council.

Consent agenda approval process:

1. Mayor announces that the Consent Agenda is to be considered.
2. Mayor asks council if they would like to remove anything from the consent agenda.
3. Mayor calls for a motion to approve the remainder of the consent agenda.
4. After approval of consent agenda, mayor opens discussion on any items that were removed.

5. After discussion, removed consent agenda items are approved individually or as a group by standard motion.

8.6 Public Hearings

State law mandates that certain items of City business must be preceded by a public hearing. These hearings have special rules of notice and procedure determined based on the type of action being contemplated. The public's participation in these hearings is limited to 3 minutes per person per hearing.

8.7 Agenda Items

This portion of the agenda is for more complex agenda items that require presentation and discussion before potential action is taken by the City Council. The following criteria will be considered when arranging the items in this section.

1. Items presented by out-of-town speakers will be placed first in this section.
2. Items of particular public interest will be placed next in this section.
3. More routine items presented by staff or council shall be placed at the end of this section.

8.8 New Business

New business for purposes of the Open Meeting Act is defined as "any matter not known about or which could not have been reasonably foreseen prior to posting of the agenda." New business is only allowed during regular meetings and is not allowed at special or emergency meetings.

8.9 City Manager and Staff Reports

The City manager may make routine reports or announcements to the council or public during this section. No action may be taken by council on any item presented during this section, but the council may request that anything presented be brought back for formal consideration at a future meeting.

8.10 City Council Comments or Inquiries

The City Council may inquire of the City manager about any item of City business during this section, or the City Council may comment on City or community events. No action can be taken during this section.

8.11 Adjournment

Once this item of the agenda is reached, the mayor shall adjourn the meeting. This does not require a vote or the consent of the council. Adjournment at any point in the meeting other than this agenda item requires a motion to adjourn and a majority vote of the council.

9. **Public Participation**

A City Council meeting is a limited public forum where members of the public are permitted to address the council in accordance with these rules. At every meeting of the City Council, except where the council is the subordinate meeting, the public will be given an opportunity to provide comment about items on the agenda. This opportunity will occur at the beginning of the agenda under "Public Comment on Agenda Items." As this is a business meeting of the City Council, all public comment must pertain to an item of City business included on the agenda.

The procedures for addressing public comments to the City Council are as follows:

9.1 Addressing the City Council

Members of the public who want to address the City Council should indicate their desire by signing in on the form provided by the City clerk before the meeting. The City clerk will prominently display the methods to address the City Council in the City Council chambers or other location where the City Council gathers in person for a meeting.

9.2 Public Comment Time Limit

"Public Comment on Agenda Items" shall be limited to 15 minutes. The mayor or a majority of the council may extend the total length of the comment periods by up to 15 minutes for a total of 30 minutes. Said extension must be decided before the start of the comment period. A timing system visible to both the Mayor and speaker with audible alarm will be used to keep track of these limits.

9.3 Speaker Time Limit

The amount of time allotted to each member of the public wishing to address the City Council shall be no more than three (3) minutes. The mayor may reduce the amount of time allotted to each speaker based upon the number of persons wishing to speak and other reasonable factors. Individual members of the public may not yield their allotted time, or any remaining portion thereof, to anyone else.

Prior to calling for public comment during the meeting, the mayor shall set and announce the time limit for each member of the public to speak before inviting members of the public to address the City Council. A timing system visible to both the Mayor and speaker with audible alarm will be used to keep track of these limits.

9.4 Members of the Public Addressing the City Council

- a. The City Council is elected by and serves the citizens of Bartlesville. As such, the council wishes to afford the opportunity for (1) the citizens of Bartlesville, (2) anyone holding a valid business license issued by the City of Bartlesville, (3) owners of real property in Bartlesville, (4) anyone charged with the maintenance and administration of any real property in Bartlesville, and (5) any attorney at law or in fact acting as an authorized agent for a citizen of Bartlesville to comment on

City business. Only those members of the public who meet one of these two criteria shall be allowed to comment during “Public Comment on Agenda Items.”

- b. Anyone wishing to comment to the council during “Public Comment on Agenda Items” must sign in before the meeting using the appropriate form which will be provided by the City clerk. Said form shall include fields for Name, Address, Contact Info (optional), and the agenda item to be commented upon. The public may provide comment on any agenda item except the following: Call to Order, Roll Call, Invocation, Public Comment on Agenda Items, City manager and Staff Reports, City Council Comments, and Adjournment. The mayor shall call the speakers generally in the order they sign up.
- c. The mayor or a majority of the council may open up a specific agenda item for public comment. The public comment will be limited to five (5) total minutes and may be extended by an additional five (5) minutes by the mayor or a majority of the council and will be specific to the agenda item. The time allotted to each speaker will be determined by the mayor based on the number of speakers wishing to address the council. The length of the comment period and amount of time per speaker shall be announced before calling the first speaker to the podium.
- d. Each speaker shall provide their name and either their residential address or the address for the valid business license for which they are the owner.
- e. Speakers shall address their comments only to the City Council as a body and not to a particular member.
- f. Speakers may only address the City Council when called to speak from the lectern, microphone, or other device. No member of the public, other than the speaker so called, may address the City Council, unless called upon by the mayor.
- g. In accordance with State law, the council may not engage in a discussion with or answer questions for anyone providing public comment. The council may ask for the speaker to clarify any statements made by the speaker if time allows.
- h. Speakers shall strictly adhere to the Rules of Behavior more fully described in Section 10 of this document.
- i. Each speaker shall relinquish the lectern when his or her time to address the City Council has expired.
- j. Speakers may bring printed documents to hand to the council after their comments; however, signs, multimedia presentations, and props are not permitted for display by speakers.

10. Rules of Behavior at Council Meetings

10.1 General Rules of Behavior for All Attendees

10.1.1 Attendees at a council meeting shall refrain from causing any disruption that detracts from the efficient conduct of the business meeting.

10.1.2 Attendees at a council meeting shall refrain from making any demonstrations before the City Council including cheers, whistling, boos, or other disruptive behavior.

10.1.3 Attendees are not entitled to address the council except as expressly provided for in these rules.

10.1.4 Signs and props no larger than 11" x 17" are permitted in a City Council meeting.

- Such signs or props must be held directly in front of one's body so as not to impede the view of others.
- Signs or props may not be waved, held by more than one person at a time, or used in a manner that, in the judgment of the presiding officer, disrupts the orderly conduct of business.
- Signs or props may not be left unattended anywhere in the Meeting Room or left unattended on display in City Hall.
- Signs or props attached to sticks, poles, or other objects are prohibited.

10.1.5 Video and audio recording by the press or members of the public is permitted in accordance with the following rules.

- An area of the meeting room may be specifically set aside for credentialed members of recognized media organizations. Only the press is permitted to conduct video or audio recordings in this area. The public is not permitted in this restricted area. Audio recording devices may be placed upon the dais by the press in order to better capture audio of the event so long as the recorder is unobtrusive and the mayor is notified of its placement. Recorders must be removed immediately upon adjournment and no audio captured after adjournment may be used.
- Other attendees are permitted to record audio and video using small, unobtrusive hand-held devices from their seat or the podium while speaking.
- Any recording device that is not being handheld must be placed at the back of the council meeting room in a location that does not obstruct other attendee's views or impede pedestrian traffic. No device is to be left unattended unless the attendee is

addressing the council as permitted in these rules.

10.1.6 The ringer or any audible sounds of any cellphones, tablet, or other electronic devices must be muted, to avoid disrupting the meeting.

10.1.7 Meeting attendees are prohibited from altering or damaging any furniture, equipment or other public property or from misusing the City's facilities in the course of attending any council meeting or work session.

10.1.8 Meeting attendees leaving the meeting before it has been adjourned must leave in a quiet and orderly manner until outside of the building, to avoid disrupting the meeting. Attendees shall not gather outside the doors of the meeting room as noise from such gathering may disrupt the meeting.

10.1.9 Any person unduly disrupting a City Council meeting may be requested by the mayor to leave the meeting. Upon instructions by the mayor, a security officer may be called for the purpose of removing any person who, in the mayor's judgment, has disrupted the meeting and refuses to follow the mayor's instructions.

10.2 Specific Rules of Behavior for Speakers

10.2.1 Anyone wishing to address the council must follow the rules as described in Section 9.

10.2.2 Speakers shall not use their time to unduly disrupt the orderly conduct of the City Council's meeting.

10.2.3 Speakers shall follow the directions of the mayor or presiding officer at all times.

10.2.4 Speakers shall not denigrate individual council members, City staff, other organizations, or other individuals.

10.2.5 Speakers shall not use speech which is defamatory, profane, obscene, fraudulent, intended to incite violence, or is a threat of violence.

10.2.6 Speakers shall not yell or scream.

10.2.7 Speakers shall not make complaints about public officials or employees of the City during their comments and shall instead be referred to the proper complaint filing procedure so that their issue is addressed.

10.2.8 Dialogue between a speaker and attendees or audience of a meeting, or comments directed to other speakers, are disruptive to the meeting and will be out of order.

10.2.9 Signs or props are prohibited while addressing the council.

11. Rules of Procedure and the Council Handbook

These documents express both statutory requirements and standards of City Council deliberation. City Council deliberations shall be orderly and guided by the mayor to reach a decision on the item before them or to provide the direction sought by staff.

Once an item is before the City Council for deliberation, the mayor shall call upon the Council in whole to comment on the item. Usually after each council member has had the opportunity to comment on the item, the mayor shall invite a motion. Council members shall not interrupt any other council member that is speaking.

12. City Council Expectations

12.1 Following Meeting Rules of Procedure and Council Handbook

These Rules of Procedure and the Council Handbook express both statutory requirements and standards of conduct expected for council members. Council members are responsible for adhering to the rules found in both of these documents.

Council members should respectfully point out to the offending council member infractions of these rules. If offenses continue, then the matter may be referred to the mayor in private. If the mayor is the individual whose actions are being challenged, then the matter should be referred to the vice mayor.

If after consultation with the mayor the council member's behavior continues to violate these rules, the alleged violation(s) can be brought up with the City Council at a public meeting.

12.2 Limited use of electronic devices for private communications during meetings

Council members should not utilize electronic devices or other forms for private communications during a meeting to communicate among themselves, the public, or anyone else during a City Council meeting on substantive matters related to City business (except for an emergency). This restriction on the use of electronic devices and other forms for private communications preserves compliance with the Open Meetings Act.

13. Failure to Observe Rules of Procedure

Failure to observe any of the listed procedures does not serve as an independent source of challenge to any action of the City Council, nor does it serve as evidence of improper conduct in any challenge to any action by an individual council member or by the City Council as a whole.

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.



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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.

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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,

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.

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.

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.

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.

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.

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.

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

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

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

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.

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

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. ■

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-

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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