

CITY OF OJAI
BOARD AND COMMISSION MEMBER
HANDBOOK



PREPARED BY THE CITY CLERK'S OFFICE

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Welcome!

This Handbook is designed to serve as a reference for the basic protocols that apply generally to all City advisory bodies. Your staff liaison is available to answer questions as well as provide you with documents pertinent to your commission. You may also want to review agendas and minutes from recent meetings to see what current issues have been under consideration.

Learning your role and developing an effective voice takes time and familiarity. We hope this Handbook will assist you towards a satisfying and productive experience. Your participation is deeply appreciated by the City Council, by city staff, and by the community. The vitality and strength of the community results from the willingness of people like you volunteering to serve.

Today, more than ever, the public is demanding a greater voice in the determination of policies at all levels of government. The City of Ojai has established a number of standing city boards, commission, committees, and special citizen advisory committees to review city programs and special community problems. Such vehicles provide invaluable public input into the city government and facilitate higher quality decisions. This handbook for board, commission, and committee members has been prepared to provide a statement of the policies and guidelines governing the role and operation of city boards, commission, and committees and their respective responsibilities.

Initially, background on the history, government, and administrative organization of the city are provided in this handbook to provide commission members with basic perspectives of Ojai. The handbook covers general operating guidelines for all city boards, commission, and/or committees and specific scopes of responsibility of each. The most important sections of the handbook deal with the role and authority of the boards, commissions, committees, and the duties of individual commission members. These guidelines should aid commission members with their voluntary efforts.

Note: Throughout this handbook, the meeting body (whether it is a board, commission or committee) will be referred to as a "Commission".

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HISTORY OF OJAI

The City of Ojai, a town of approximately 8,000 residents, is nestled in the northwest corner of Ventura County. A general law city with a Council-Manager form of government, Ojai is known for its arts and cultural activities, including Southern California's renowned tennis tournament "The Ojai," and the Ojai Music Festival, a classical event which attracts talent from national and international sources. It is also the home of the Ojai Valley Inn & Spa resort, an upscale full-service destination venue that welcomes tourists from the region and abroad. Ojai offers spectacular living in a small town atmosphere adjacent to the Los Padres National Forest just north of the City. For more information visit www.ci.ojai.ca.us.

CITY GOVERNMENT

The City of Ojai is governed by a five-member City Council who is elected at large. Each Council Member serves a four-year term. The City Council is responsible for the legislative functions of the City. In order to secure greater input regarding issues of community interest and concern, the City Council has created the following commissions, boards, and standing committees: Arts Commission, Historic Preservation Commission, Planning Commission and Parks and Recreation Commission.

GENERAL GUIDELINES

Thank you for volunteering your time and skills to help improve our community. Appointment to a City of Ojai commission is an honor. It provides an opportunity for genuine public service. Each commission member should be aware of the responsibilities that go along with officially serving the City. The specific duties of each commission vary with the purpose for which it was formed. There are, however, many responsibilities common to all commission members:

- Understand the role and responsibility of the commission on which you serve. Be informed of its functions, work programs and relationship with other commissions.
- Consider the overall public good, not the exclusive point of view of a sole group or interest. Individual board, commission, and/or committee members must not represent their own views or recommendations as those of the board, commission, and/or committee unless the majority of the body has officially voted to approve such action. Board, commission, or committee members making recommendations or expressing views not approved by a majority of a commission should indicate they are expressing themselves as private citizens. Public statements should contain no promises to the public that purport to be binding on the board, commission, committee, staff, and/or City Council. When making statements to the press, members should indicate that commission actions are "recommendations" and that final action will be taken by the City Council. Comments to the press and public should be factual. Individual opinion must be identified as such. When a report is forwarded to Council as per motion by the majority of the membership, a minority report may be forwarded at the same time.

- Keep all lines of communication open. Each commission member serves as a communication link between the community, the City Council, and staff.
- Commission members should become familiar with items under consideration prior to meetings in order to be fully prepared to discuss, evaluate, and act on matters scheduled for consideration. Feel free to seek staff's advice and assistance in advance of a meeting.
- Establish a good working relationship with fellow commission members, the City Council, and staff liaison.
- Understand the scope and authority of your commission's responsibility and work within that scope.
- Be a participant, an active member, and be enthusiastic.
- Regular attendance at meetings is critical to the effective operation of commissions, committees and boards. Therefore, all commission members are expected to attend all commission meetings. If you are unable to attend a meeting, please notify the chairperson or staff liaison prior to the meeting.

ROLES AND RELATIONSHIPS

The primary responsibility of commissions, committees, and boards is to advise and make recommendations to the City Council. It is the Council's role to consider the advice and recommendations offered by numerous sources and to make decisions to the best of its ability. Because the City Council is in such a position to see the broader context and is aware of other concerns, it may not always follow the recommendation offered by individual commissions, committees, and boards.

The responsibilities of each Commission are outlined in this Handbook. Each Commission should focus on their own advisory responsibilities and not on areas that are under the jurisdiction of other commissions. If an issue comes before the City that involves two or more commissions; city staff will schedule reviews accordingly.

Commissions should not take actions that violate adopted City Council policies. Commissions can make recommendations to the City Council about exceptions to City policy, and can also recommend policy changes when appropriate.

The staff liaisons to the commissions are valuable resources. They do research and provide relevant information that enhances a commission's ability to do their work. Staff is available to answer questions and follow-up on items brought before the commission. Commission members should be aware of the time involved on the part of staff in preparing studies and reports, and should make sure that all staff requests are consistent with the commission's approved work program.

Commissions may not direct staff to initiate major projects without approval from the City Council, and individual commission members may not direct staff to initiate any program or study. In addition, commission members do not become involved in the operational matters of City departments unless specifically provided for in their prescribed powers and duties.

Fellow Commission Members. Cooperation among fellow commission, committee and board members plays an important role in the successful efforts of City commissions. In order to build consensus around common goals and objectives, members should first show a willingness to objectively define the issues at hand and then work to reconcile opposing viewpoints. When commissioners interact positively, the group as a whole will be more effective. Important points to keep in mind in working with other commission members:

1. Respect an individual's viewpoint, even though it may be different from your own; and
2. Allow other members adequate time to present their views before making comments; and
3. Be open, honest, and courteous; and
4. Welcome new commission members and help them become acquainted with the commission; and
5. Accept responsibility, voice opinions, and be fair and factual.

GENERAL INFORMATION

1. Serving on a Commission, Committee and/or Citizen Advisory Group are strictly on a volunteer basis.
2. Appointments to Commissions, Committees and Citizen Advisory Groups
 - When a vacancy occurs from expired terms, resignations, or otherwise, the City Clerk department shall advertise for open positions in the local newspaper, on the city's web site, and by posting notice on a bulletin board at city hall.
 - Citizens who desire to be considered for appointment to a Commission, Committee or Citizen Advisory Group should contact the City Clerk to receive an application or download an application from the city's website.
 - Commissioners whose terms have expired will receive notification from the City Clerk department. If a Commissioner wishes to apply for re-appointment, the City Clerk department shall have them apply for re-appointment in writing and complete an application.
 - The City Clerk department shall receive applications and confirm the applicant meets the residency requirement to fill the vacancy. [The Ojai Municipal Code outlines the number of (city) residents and non-residents that can serve at one time on a commission.]
 - The City Clerk department will notify the Mayor, the City Council and pertinent Commission Chair of the vacancy(s) and number of received applications.
 - The City Clerk department shall forward all received applications to the full City Council for review.
 - A committee shall be formed consisting of the Mayor, the Mayor's choice of another Council Member or Council Member's and other pertinent participants.
 - The City Clerk department shall coordinate the interviews between the committee and all applicants. Re-appointments shall not be interviewed but be placed on a future agenda for ratification by a majority vote of the City Council.
 - The committee shall conduct the interviews in a publicly noticed meeting.

- After the interviews, the committee shall make recommendations per the procedures prescribed by the Mayor. The Mayor shall inform staff of the committee recommendations(s) and direct staff to place on the next available City Council agenda for ratification unless recommendation/ratification procedures are implemented during a publicly noticed Council meeting.
3. Election of Chair and Vice Chair – Annually each Commission will re-organize with the selection of a new Chair and Vice Chair. The selection of Chair and Vice Chair is usually decided at the first meeting in January. The Vice Chair serves in the capacity of Chair if the Chair is unavailable. Traditionally, the Vice Chair would automatically move into the position of Chair, but the Commission must vote to appoint the Chair and, therefore, it is possible that another Commissioner may be appointed by a majority vote.
 4. City Commission and Committee Recognitions - Upon leaving office, commissioners and committee members who have completed less than five years of office shall be presented with a certificate of commendation. Commissioners and committee members who have completed at least five years but less than ten years will be presented with a proclamation. Commissioners and committee members who have completed at least ten years or more will be presented with a City tile plaque containing Name, Commission Name, and dates of service and placement of a brass plate containing Name, Commission Name, and dates of service on the City's "Wall of Honor." If budget allows, a thank you dinner is held once a year hosted by the City.

SPECIFIC ROLES AND FUNCTIONS

Arts Commission

The duties of the Commission are listed in the Ojai Municipal Code, Title 4 – Public Welfare, Morals, And Conduct, Chapter 16 – Public Arts, of which a copy is attached as Exhibit A.

Historic Preservation Commission

The duties of the Commission are listed in the Ojai Municipal Code, Title 4 – Public Welfare, Morals, and Conduct, Chapter 8 – Cultural and Historic Preservation, of which a copy is attached as Exhibit A.

Parks and Recreation Commission

The duties of the Commission are listed in the Ojai Municipal Code, Title 2 – Administration, Chapter 4 – Department Administration – Article 1, of which a copy is attached as Exhibit A.

Planning Commission

The duties of the Commission are listed in the Ojai Municipal Code, Title 10, Chapter 1, Planning Commission, of which a copy is attached as Exhibit A.

Building Appeals Board

The City Council adopted Ordinance No. 829, which established the Building Appeals Board consisting of five (5) members to be appointed by the Mayor with the approval of the Council. The Building Appeals Board shall be the “local appeals board,” the “housing appeals board,” and the “board of appeals” as those phrases are defined and used in the California Building Standards Code or any other code under this title as the same may apply to the city of Ojai either by express adoption or by operation of law.

Each member shall become knowledgeable in the California Building Standards Code and applicable ordinances of the city of Ojai. Members need to be residents of the city. The members of the Building Appeals Board shall be appointed for terms of four (4) years.

STATUTORY REQUIREMENTS/REGULATORY GUIDELINES

Certain state laws and other established regulations exist which govern various responsibilities of the Commissions. They are as follows:

The Brown Act

The Ralph M. Brown Act is a law which provides that all meetings of a legislative body, whether meetings of the City Council or its appointed commissions and committees, shall be open and public and all persons shall be permitted to attend. Notices of such meetings must be given 72 hours prior to the meetings. A “meeting” takes place whenever a quorum is present and subject matter related to the City’s business is heard, discussed, or deliberated upon. The presence of more than two Commissioners at a City Council meeting, a meeting of general interest to the public or a social event shall not be construed to be a violation of the Brown Act so long as the Commissioners do not discuss, among themselves, issues with Commission jurisdiction.

Political Reform Act

The Political Reform Act (Government Code §§ 81000-91015) states that public officials shall perform their duties in an impartial manner, free from bias caused by their own financial interests or the financial interests of persons who have supported them. The Political Reform Act establishes regulations regarding Conflicts of Interest and Campaign Disclosure Provisions. Ojai’s City Clerk department provides forms and information to assist the City Council, Planning Commission and other Commissions and Candidates in complying with the Act.

Ojai Municipal Code

The City of Ojai Municipal Code consists of those codified ordinances pertaining to the development of the City and its environs, and of general municipal regulations and laws together with Secondary Codes adopted by reference. Each and all of the provisions, terms and penalties of the Code are on file in the office of the City Clerk and on the city’s website.

Roberts Rules of Order

The City of Ojai Municipal Code states that all meetings of the Commission shall be conducted in accordance with Robert's Rules of Order. However, no resolution, or other action of the Commission shall be invalidated or the legality thereof otherwise affected by the failure or omission of the Commission to observe or follow such Rules.

Representation by Council Members at City Commissions and/or Committee Meetings

Council Members serve as Council representatives for City Commissions with a three-month rotation. This provides the Council with an overview of the issues and methodologies used by City Commissions to make recommendations to the Council. Council Members, in this capacity, should remain neutral in any actions and should refrain from stating opinions that might influence an action or decision by the Commission. Appeals of Commission decisions are heard by the City Council which should remain unbiased.

COMMISSION MEETINGS

Meetings of the Commissions are open to the public and shall be conducted in accordance with the laws of the State of California and the City of Ojai.

Commissioners shall conduct themselves in an orderly and business-like manner to ensure that the business of the City will be attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process is maintained at all times.

Regular Meetings

Regular meetings of the Commissions are held in the City Council Chambers, at Ojai City Hall, 401 S. Ventura Street. Dates and Times are as follows:

Planning Commission the first and third Wednesdays of each month at City Hall at 6:00 pm

Parks and Recreation the first Thursday of each month at City Hall at 6:00 pm

Arts Commission the third Thursday of every month at City Hall at 6:30 pm

Historic Preservation the second Thursday of each month at City Hall at 5:00 pm

The Commissions may elect to meet at other locations within the City boundaries. Any meeting held at an alternate location shall be publicized by means of a public notice posted at the alternate site, posted at City Hall and posted on the city's website, all in accordance with the Government Code.

Any meeting of the Commission may be canceled by a majority vote of the Commission or because of a lack of a quorum.

SPECIAL AND EMERGENCY MEETINGS

Special meetings and emergency meetings of the Commission may be called and held as deemed necessary by the Commission pursuant to the procedures set forth in the Ralph M. Brown Act (Government Code §§ 54950, et. seq.).

MEETING PROTOCOLS

Meeting Rules of Order

For meeting rules of order, generally the City of Ojai's Boards/Commissions will follow *Robert's Rules of Order*. The meeting rules of order support 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.** 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.

Basic Format for an Agenda Item Discussion

To meet the State's open meeting laws (primarily the Ralph M. Brown Act), meetings must have a written, published agenda. The meeting is governed by the agenda and the agenda constitutes the Commission's agreed-upon road map for the meeting. The Chair should handle each agenda item in the following basic format:

- 1) The Chair announces the agenda item number and states the subject.
- 2) For each item, the Chair invites staff or the appropriate people to report on the item, including any recommendations they might have.
- 3) The Chair asks the Commission members if they have any questions for clarification, and if there are questions, time is given for responses.
- 4) The Chair invites public comments (or opens the public hearing, if applicable). If numerous public members desire to speak, the Chair may impose a uniform time limit for each public speaker. At the conclusion of the public comments, the Chair announces that public input has concluded (or closes public hearing if applicable).

- 5) After the public comments, the Chair will ask the Commission if they wish to discuss or make comments.
- 6) Once discussion is concluded the Chair shall call for Action/Motion.

ADDING AN ITEM TO THE AGENDA

Placing Items on the Agenda. The City Manager and/or their designee determines, in consultation with the Chair, which items are placed on the Council agenda and the timing for scheduling such items.

- 1) Requests by Council Members to Place an Item on Agenda – Should two or more Commission Members request that an item be agendized, staff will place the item on the agenda at the earliest opportunity.

MOTIONS

Voting on a Motion

After public input and commission discussion has concluded, it is time for the Commission to take action, usually in the form of a motion. To initiate a motion, the Chair and the members follow the following format:

- 1) The Chair invites a motion from the Commission members. The Chair announces the names of the motion maker and the second. (A second on the motion is required; otherwise the motion dies due to the lack of a second.)
- 2) The Chair invites discussion of the motion by the members.
- 3) If there is no discussion, the Chair will call for a vote by asking “All those in favor, say ‘Aye’.”
- 4) Members in favor of the motion state “Aye”.
- 5) The Chair will also ask, “All those opposed, say “No”.
- 6) Members opposed to the motion state “No”.
- 7) The Chair will state whether the motion passed or failed, the numeric vote, and identify who voted in the minority. Example: “Motion passes by a vote of 3-2 with Members Smith and Jones voting ‘no’.”

How to Make a Motion

The Chair usually initiates the motion by:

- 1) Inviting the members to make a motion, e.g., “A motion at this time would be in order.”
- 2) Suggesting a motion to the members, e.g., “A motion would be in order that we approve the minutes of the meeting.”
- 3) Making the motion. Note: the Chair has every right as a member of the Commission 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.

Basic Motions

Any member including the Chair may make a motion (referred to as the “motion maker”) to take an action, i.e., approving, denying, amending or continuing an item. To be valid, a motion must be seconded (supported) by another member (referred to simply as “the second”). If no member seconds (supports) the motion, the motion dies due to a lack of a second. To pass, most motions require only a majority vote of those members present. Two motions are the most common:

- ✓ **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 approve the annual report.”
- ✓ **The motion to amend.** If a member wants to amend/change a basic motion that is under discussion, s/he needs to ask if the amendment to the motion is acceptable by the motion maker. If the amendment is acceptable to the motion maker, the Chair then confirms it.
- ✓ If the motion maker accepts the amendment, the second to the motion also needs to accept the amendment to the motion before a vote is taken.
- ✓ If the second does not accept the amendment to the motion, a new second is required before the vote is taken.
- ✓ If the maker of the motion does not accept the amendment to the motion, the original motion stands, and a vote is taken on the original motion.
- ✓ If the motion maker and the second accept the amendment, the Commission votes on the motion as amended. If that motion is passed, then no action is taken on the original motion. If the motion, as amended, fails, then the Commission votes on the original motion.

Abstention from Voting

Unless a member has a financial or other legitimate conflict of interest or believes that he/she cannot decide the matter free of bias, a member must participate in all votes taken during a meeting to satisfy the member’s obligation to faithfully discharge one’s duties. If a disqualifying conflict or bias does exist, the member must:

- 1) Remove himself/herself from all participation in the matter (not just the vote);
and
- 2) Identify for the record the basis for the abstention.

Please note: Minutes can only be approved by members who were in attendance. If you were not in attendance you must abstain from voting on the minutes. A roll call vote must be taken to approve the disbursement of funds.

Debatable Vs. Non-Debatable Motions

The basic rule of motions is that they are subject to full discussion and debate. 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 Commission 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 without debate on the motion), and the vote required:

Non-debatable Motions	Simple Majority Vote	2/3 vote
1) A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting.	X	
2) 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.	X	
3) 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."	X	
4) 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" with or without a time frame or tabled entirely.	X	
5) A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the questions" or "I call for the question." When a member makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote." A motion could also be made to place a time limit on the debate, or object to consideration of an item. A second is required on these types of motions.		X

Motion Requiring Super-Majority or Two-Thirds Votes

To pass, most motions require only 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:

- 1) Motion to limit debate. When a member say, “I move the previous question” or “I move the question” or “I call for the question” or “I move to limit debate,” what the member is really saying is “I’ve had enough debate – let’s vote.” This amounts to an attempt to cut off the ability of the minority to discuss an item.
- 2) Motion to close nominations. When choosing officers of the body, such as the Chair, nominations are in order from any member of the Commission. A motion to close nominations effectively cuts off the right of the minority to nominate officers.
- 3) 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 Commission members do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable.
- 4) Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the Commission has its own rules of order, conduct or procedure, this motion allows the Commission to suspend the rules for a particular purpose.

Withdraw a Motion

During debate and discussion of a motion, the motion maker of the motion that is currently under consideration, at any time, may interrupt a speaker to withdraw his or her motion. 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.

Tie Votes

If there is a tie vote of those members present, the motion fails. (Examples: 2-2 or 3-3) If there is a tie vote because of an absence of a member (and not due to an abstention), the matter will be continued for further Commission consideration.

Motion to Reconsider

A tenet of parliamentary procedure is final. 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:

- 1) 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 Commission. A motion to reconsider made at a later time is untimely. (The Commission,

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.)

- 2) A motion to reconsider may be made only by certain members of the Commission. Accordingly, a motion to reconsider may be made only by a member who voted *in the majority* on the adopted motion. If such a member wants the Commission to consider the matter further, he or she may make the motion to reconsider. Any other member of the Commission, however, even a member who voted against the adopted motion, may second the motion. If a member who voted *in the minority* seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of 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.

A motion to reconsider is also not in order if the Commission has lost jurisdiction over the matter. For example, if the Planning Commission has taken action on an item and before the Commission meets again, the item is appealed to the City Council, the Planning Commission would no longer have jurisdiction of the item and could not reconsider the matter.

If the motion to reconsider passes, then the original matter is back before the Commission. Depending on when the motion is made, the matter may need to be placed on a future agenda. The matter may be discussed and debated as if it were on the floor for consideration for the first time.

PUBLIC HEARINGS

The following is the process used for a public hearing. Because members of the public have the right to comment on every item on the agenda, it is the process to be used for all items on the regular agenda:

- 1) The Chair announces “This is the time and place set for the public hearing to consider (or this is the time and place for public comment on)...(read the title of the item as described on the agenda).”
- 2) City Staff will present the administrative report. Members of the Commission may ask questions of the presenter.
- 3) The Chair opens the hearing: “I declare the public hearing open and public comments are now being accepted.”
- 4) Public comment, if any, is received. Usually the speaker will have 3 minutes to speak. It is up to the chair to allow more time. The Commission members may ask questions of the speaker during the comment period. The speaker’s comments must be relevant to the issue.
- 5) The Chair closes the hearing: “I now declare the public hearing closed and the public comment period is now closed.”

- 6) The members may ask further questions, deliberate and comment.
- 7) The Chair asks for a motion and second. A motion is made and seconded; the Secretary takes roll call to record the votes.

Notes:

- ✓ If the members continue a public hearing or other item, the continuation date must be specifically identified and done so by motion.
- ✓ If the public hearing/comment period is closed, no further public comment is required to be taken at the continued matter but it is good policy to allow additional comment if it is not redundant. Members may continue deliberation/discussion on the continued item. If the public hearing/comment period remains open, further public comment may be taken when the continued matter is heard.
- ✓ If the public hearing/comment period is closed and later it becomes evident that the public hearing/comment period needs to be re-opened, a motion passed by the majority of the members to re-open is required.

Placement of Items on the Agenda after the Agenda Has Been Posted

All agendas of the Commission must be posted 72-hours in advance of a meeting in accordance with the Brown Act. Special meetings must be posted 24-hours in advance.

From time to time, City Staff may present a situation requiring the Commission to take action on an item because the situation arose subsequent to the posting of the agenda and action must be taken on the item before the Commission's next regularly scheduled meeting. Adding an item to the agenda under these circumstances should be used only rarely and require a two-thirds vote of the Commission members present at the meeting; if less than two-thirds of the members are present, a unanimous vote of those members present is required. Legal Counsel will advise the Commission under what circumstances this procedure may properly be employed.

Conflict of Interest and Statement of Economic Interest Filings

The Political Reform Act (Gov. Code Sections 81000-91014) requires many local government officials and employees to publicly disclose their personal assets and income. They also must disqualify themselves from participating in decisions that may affect their economic interests.

All Commission members are required to fill out a Conflict of Interest Form 700 when assuming office, annually while serving on the commission and when leaving office. The City Clerk department will send the forms and information to you on each of the occasions mentioned. More information and interactive forms are found on the California Fair Political Practices Commission website at www.fppc.ca.gov or by calling 1-866-275-3772.

There may also be other conflicts of interest that would prevent the Commissioner from participating and voting on an agenda item. The Commissioner may live within 500 feet of the property in subject or have a personal or business interest. If you have any questions about what constitutes a conflict of interest, please contact the respective city

staff liaison. If a conflict does exist, the member must: 1) identify for the record the basis of the conflict; and 2) remove himself/herself from participating in the matter by leaving the meeting room. If the source of the conflict concerns the member's own property, the member may address the Commission and then leave the room. The Commissioner may not participate in the discussion.

Contact by Interested Parties

If there is an issue on the agenda and a member has been contacted before the meeting by an outside party who may have an interest in that issue, the member that was contacted should state for the record before the discussion begins that he/she had been contacted.

Member Decorum, Courtesy, and Communication

Members should conduct themselves in an orderly and business-like manner to ensure that the business of the City is attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process of the Commission is maintained at all times. Members should maintain a polite, respectful and courteous manner during the meetings when addressing one another, the City staff and members of the public.

Members may question the citizen addressing the commission at the conclusion of the citizen's comments or upon expiration of the citizen's time limit to speak if one has been imposed. Members must confine communications to a question and answer format conducted through the Chair.

The Chair ensures that debate and discussion of an agenda item focus on the item and the policy in question, not on the personalities of the speakers or the Commission members. 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.

When a Speaker May be Interrupted

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

- 1) Privilege. The proper interruption would be: "point of privilege." The Chair would then ask the interrupter to "state your point." Appropriate points of privilege examples include: the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.
- 2) Order. The proper interruption would be: "Point of order." The Chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting; for example, if the Chair proceeds with allowing a vote on a motion that permits debate without permitting that discussion or debate.
- 3) Appeal. If the Chair makes a ruling and a Commission member disagrees, that member may appeal the ruling of the Chair. If the motion is seconded and after

debate, it passes by a simple majority vote, then the ruling of the Chair is deemed reversed.

- 4) Call for order. This is simply another way of saying, "Let's return to the agenda." If a member believes that the Commission 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 Commission to return to the agenda item properly before them. If the Chair fails to do so, the Chair's determination may be appealed.

City Staff Decorum

City staff should not engage in dialogue with speakers at the podium during public meetings, or respond directly to questions from the public. All staff responses shall be directed to the Commission members.

Public/Citizen Input and Decorum

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:

- 1) Tell the public what the Commission will be doing.
- 2) Keep the public informed while the Commission is doing it.
- 3) When the Commission has acted, tell the public what the Commission 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 a means of developing sound public policy.

Public members must address the Commission as a whole and not engage in dialogue with individual Commission members or city staff without first obtaining permission from the Chair.

A citizen or public member engaging in disorderly or boisterous conduct, such as utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt, impede the orderly conduct of the meeting shall be subject to removal from the meeting at the discretion of the presiding Chair or a majority of the members.

Time Limits on Citizen/Public Comment

Every agenda contains an item for citizen/public comment. A commission may adopt a rule establishing reasonable time limits for speakers speaking under the public comment section of the agenda. As an example, the Ojai City Council has an established 3-minute limit under the public comment section of the agenda. If time limits are imposed, it is best practice to announce the time limit before the public comment period begins.

If presentations are redundant, repetitive or irrelevant, the Chair may curtail such presentations by polite admonitions to move onto new material or conclude.

Council Policy Regarding Member Absences or Removal from the Commission

ABSENCE FROM MEETINGS

An annual report shall be submitted to the City Council at a regularly scheduled City Council meeting in January tabulating attendance, excused absences, and unexcused absences for each Commissioner over the preceding calendar year. Each Commission shall adopt written protocols for determining excused vs. unexcused absences and submit to the City Clerk. Any instance of three or more consecutive absences during the year shall be report to the Mayor by the City Clerk.

Regardless of whether the absence is excused or unexcused, please notify city staff prior to the meeting. This notification is helpful to determine whether there will be a quorum; if there's no quorum, the meeting can be canceled, thereby eliminating the need for the Members to convene. Also if a member anticipates being late to a meeting, please notify city staff. Staff will alert the Chair who may then decide to rearrange the order of items on the agenda.

Minutes

City staff is responsible for preparing and maintaining official records of meetings.

Ethics Training

State law (commonly known as AB 1234) requires certain Commission members to take Ethics Training because of the compensation or stipend received for service or the reimbursement received for expenses. Commissioners who are required to take Ethics Training must do so no later than one year from the first day of service. A refresher course is required every two years thereafter. (The City Clerk department will send reminder notices).

The city will endeavor to provide this training live, but if that is not possible, a free online ethics training course is available at <http://localethics.fppc.ca.gov> or <http://www.localethics.fppc.ca.gov>.

Upon completion of the online course, a Public Service Ethics Education Online Proof of Participation Certificate is issued, which must be signed and the original certificate filed with the City Clerk. Should you have any questions, please call the City Clerk's office at (805) 646-5581.