HEALTH COUNCIL OF MARIN
BYLAWS
ARTICLE I

NAME
The name of this organization shall be the Health Council of Marin (hereinafter referred to as “Council”).

ARTICLE II

PRINCIPAL OFFICE
The principal office of the Council shall be located in Marin County.

ARTICLE III

PURPOSE
The purpose of the Council is to advise the Board of Supervisors and the Marin County Department of Health & Human Services on public health and environmental health issues, to advocate for the development and allocation of resources to assure quality and accessible health care, and to educate regarding issues affecting the health and well being of citizens of Marin County.

ARTICLE IV

COUNCIL MEMBERS
Section I. Composition

a. The Council shall consist of 11 members.
b. The Council shall have broad-based representation of the County and shall include both consumers and providers of health services.
c. No more than one-half the membership shall consist of current or retired health service providers.

Section 2. Qualifications

a. Eligibility for membership on the Council is based on a demonstrated interest in the purposes and activities of the Council.
b. Members must either live or work in Marin County.
c. Adults aged 21 years or older.

Section 3. Selection and Term of Office

a. The Board of Supervisors of Marin County shall appoint members to the Council to fill vacancies pursuant to these bylaws in accord with the procedures established by the Board of Supervisors and Government Code sections 54970, *et seq.*, as amended from time to time.
b. The Council will submit to the Board of Supervisors names of qualified individuals with recommendations for appointment.
c. Council members shall serve for a term of four (4) years and may be nominated for successive terms. Council members appointed to fill a vacancy shall serve out the unexpired term of their predecessor.

Section 4. Council Member Responsibilities

a. Members are expected to attend all regular meetings of this Council. Members, who in a 12 month period miss three (3) regular meetings without being excused by the President or his or her designee, or miss five (5) regular meetings, whether or not excused, will be referred to the Executive Committee. If, after reviewing the member’s level of participation, the Executive Committee recommends termination of Council membership, this recommendation will be forwarded to the full Council for a final vote. If termination is thereby approved, written notice will be sent to the Board of Supervisors for their considered action.
b. Council members are expected to serve on one or more committees or task forces, serve as a liaison, or assume other responsibilities as may be requested by the Council.

Section 5. Resignations

A Council member may resign upon giving written notice to the President of the Council, who will forward it to the Clerk of the Board of Supervisors.
Section 6. Meetings
   a. Types of Meetings
      1. Regular meetings of the Council shall be held a minimum of eight (8) times a year. Notice of such meetings shall be sent at least one week in advance.
      2. Special meetings of the Council may be called by the President, or a majority of the appointed members of the Council. Any special meeting of the Council shall comply with the requirements of Government Code section 54956 of the Ralph M. Brown Act, as amended from time to time, except that no less than 48 hours-notice shall be given to convene such a meeting.
      3. The annual meeting of the Council shall be held in April for the election of officers and for the transaction of other business.
      4. A community education forum shall be held a minimum of once a year at the call of the President and duly noticed.
   b. Notice and Conduct of Meetings
      Council and Standing Committee meetings shall be noticed and conducted in conformity with the Ralph M. Brown Act.
   c. Quorum
      A quorum shall be 6 (six) members. Every action taken by a majority of members present at a meeting duly held at which a quorum is present shall be regarded as an act of the Council.

Section 7. Compensation
Council members shall serve without compensation.

ARTICLE V

OFFICERS AND DUTIES
The officers of the Council shall be the President, Vice-President, and Secretary.

Section 1. Election and Term
Officers shall be elected to a one-year term at the annual meeting of the Council. Neither the President nor the Vice-President shall serve more than two consecutive terms in one office. Nominations from the floor may supplement nominations made by the Nominating Committee.

Section 2. Resignations
An Officer may resign at any time upon giving written notice to the Council.
Section 3. Vacancies

Officer vacancies may be filled by the Council acting on a list of nominees submitted by the Nominating Committee.

Section 4. President

The President shall preside at all meetings of the Council and, with input from Executive Committee members, shall appoint chairs and members of committees, except the Nominating Committee. The President shall exercise such other powers and perform such other duties as may from time to time be assigned to the President by the Council. The President shall be an ex-officio member of all committees except the Nominating Committee.

Section 5. Vice-President

The Vice-President shall carry out the duties of the President during his/her absence or disability, or during a vacancy in the office of President. The Vice-President shall have such other powers and perform such other duties as from time to time may be assigned by the Council.

Section 6. Secretary

The Secretary shall handle correspondence as directed by the President or Council, shall oversee the sending of notices of meetings of the Council as directed by the President, and oversee the taking, preparing, and circulating of minutes of the meetings, and the keeping of a permanent file of same.

ARTICLE VI

COMMITTEES

Section 1. Standing Committees

a. Nominating Committee. The Nominating Committee shall consist of three (3) members elected at the annual meeting of the Council for a term of two years. There shall be at least one new member each term and no member shall serve more than two consecutive terms. The Clerk of the Board of Supervisors shall forward all applications for appointment to the Nominating Committee. The Nominating Committee will review the applications and make recommendations for appointments to the Council. The Council will then make recommendations to the Board of Supervisors for final action.
b. Executive Committee. The Executive Committee shall consist of the officers of the Council, the immediate past President, and the standing committee chairpersons.

All meetings of the standings committees shall be noticed and conducted in conformity with the Ralph M. Brown Act.

Section 2. Task Forces
Task forces may be established by the President, the Executive Committee and/or the Council to advise the Council on matters of interest. These task forces shall be formed for a particular purpose and limited time period, to be terminated upon completion of their stated goals.

ARTICLE VII
LIAISONS
Liaisons shall be encouraged with other County boards and commissions established by the Board of Supervisors for the purpose of advising them about health and related matters.

ARTICLE VIII
AMENDMENTS
These bylaws may be amended, from time to time as need arises, by a majority vote of the full Council membership. Amended bylaws shall be approved by County Counsel prior to presentation to the Council and prior to final submission to the Board of Supervisors. Proposed amendments must be distributed at least 30 days prior to the Council meeting at which a vote is to be taken. Proposed amended bylaws will be sent to the Board of Supervisors for their consideration and final approval. The Parliamentarian with the Nominating Committee shall be responsible for this procedure.

ARTICLE IX
NON-DISCRIMINATION AND EQUAL ACCESS
The business of the Council and its committees shall be conducted in accord with all applicable federal, state and county mandates and policies regarding non-discrimination and accessibility.

ARTICLE X
CONFLICT OF INTEREST
Each member of the Board shall comply with all applicable federal, state, and county conflict of interest mandates, including but not limited to those promulgated by the Fair Political Practices Commission and those described in Government Code sections 1090, et seq. Members of the
Council shall avoid impropriety and the appearance of impropriety, and shall not use their appointed position to further their own financial/pecuniary gain or for another purpose not directly related to the governmental function they have been appointed to perform.

ARTICLE XII

PUBLIC STATEMENTS

Unless authorized as the designated spokesperson by the Council, an individual Council Member may not represent the Council before any other board, commission, outside agency, the press, the Marin County Board of Supervisors or the general public, on behalf of the Council.

Except as otherwise expressly provided by these bylaws, only the President of the Council, or designee, with approval of the majority of the Council and in accord with the Board of Supervisors, is authorized to issue formal statements on behalf of the Council or advocate any position adopted by the Council.

An individual Council member may not use or identify the individual’s status and position as a Council member when advocating his or her personal opinion in the public forum.

ARTICLE XIII

PARLIAMENTARY AUTHORITY

The Council meetings shall be governed by Roberts Rules of Order, unless otherwise provided by these bylaws.
Resolution

RESOLUTION NO. 2016-03
RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
REVISING RESOLUTION NO 2006-112
OF THE MARIN COUNTY BOARD OF SUPERVISORS
SPECIFYING GUIDELINES FOR THE ESTABLISHMENT AND DISSOLUTION OF
COUNTY ADVISORY BOARDS, COMMISSIONS AND COMMITTEES,
AND STANDING RULES AND APPLICATION AND APPOINTMENT PROCEDURES
FOR THESE BODIES

WHEREAS, the County of Marin depends on many boards, commissions and advisory committees to conduct
the public business and to comply with applicable statutory mandates; and

WHEREAS, as a matter of public interest, this Board of Supervisors deems it advisable to establish guidelines
for the establishment and dissolution of boards, commissions, and advisory committees (hereinafter referred to
as “commission” or “commissions”) and clarify standing rules and appointment procedures for commissions and
the members of these bodies.

WHEREAS, these guidelines are applicable to all discretionary commissions established by a resolution,
ordinance, or an action of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED:

I. Establishment and Dissolution of Discretionary Commissions

1. Commissions that are not mandated by State or federal law or regulation are designated as discretionary
commissions.

2. In order to conserve County resources, the Board of Supervisors may consider using ad hoc committees,
advisory councils and town hall meetings prior to establishing a new discretionary commission.

3. If the Board of Supervisors deems it desirable to establish a new discretionary commission, it shall be
established by a resolution of the Board. This resolution shall include a statement of purpose and a “sunset
date,” or date of dissolution, for the commission. The sunset date shall be set with consideration to the
projected time frame upon which the commission is expected to accomplish the special purpose for which
it is being created. Although some commissions may be expected to exist for many years, the sunset date
shall not be set beyond four (4) years from the date that the commission is authorized by the Board.

4. The commission shall sunset on its sunset date unless the Board of Supervisors takes action to continue
the commission.

5. The 23 discretionary advisory commissions listed below were previously established by a resolution,
ordinance, or an action of the Board of Supervisors as of January 26, 2016, and can be changed by a
subsequent action of the Board of Supervisors:
   a. Alcohol and Drug Advisory Board
   b. Architectural Commission
   c. Aviation Commission
   d. Bolinas Lagoon Advisory Council
   e. Cultural Services Commission
   f. Fish and Wildlife Commission
g. FLW Civic Center Conservancy
h. Health Council of Marin
i. Human Rights Commission
j. Integrated Pest Management (IPM) Commission
k. Kentfield Planning Advisory Board
l. Library Commission
m. Parks and Open Space Commission
n. Strawberry Design Review Board
o. Tamalpais Design Review Board
p. Wildlife & Fisheries Advisory Committee
q. Women’s Commission
r. CSA #6 (Gallinas Creek) Advisory Board
s. CSA #16 (Greenbrae) Advisory Board
t. CSA #18 (Las Gallinas) Advisory Board
u. CSA #20 (Indian Valley) Advisory Board
v. CSA #29 (Paradise Cay) Advisory Board
w. CSA #33 (Stinson Beach) Advisory Board

For consistency with the policies regarding sunset dates for new commissions, the original sunset date for these existing commissions was August 15, 2010, and every four years thereafter, unless the Board of Supervisors takes action to either continue or discontinue a commission prior to this date.

6. Any commission so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Board of Supervisors. This dissolution may occur prior to a discretionary commission’s established sunset date.

7. Discretionary commissions shall submit a biennial (every two years) report to the Board of Supervisors by March 1st of the first year of each two-year budget cycle, that includes a summary of their activities and accomplishments during the current fiscal year as well as commission goals and initiatives for the next fiscal year. Commissions that do not submit a report may be reviewed by the Board of Supervisors and appropriate actions, including dissolution of the commission, may be considered.

II. Standing Rules

8. Commissions which are responsible for conducting public business for the County of Marin are subject to all provisions of the Ralph M. Brown Act, California Government Code Section 54950 et seq. (as amended), which mandates open meetings for local legislative bodies.

9. Commissions which are responsible for conducting public business for the County of Marin are subject to all applicable county policies regarding non-discrimination.

10. Certain commission members who receive any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties, as listed in the County of Marin’s Administrative Regulation No. 1, are required to complete Ethics Training as required by California Government Code Title 5, Chapter 2, Article 2.4, Sections 53234-53235.2.

11. Certain commission members who are responsible for conducting public business for the County of Marin are required to comply with the disclosure requirements of the Political Reform Act of 1974, pursuant to Resolution No. 99-100 adopted by the Board of Supervisors on July 20, 1999, and its successors, and must complete and file all necessary documents in connection therewith and are subject to all applicable California laws regarding conflict of interest.

12. All appointed commission members, whether new or re-appointed, shall take a loyalty Oath of Office prior to voting on any matter presented to the commission to which they have been appointed
13. Members of commissions which are responsible for conducting public business for the County of Marin shall avoid impropriety and the appearance of impropriety, and shall not use their appointed position to further their own financial/pecuniary gain or for any other purpose not directly related to the governmental function they have been appointed to perform.

14. Unless authorized as the designated spokesperson by the Commission, an individual commissioner may not represent the commission before any other commission, outside agency, to the press, or the general public. Commissioners are defined as “county officers” and hence are governed by Government Code Section 3201-3210 relating to political activities.

15. Members of commissions shall be responsible for having a working knowledge of the establishing ordinance, resolution, by-laws, federal or state mandates or any other governing regulations that define and set forth the intent and purpose of their assigned commission, and shall only represent and take action on matters related thereto.

16. The County Administrator’s Office shall prepare a summary report of existing commissions as needed and make recommendations to the Board of Supervisors regarding the elimination of commissions whose functions or purpose have been fulfilled, or where the mandate or purpose for the creation of the commission has expired. This report may also include recommendations regarding modifications such as revisions to charters or memberships, or possible mergers of commissions.

17. No committee shall have powers other than advisory to the Board of Supervisors except as otherwise specified by the County Code. Each commission, so created, shall have adopted by-laws approved by County Counsel and the Board of Supervisors not later than January 31, 2007. Newly formed Commissions shall have adopted by-laws, approved by County Counsel and the Board of Supervisors, within 90 days of formation.

18. Members of commissions who are responsible for conducting public business for the County of Marin shall not knowingly or otherwise misrepresent the scope of their influence or authority in matters assigned to their commission or represent recommendations of their respective advisory body as official County policy until such time as formal action, such as adoption of a resolution, has been taken by the Board of Supervisors.

19. The Board of Supervisors shall retain discretion to rescind any commission appointment(s), as deemed necessary.

III. Application and Appointment Procedures

20. California Government Code Section 54970 et seq. (as amended), which requires annual compilation of a Local Appointments List, is incorporated herein by reference.

21. In the event of an unscheduled vacancy on any commission for which the Board of Supervisors has the appointing authority, whether due to resignation, termination, death or other causes, a special vacancy notice shall be posted in the Clerk of the Board office and the designated library pursuant to California Government Code Section 54973 et seq. (as amended). In the case of At Large vacancies, a press release will be sent to the local newspapers. Final appointment to the commission may not be made by the legislative body for at least 10 working days after the posting of the notice in the Clerk’s office.

22. If the Board of Supervisors finds that an emergency exists, it may fill an unscheduled vacancy immediately. However, in the event of an emergency appointment, the person appointed to fill the vacancy shall serve only on a formal “acting” basis until the final appointment is made pursuant to Board action.
23. In the event of a resignation by a commission member, it is the responsibility of the resigning
member to send written notice of the resignation to the Clerk of the Board.

24. Members of commissions who wish to continue serving in their appointed capacity for an additional
term are required to complete and submit a new application, or may update and resubmit their
original application if no pertinent information has changed. All qualifying applications for the
vacancy will be submitted to the Board of Supervisors for consideration, selection and appointment.

25. All applications received by commission’s staff shall be forwarded to the Clerk of the Board for
presentation to the Board of Supervisors. Commissions may make a recommendation regarding
specific applicants to fill a vacancy for consideration by the Board of Supervisors. However, the
Board of Supervisors retains full appointing authority to select and appoint new commission
members

26. In the event that multiple applications are submitted for an At Large position, the Board of
Supervisors may choose to conduct interviews. If selected for interview, applicants will be notified
of the date, time and location of the interviews. Interviews by the full Board shall be scheduled only
for At Large appointments. Applicants for District appointments may be nominated by the District
Supervisor.

27. When a vacancy exists on a commission and no applications have been submitted, the vacancy will
be continued until such time as an appointment is made. The Board of Supervisors may, at any time,
move to continue an appointment to a subsequent date.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held
on this 26th day of January, 2016, by the following vote:

AYES: SUPERVISORS Judy Arnold, Katie Rice, Damon Connolly, Kathrin Sears, Steve Kinsey

NOES: NONE

ABSENT: NONE
3. BROWN ACT

“In enacting this chapter, the Legislature finds and declares that the public commissions, boards, and councils and the other public agencies in this State exist to aid in the conduct of the people’s business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly.”

THE RALPH M. BROWN ACT
(Government Code Section 54950, et seq.)

General

The Brown Act embodies the philosophy that public agencies exist for the purpose of conducting public business, and the public has the right to know how its “collaborative decisions” are being made. It represents the determination of the balance that should be struck between access on the one hand, and the need for confidential candor on the other. There is a presumption in favor of access, with exceptions for confidentiality where there has been a demonstrated need. The exceptions are construed narrowly.

The Brown Act may be divided into six topics: to whom does the Act apply, what is a meeting, the agenda requirements, the public’s rights, closed sessions, and consequences for violation.

1. Bodies covered by the Brown Act

   A. Legislative bodies of local agencies, e.g., boards, commissions, councils and committees. Also applies to person who is elected as part of body who has not yet taken office.

   B. Does not apply to individual decision makers, e.g., department heads, legislative bodies acting in judicial capacity, bodies created by single
decision maker.

C. “Local agencies” include cities, counties, school districts, special districts, municipal corporations, etc. (There is a separate law for state agencies.) Factors used in assessing “localness” include geographical coverage, duties of the agency, existence of oversight, provisions concerning membership, and appointment.

D. “Legislative bodies” include governing bodies and their subsidiary bodies, e.g., boards, commissions, committees or other bodies of a local agency that are created by charter, ordinance, resolution or ‘normal action” of a legislative body. This applies regardless of “temporary v. permanent,” and “advisory v. decision making.”

E. Standing committees are those which have continuing jurisdiction over a particular subject matter (e.g. budget, finance, legislation) or whose meeting schedule is fixed by resolution or action of the body that created the committee. Even if comprised of less than a quorum of the governing body, a standing committee is subject to the Brown Act.
F. There is a specific exception for “non-standing” (or ad hoc) advisory committees that are composed of less than a quorum of the legislative body that serves a limited or single purpose, is not perpetual, and will be dissolved once its specific task is completed.

G. If a legislative body designates less than a quorum of its members to meet with representatives from another body to exchange information, a separate body is not formed. However, if less than a quorum meets with another agency to perform a task, e.g., make a recommendation, a separate legislative body is formed.

2. What is a meeting?
   
   A. Any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate on any matter within its jurisdiction. Can include lunches, social gatherings, board retreats.

   B. Serial meetings fall under the provisions of the Brown Act if they are for the purpose of developing a concurrence as to action to be taken.

      1. A serial meeting is a series of communications (whether in person or by phone or other media), each of which individually involves less than a quorum, but which, taken as a whole, involve a majority of the commission’s members. Examples include meetings of commission members’ intermediaries, chain communications (a@b@c), and hub communications (a@b, a@c).

      2. “Concurrence as to action to be taken” includes substantive matters that are or are likely to be on a commission’s agenda, but does not include purely housekeeping matters (e.g., times, dates and locations of upcoming meetings.)

   C. Exemptions for: 1) individual contacts between members of the public and commission members; 2) *conferences open to the general public which involve issues of interest to the body; 3) *community meetings; 4) meetings of other bodies under same local agency; or 5) social or ceremonial occasions, as long as a majority of the members do not discuss application of specific issues to the legislative body.

   (*as long as majority does not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within their local agency's subject matter jurisdiction.)
3. **Notice and Agenda Requirements**

A. Every regular meeting of a legislative body of a local agency must be preceded by a posted agenda.

An agenda must be posted at least 72 hours prior to meeting in a location accessible to the public 24 hours a day, 7 days a week. The agenda should contain a brief general description (generally no longer than 20 words are required) of each action or discussion item to be considered, including items to be considered in closed session.

The purpose is to notify members of public of items in which they may wish to participate.

The agenda must contain opportunity for public testimony. The legislative body may impose reasonable time limitations. The legislative body cannot take action on a matter raised for the first time during "public comment" if the item is not on the agenda.

B. Exceptions:

1. Special meeting – requires 24 hours notice, no business may be considered except that for which meeting was called.

2. Emergency meeting - (crippling disasters, strikes, public health and/or safety threats) may be called on one-hour notice and requires majority vote of the body. No closed session permitted.

3. Urgency item – if there is a need to add an item to an existing agenda for immediate action and the need to take action came to the attention of the local agency subsequent to the agenda being posted (requires vote of 2/3 of entire body, or if fewer than 2/3 are present, 100% of all remaining members). This exception requires a degree of urgency. A "new" need does not arise because staff forgot to put an item on the agenda or because an applicant missed a deadline.

4. Adjournments and continuances - need not be separately posted if subsequent meeting is continued for no more than five days. However, a copy of the order of adjournment must be posted within 24 hours after the adjournment, at or near the door of the place where the meeting was held.

C. Public Testimony - agenda must contain opportunity for public testimony. May impose reasonable time limitations. Cannot take action on matter raised for first time in “public comment” if item not on agenda.
D. Location of meetings - must generally be within geographic boundaries of the body’s jurisdiction, except for compliance with law or court order, to inspect real property, meetings of multi-agency significance, nearest available facility if body has none available, meeting with state or federal officials to discuss regulatory issues, nearby facility to discuss facility itself, visit to legal counsel to reduce fees.

4. Rights of the Public.

A. Access generally means the right to be notified of items to be considered (agenda), to attend meetings of legislative bodies without identifying oneself, to record the meeting, to have access to documents distributed to members of the legislative body\(^1\), not to pay for the agency’s costs in complying with the Brown Act, to be free from discrimination, and to provide public comment. No meeting can be held in a facility that is inaccessible to the disabled.

B. Legislative bodies may provide greater public access than required by the Brown Act.

5. Permissible Closed Sessions.

The Brown Act begins with a strong statement in favor of open meetings; private discussions among a majority of a legislative body are prohibited, unless expressly authorized under the Brown Act. It is not enough that a subject is sensitive, embarrassing, or controversial. Without specific authority in the Brown Act for a closed session, a matter must be discussed in public.

*In general, most advisory commissions do not hear matters which would qualify for a closed session. However, since there are some exceptions such as the Personnel Commission and Retirement Board, a brief discussion of the subject follows.

In general, the most common purpose of a closed session is to avoid revealing confidential information that may, in specified circumstances, prejudice the legal or negotiating position of the agency or compromise the privacy interests of employees.

\(^1\) Recent legislation (SB343) amends Section 54957.5 of the Government Code. The new law requires that a writing that relates to an agenda item for an open session of a regular meeting shall be made available for public inspection at the time the writing is distributed to all, or a majority of all, the members of the legislative body. In order to comply with the requirement to make writing that is distributed after the 72-hour posting "available" for public inspection, the local legislative body must make the writing available at a public office location that the agency shall designate for this purpose. Therefore, each local agency is required to list the address of that office or location on the agenda for all meetings of the body. Staff should also be prepared to provide additional copies of the supplemental material to the public at the meeting.
Closed sessions require three types of notice—agenda, pre-closed session announcement, and post-closed session report of action taken. The agenda must state the specific statutory exemption that applies.

A. Litigation and attorney-client privilege.

1. Existing litigation – includes any adjudicatory proceedings before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. The legislative body may meet to receive updates on the case from attorneys, participate in developing strategy as the case develops, or to consider alternatives for resolution of the case. Generally an agreement to settle litigation may be approved in closed session. However, an agreement to settle litigation that requires actions that are subject to public hearings cannot be approved in closed session.

2. Potential litigation – closed sessions are authorized for legal counsel to inform the legislative body of facts and circumstances that suggest that the local agency has significant exposure to potential litigation. The Brown Act lists six separate categories of such facts and circumstances (Government Code section 54956.9(b)).

3. Initiation of litigation – a closed session may be held when the legislative body seeks legal advice on whether to protect the agency's rights and interests by initiating litigation.

B. Personnel exception.

1. Applies to appointment, employment, evaluation of performance, discipline or dismissal of public employee.

2. Employee may request hearing be conducted in public only if purpose is to discuss specific instances of misconduct. Employee has right to 24 hours notice of any closed session to hear specific complaints or changes. However, an employee is not entitled to notice and a hearing where the purpose of the closed session is to consider a performance evaluation.

3. Employee does not include elected officials, independent contractors, member of legislative body.

4. Must pertain to particular employee, not employees in general. No abstract discussions regarding creation of new positions, unless workload discussion involves performance of a specific employee. May not be used for discussion or action on proposed compensation, except for a disciplinary reduction in pay.
C. Real Estate Negotiations

1. A legislative body may meet in closed session with its negotiator to discuss the purchase, sale, exchange, or lease of real property by or for the local agency.

2. After real estate negotiations are concluded, approval of the agreement and the substance of the agreement must be reported.

D. Labor Negotiations

A legislative body may meet in closed session to instruct its bargaining representatives on employee salaries and fringe benefits. Prior to the closed session, the legislative body must hold an open and public session in which it identifies its designated representatives.

E. Grand Jury Testimony

A legislative body may testify in private before a grand jury, either individually or as a group.

F. License Applicants with Criminal Records

G. Public Security

Legislative bodies may meet in closed session to discuss matters posing a threat to the security of public buildings, essential public services, or to the public's right of access to public services or facilities.

H. Multijurisdictional Drug Law Enforcement Agency

6. Consequences of Violation.

A. Criminal penalties. Misdemeanor where action taken in violation of the act.

B. Civil remedies:

1. Injunction, mandamus, declaratory relief
2. Action may be voided following notice to correct, which must be received within 90 days, and acted on within 30 days, lawsuit filed within 15 days.
C. Attorney fees

1. Awarded against agency, not individual.

7. Further information/full text

If you would like additional information regarding the Brown Act or you would like the full text, please visit the California Attorney General's website at www.ag.ca.gov/index.htm and/or the California State Code website at www.leginfo.ca.gov/calaw.html and search for Government Code 54950.
Charter board in violation of meeting act

Judge sends directors back to school

By Con Garretson IJ reporter

The Novato Charter School Board of Directors broke the state’s open meetings law several times last year and board members could face fines or jail time if future violations occur, a judge has ruled.

Also, board members and the school’s director must attend a seminar on the Ralph M. Brown Act in the next six months under the terms of a final judgment and permanent injunction signed last week by Marin County Superior Court Judge Lynn Duryee.

Officials said they weren’t certain, but it might be the first such judgment against a public agency in Marin County. An expert on the Ralph M. Brown Act said it is the first time that such a legal ruling has been made against a California charter school under the 48-year-old law. Novato Charter School officials, without admitting wrongdoing, settled a civil complaint filed by the Marin County District Attorney’s Office resulting from a December letter signed by a group of school parents, said Deputy District Attorney Robert Nichols, who investigated the case.

At issue are seven instances in which the board failed to meet the requirements of the state public meetings law in the second half of 2000, including failure to properly notify the public of meetings, the agendas of closed sessions and decisions made during such sessions.

The judgment notes that the charter school, established in 1996, “has limited resources and experience regarding compliance with the Ralph M. Brown Act.”

The act, established by the state Legislature, is designed “to ensure the accountability of government officers and to enable citizens’ oversight of government agencies by keeping official decision-making processes as open as possible to public knowledge and participation,” according to the California First Amendment Coalition.

The act sets out regulations governing public information on meetings and open and closed sessions. Nichols said there was no evidence that the board or the director intended to break the Brown Act, which could have led to an even rarer criminal prosecution.

“Our belief was that the violations in this case were more erroneous than intentional,” he said. The judgment does not specifically identify the board members — Philip Hallstein, Curt Kruger, Jeanette Longtin, Janine Perra and Mary Williams, but applies to them and school Director Rachel Bishop, who also was not named.

Nichols said the Brown Act typically applies only to elected officials, but in this case Bishop was included because of the role she plays in setting and conducting public meetings. Bishop did not return a call left at the school yesterday.
“All I can really say in response to any question you may ask is that we have been advised by our attorneys to make no comment other than to say that the issue has been resolved,” Longtin said yesterday.

Nichols said the judgment, which included an order to pay $2,500 in DA investigative costs, also will apply to all future board members and directors. Each future violation could mean a maximum $1,000 fine, six months in jail or both, he said. Fines could apply to individuals and the school, he said.

“This is probably something that other charter schools would want to be aware of”
— Terry Francke ~ general counsel. California First Amendment Coalition

The same penalties would apply to public officials or agencies convicted of a criminal violation of the Brown Act, however, no one has ever been found guilty of the misdemeanor, said Terry Francke, general counsel for the California First Amendment Coalition.

“Wow,” Francke said. “It’s the first time I’m aware of that a court has ever dealt with a Brown Act issue against the board of a charter school. This is probably something that other charter schools would want to be aware of.”

Francke said Novato Charter School officials could have argued that the school did not fall under the auspices of the Brown Act, although it is a public school with teachers paid by the Novato Unified School District. Because the issues will not be heard by a state appeals court, the decision will not become a state legal precedent, he said.

The violations came to light after some parents became frustrated by the way former eighth-grade teacher Chris Topham was fired by the board behind closed doors. The board failed to disclose what items were discussed on closed session agendas and what actions were taken during them, the parents wrote, both violations of the state open meetings law. Other meetings were not publicized in the manner required by the Brown Act, they wrote.

Topham, who could not be reached yesterday, was not advised of his option under the law to have his termination hearing in an open session; said Ann Falletta of Petaluma, who pulled her two children out of the school. Topham later financially settled with the school for legal costs and other expenses from his unsuccessful fight for reinstatement, she said.

Seven of the 24 children in Falletta’s daughter’s eighth-grade class left for other schools after Topham was fired. Her daughter, Ashlan, followed Topham to Summerfield Waldorf School in Santa Rosa, where he still teaches.

Falletta brought the violations to the attention of the First Amendment Project of Oakland and was advised to write a letter to the school board and the district attorney’s office to “correct” the wrongdoing. Once the letter was received, Falletta said the violations ceased for the most part.

“The board is required to notice any public meetings in an accessible way 72 hours in advance,” Falletta said. “There was one time (earlier this year) that the only notice was posted in a courtyard of the school at 3 p.m. on Friday for a special meeting on Sunday, and it was closed all weekend. That’s not following the spirit of the law.”

Falletta said she did not know much about the Brown Act until she began doing research on public access laws. “The more I looked into it the more I realized this is a tool for newspaper people,” Falletta said. “Everything I read said, ‘Call your editor. Well I don’t have an editor. It’s really a journalist’s bailiwick.”
Sanitary District settles complaint

Las Gallinas Valley board accused of violating meeting law
By Con Garretson

The Las Gallinas Valley Sanitary District yesterday settled a civil complaint that accused board members of violating the state’s open meetings law by deliberating in private. It was only the second judgment against Marin elected officials in connection with violations of the Ralph M. Brown Act, according to Marin Deputy District Attorney Bob Nichols, who led an investigation by his agency.

The settlement approved by Judge Lynn Duryee and filed yesterday, indicates the violations were made up of district matters being deliberated and decided upon by a majority of directors outside of a meeting setting, which is two separate violations. The illegal meetings did not have an agenda, nor were they publicized by a public notice, which made up the two other alleged violations in this case, according to the court documents.

In settling the lawsuit without admitting wrongdoing, the district agreed to pay $7,500 in district attorney investigative expenses and have board members attend a seminar on the Brown Act, a term that was met in January.
The Public Records Act

The Public Records Act mandates that:

"Public Records are open to inspection at all times during the office hours of a State or local agency and every citizen has the right to inspect any public record, except as hereafter provided."

This is the heart of the Public Records Act. There are exceptions, and all fall within one of these four categories:

Specific qualified exceptions

Exemption must be demonstrated. Examples include:

- Internal, short-lived paperwork such as preliminary drafts, notes and memos not retained as the normal course of business by the agency.
- Pending litigation material
- Personal privacy data, such as personnel, medical or similar files.

Specific categorical exceptions

Certain kinds of material are categorically exempt from disclosure requirements of the Public Records Act that the agency may withhold without further demonstration. The example most relevant to government is testing and scoring keys from employment material.

Disclosures otherwise prohibited or discretionary

Other statutes prohibit release of certain privileged information, or give the agency discretion whether to disclose. Confidentiality statutes protect, for example:

- Adoption records
- Welfare records
- Certain prison records
- Death in custody reports
- Peace officer personnel records
- Real property change-in-ownership statements
- Mental health records
- Certain workers’ compensation awards and info.
- Attorney-client communications.

Disclosures against the public interest

Recognizing that it could not anticipate all the possible situations in which the release of a particular record to the public might cause serious harm to an interest which government is obligated to protect, the legislature made a provision to be invoked where such harm is foreseen but no applicable special exception to the disclosure rule exists. In applying the “balancing test,” the public agency is authorized to withhold by showing that in a particular case, the public interest served by not releasing the record clearly outweighs that interest served by
disclosure. For further detail, the full text of the Public Records Act, or advice on application in a particular instance, contact your legal department.

*From "The Media Survival Pocketbook" by Marty Boyer*

**What to do upon receipt of request for public records**

Immediately send request to legal counsel for review, as generally the County must respond to a request within 10 days after receipt.
LOYALTY OATH

STATE OF CALIFORNIA )
COUNTY OF MARIN ) ss

I, MATTHEW H. HYMEL, Clerk of the Board of Supervisors, do hereby certify that ________ was appointed as a member of the ________ at a regular meeting of the Board of Supervisors held ________, __________, 20__.

(SEAL)

MATTHEW H. HYMEL
Clerk of the Board of Supervisors

STATE OF CALIFORNIA )
COUNTY OF MARIN ) ss

I, ________________, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States without any mental reservation or purpose of evasion; that I will well and faithfully discharge the duties upon which I am about to enter.

I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of the ______________________, according to the best of my ability.

Subscribed and Sworn to before me

this ___ day of __________, 20__.

Matthew H. Hymel, Clerk of the Board

By ______________________________

Deputy Clerk
Conflict of Interest

Conflict of interest conditions are outlined in the Fair Political Practices Commission Fact Sheet (FPPC). Additionally, an example from the "Can I Vote" pamphlet is included to provide answers to questions that may not be otherwise specifically addressed.

Conditions of Conflict

1. The individual makes, participates in or uses his or her official position to influence a governmental decision;

2. It is foreseeable that the decision will affect the individual's economic interest;

3. The effect of the decision on the individual's economic interest is material;

4. The effect of the decision on the individual's economic interest is distinguishable from the effect on the general public.

All four conditions must be met for a conflict. A material effect is considered to have occurred when the decision accrues over a certain dollar amount (which may be revised from time-to-time by the California Fair Political Practices Commission) for the individual's personal income or assets, or the personal income or assets of their spouse or dependent children. This is regardless of the effect being positive or negative.
COUNTY OF MARIN

7. BY-LAWS/SAMPLE BY-LAWS

ROBERT’S RULES OF ORDER
COMMISSION BY-LAWS

Each commission shall have adopted by-laws reviewed by County Counsel and approved by the Board of Supervisors (See Resolution No. 2006-112 in Section 2 of this Handbook). By-laws should serve as "rules" for internal administration and management of each Commission. Well-crafted By-laws should include the following, at the least:

1. Name of Commission

2. Authority for organization (i.e. establishing legislation such as resolution, ordinance, etc.)

3. Purpose
   a. Restate purpose and mission as defined by establishing legislation
   b. Describe means of reporting to Board of Supervisors

4. Membership
   a. Number of individuals on the commission
   b. Method of appointment
   c. Qualifications/designations for each seat
   d. Term
   e. Rules for resignation (i.e., to be submitted in writing)
   f. Rules for discipline or removal of members for non-attendance

5. Meetings
   a. Provision that meetings must adhere to the Ralph M. Brown Act
   b. Place, time, date
   c. Procedure for noticing
   d. Procedure for agenda
   e. Procedures for conducting meetings (e.g. Roberts' Rules of Order)
   f. What constitutes a quorum?
   g. Voting procedures
   h. Procedure for calling special meetings
   i. General procedures for taking minutes
6. Officers  
   a. Positions  
   b. Duties  
   c. Method for selecting and removing officers; term limitations  
   d. Executive committee, who and what authority  

7. Committees  
   a. Is Commission permitted to create and operate sub-committees?  
   b. Is sub-committee a "Brown Act" committee? (e.g. standing committee vs. ad-hoc committee)  
   c. Procedure for appointment  
   d.Roles, responsibilities and authority  
   e. Time, place and manner of calling meetings  

8. Compensation  
   a. Are members entitled to compensation, either for meetings or for reimbursement for travel, etc. If so, they must take a 2-hour AB1234 "Ethics" training once every two years.  

9. Miscellaneous  
   a. Procedures for amending By-laws  

10. Please see attached samples of By-Laws for ideas  

updated January 2009
SAMPLE BYLAWS

Bylaws of the County of Marin
Community Service Area (CSA) 16 Advisory Board

ARTICLE I: NAME

Community Service Area (CSA) 16 exists by virtue of Resolutions 71-46 of the Local Agency Formation Commission and Numbers 71-330 and 2006-112 adopted by the Board of Supervisors. The CSA 16 Advisory Board was created by action of the Board of Supervisors.

ARTICLE II: PURPOSE

The purpose of the CSA 16 Advisory Board is to advise Parks and Open Space staff and the Board of Supervisors on matters relating to projects and programs (a) that can be conducted with funding from the budget of County Service Area (“CSA”) 16; and (b) that affect County lands contained within the boundaries of CSA 16.

ARTICLE III: MEMBERSHIP

The CSA 16 Advisory Board shall consist of five (5) members appointed by the Marin County Board of Supervisors.

Appointed members may resign their appointment by submitting a letter of resignation to the Board of Supervisors with a copy to the Department of Parks and Open Space.

ARTICLE IV: TERM OF OFFICE

Each member shall serve a term of two (2) years.

1. Compensation:

All members of the CSA 16 Advisory Board shall serve without compensation.

ARTICLE V: MEETINGS

1. General

All meetings of the CSA 16 Advisory Board shall be open to the public and the public shall be notified in accordance with the provisions of the Brown Act.

2. Meetings

CSA 16 shall hold its regular meetings twice a year, on the second Thursday of February, and September at 7:00 p.m. All meetings shall be properly noticed and time shall be provided for public comment at each meeting.
3. **Quorum**

Three members shall constitute a quorum of the CSA 16 Advisory Board for the transaction of business, with a quorum needed to approve any actions. A lesser number than a quorum may adjourn a meeting.

4. **Conduct of Meetings**


5. **Voting**

A quorum must be present for the transaction of any business. If requested by any member in attendance, a roll call vote must be held.

6. **Meeting Attendance**

If an Advisory Board member is unable to attend a meeting, he/she must notify the Advisory Board staff liaison at least twenty-four (24) hours prior to said meeting. Otherwise, member’s absence will be unexcused. The Advisory Board may recommend to the Board of Supervisors that a member with two consecutive unexcused absences be removed for the CSA Advisory Board. In addition, a member of the CSA 16 Advisory Board may be removed from office by a majority vote of the Board of Supervisors.

**ARTICLE VI: OFFICERS**

1. **Officers of the Advisory Board**

The officers of the CSA 16 Advisory Board shall be elected at an annual meeting of the Advisory Board, and shall be as follows: Chair, Vice-Chair, and Secretary. The term of office shall begin immediately following the adjournment of the meeting at which they are elected. No officer may serve in the same capacity for more than two consecutive years.

2. **Duties of Officers**

**Chair:** The Chair shall preside at all meetings, appoint ad hoc committees, and generally perform the duties and functions of the presiding officer.

**Vice-Chair:** The Vice-Chair, in the event of the absence or disability of the Chair, or a vacancy in the office of the Chair, shall assume and perform the duties of the presiding officer.
Secretary: The Secretary of the CSA 16 Advisory Committee shall be responsible for keeping an attendance record for CSA 16 members and for the taking of action minutes at each meeting and providing them, within 14 days of the meeting, to Department of Parks and Open Space staff.

ARTICLE IX: AD HOC COMMITTEES

1. Ad Hoc Committees

Members of ad hoc committees shall be appointed by the Chair and shall consist solely of members of the CSA 16 Advisory Committee. Ad hoc committees shall consist of not more than two members.

2. Purpose and Duration

Ad hoc committees shall be appointed by the chair for a specified period of time and purpose.

ARTICLE X: BYLAWS

1. Enactment

These bylaws are subject to review by County Counsel. They shall become effective upon approval by the Board of Supervisors.

2. Amendment

Any proposal to amend these bylaws shall be subject to approval by a majority vote of the full CSA 16 Advisory Board. Such proposed amendments to the bylaws shall be subject to review by County Counsel and to approval by the Board of Supervisors.

3. Notice

Written notice of any proposed amendment shall be mailed to all members at least ten (10) calendar days prior to the meeting at which such action is proposed to be taken.

4. Effective Date of Amendment

No amendment to these bylaws shall take effect or be binding until said amendment(s) have been reviewed by County Counsel and approved by the Board of Supervisors.
ARTICLE I:  NAME

The Marin Economic Commission was created by action of the Board of Supervisors on August 25, 1992.

ARTICLE II:  PURPOSE

The purpose of the Marin Economic Commission is to advise and recommend to the Board of Supervisors economic policies to enhance the vitality of Marin County’s economy in alignment with the Economy Section of the Marin Countywide Plan and other policies to enhance the vitality of Marin County’s economy.

ARTICLE III:  MEMBERSHIP

Membership of the Marin Economic Commission shall be composed of ten (10) members appointed by the Board of Supervisors, eight of whom are nominated or otherwise representatives of the following organizations: Marin Builders Association, North Bay Leadership Council, Marin Association of Realtors, Marin Housing Leadership Alliance, Marin County Council of Mayors and Councilmembers, North Bay Labor Council, Center for Volunteer and Nonprofit Leadership, and the Marin Council of Chambers of Commerce. Of the two other members, one shall be representative of environmental interests, one shall be representative of agricultural interests, and each shall be appointed directly by the Board of Supervisors through its standard application, interview, and selection process.

Appointed members may resign their appointment by submitting a letter of resignation to the Board of Supervisors with a copy to the Community Development Agency.

ARTICLE IV:  TERM OF OFFICE

1. Terms
Terms shall be for a period of three (3) years, and all appointments must be ratified by the Board of Supervisors. Terms shall expire on the last day of the month of expiration.

2. Mid-Term Appointments
In the event a commissioner resigns prior to expiration of their term, the Board of Supervisors shall appoint a new commissioner for the completion of the term. If there are six or fewer months remaining of the resigning commissioner’s term, the Board shall appoint the replacement to serve the remainder of the current term plus a full three-year term.
ARTICLE V: MEETINGS

1. General

All meetings of the Marin Economic Commission shall be open to the public and the public shall be notified in accordance with the provisions of the Brown Act.

2. Meetings

The Commission shall hold at least one regular meeting each month, at such hour and on such day as may be designated from time to time by the Chair. Meetings may be held at any time upon the call of the Chair or by a majority of the Commission, or upon request of the Board of Supervisors. Said meeting shall be scheduled and conducted in accordance with California’s open meeting laws (Brown Act).

3. Quorum

A majority of the seated members of the Commission shall constitute a quorum for the transaction of business and the adoption of action items. A lesser number than a quorum may adjourn a meeting.

4. Conduct of Meetings

Roberts Rules of Order are hereby adopted for the Government of the Commission in all cases not otherwise provided in these bylaws, provided, however, that the Chair may make a motion.

5. Voting

At every regular or special meeting of the Marin Economic Commission, each member present in person must vote on all motions and questions put before the Commission by voting either “yes” or “no” or “abstain”. Decisions on any motion or question shall be determined by a majority vote by those members present.

6. Meeting Attendance

The Chair shall be notified in advance of potential absences by any Commissioner. Any member of the Commission who is absent 3 (three) consecutive regular meetings shall have such absences reported to their sponsoring agency, if any.

ARTICLE VI: OFFICERS

1. Officers of the Commission

The Commission, at its first meeting in March of each year, shall elect from among its members, a Chair and a Vice Chair.
2. Duties of Officers

Chair: the Chair shall preside at all meetings, appoint committees, authorize calls for any special meetings, and generally perform the duties and functions of the presiding officer.

Vice Chair: The Vice Chair, in the event of the absence or disability of the Chair, or a vacancy in the office of the Chair, shall assume and perform the duties of the presiding officer.

ARTICLE VII: COMMITTEES

Ad hoc committees shall be appointed by the Chair.

ARTICLE VIII: BYLAWS

1. Amendment

These bylaws may be amended at any meeting by a vote of the majority of the members of the Commission.

2. Notice

Written notice of any proposed amendment shall be mailed to all members at least five (5) calendar days prior to the meeting at which such action is proposed.

3. Effective Date of Amendment

No amendment to these bylaws shall take effect or be binding until said amendment(s) have been reviewed by County Counsel and approved by the Board of Supervisors.

ARTICLE IX: ENDORSEMENTS

The Economic Commission may not take independent positions on matters of a political nature including, but not limited to, ballot measures, candidates for office, or public policy matters. The Economic Commission may sponsor or co-sponsor events related to its charge without Board approval excepting events or organizations of a strictly political nature.

ARTICLE X: RECOMMENDATIONS

Matters referred to the Commission by the Board of Supervisors shall be placed on the calendar for consideration and action at the first meeting of the Commission after such reference. If there is an issue of importance to the Commission, the Commission may submit recommendations to the Board of Supervisors for their consideration. The Board of Supervisors may adopt, amend, or reject the recommendations of the Commission.
ROBERT’S RULES OF ORDER

The following is an introduction to Robert’s Rules of Order. Please note that Robert’s Rules are not the only way to conduct public meetings. However, they are a well-established and accepted method that allows everyone to be heard and to make decisions without confusion.

Robert’s Rules of Order in no way preclude Brown Act rules such as including a “public comment” or “open time” on every meeting agenda.
Robert’s Rules of Order

What is Parliamentary Procedure?

It is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

Why is Parliamentary Procedure Important?

Because it’s a time tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Today, Robert’s Rules of Order newly revised is the basic handbook of operation for most clubs, organizations and other groups. So it’s important that everyone know these basic rules.

Public bodies using parliamentary procedure usually follow a fixed order of business. Below is a typical example:

1. Call to order.
2. Reading of minutes of last meeting.
3. Administrator’s or Officer’s reports.
4. Committee reports.
5. Agendized new and previously unfinished business.
6. Open Time for Public Expression.
7. Adjournment.

The method used by members to express themselves is in the form of moving motions. A motion is a proposal that the entire membership take action or a stand on an issue. Individual members can:

1. Call to order.
2. Second motions.
3. Debate motions.
4. Vote on motions.
There are two Basic Types of Motions:

1. Main Motions: The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.

2. Subsidiary Motions: Their purpose is to change or affect how a main motion is handled, and is voted on before a main motion.

How are Motions Presented?

1. Obtaining the floor
   a. Wait until the last speaker has finished.
   b. Rise and address the Chair.
   c. Wait until the Chair recognizes you.

2. Make your Motion
   a. Speak in a clear and concise manner.
   b. Always state a motion affirmatively. Say, “I move that we…” rather than, “I move that we do not…”.
   c. Avoid personalities and stay on your subject.

3. Wait for someone to second Your Motion

4. Another member will second your motion or the Chair will call for a second.

5. If there is no second to your motion, it is lost.

6. The Chair states your Motion
   a. The Chair will say, “It has been moved and seconded that we…”, thus placing your motion before the membership for consideration and action.
   b. The membership then either debates your motion, or may move directly to a vote.
   c. Once your motion is presented to the membership by the Chair, it becomes “assembly property”, and cannot be changed by you without the consent of the members.
7. Expanding on your Motion
   a. The time for you to speak in favor or your motion is at this point in time, rather than at the time you present it.
   b. The mover is always allowed to speak first.
   c. All comments and debate must be directed to the Chair.
   d. Keep to the time limit for speaking that has been established.
   e. The mover may speak again only after other speakers are finished, unless called upon by the Chair.

8. Putting the Question to the Membership
   a. The Chair asks, “Are you ready to vote on the question?”
   b. If there is no more discussion, a vote is taken.
   c. On a motion to move, the previous question may be adapted.

Voting on a Motion

   The method of vote on any motion depends on the situation and the by-laws of policy of your organization. There are two methods used to vote by most organizations, they are:

   1. By voice - the Chair asks those in favor to say “aye”, those opposed to say “no”. Any member may move for an exact account.
   2. By Roll Call - each member answers “yes” or “no” as his name is called. This method is used when a record of each person’s vote is required.

There is one other motion that is commonly used that relates to voting:

   1. Motion to Table - This motion is often used in the attempt to “kill” a motion. The option is always present, however, to “take from the table”, for reconsideration by the membership.

Parliamentary Procedure is the best way to get things done at your meetings. But, it will only work if you use it properly.

   1. Allow motions that are in order
   2. Have members obtain the floor properly.
   3. Speak clearly and concisely.
   4. Obey the rules of debate.
   5. Most importantly, **BE COURTEOUS.**
Roberts Rules Made Simple

Points
The following three points are always in order:

1. **Point of Order**: a question about process, or objection and suggestion of alternative process. May include a request for the facilitator to rule on process.

2. **Point of Information**: a request for information on a specific question, either about process or about the content of a motion. This is not a way to get the floor to say something you think people should know. People misusing points of information in this fashion will be defenestrated, or otherwise sanctioned forcefully.

3. **Point of Personal Privilege**: a comment addressing a personal need - a direct response to a comment defaming one’s character, a plea to open the windows, etc.

Motions
All motions must be seconded, and are adopted by a majority vote unless otherwise noted. All motions may be debated unless otherwise noted. Motions are in order of precedence: motions may be made only if no motion of equal or higher precedence is on the floor (i.e., don’t do a number 5 (move to end debate) when the body is discussing a number 4 (move to suspend rules).

1. **Motion to Adjourn**: not debatable; goes to immediate majority vote.

2. **Motion to Recess**: not debatable. May be for a specific time.

3. **Motion to Appeal the Facilitator’s Decision**: Not debatable; goes to immediate vote. Allows the body to overrule a decision made by the chair.

4. **Motion to Suspend the Rules**: suspends formal process for dealing with a specific question. Debatable; requires 2/3 vote.

5. **Motion to End Debate and Vote or Call the Question**: applies only to the motion on the floor. Not debatable; requires 2/3 vote.
6. **Motion to Extend Debate**: can be general, or for a specific time or number of speakers. Not debatable.

7. **Motion to Refer to Committee**: applies only to the main motion. Refers question to a specific group with a specific time and charge.

8. **Motion to Divide the Question**: breaks the motion on the floor into two parts, in manner suggested by mover.

9. **Motion to Amend**: must be voted for by a majority to be considered and by a 2/3 to be passed. If amendment is accepted as “friendly” by the proposer of the amendment then many bodies will allow it to be accepted without a formal vote; this is a way of including a consensus-building process into procedure without endless debate over amendments to amendments. Strictly speaking, however, once the main motion is made it is the property of the body to amend.

10. **Main Motion**: what it is you’re debating and amending.

**Other Meeting Guidelines:**

1. **When a topic is first introduced** or a main motion is made, allow all questions for information purposes to be asked before opening to debate.

2. **Discourage the repetition of arguments.** Attempt to call on people who have not yet spoken before those who have already spoken. Discourage dialogues that start up between two individuals in debate.

3. **If debate carries on too long**, impose time limits on speakers.

4. **Discourage people from talking in initials** - spell them out.
Code of Ethics

I. Purpose: To establish standards of conduct and to delineate the ethical responsibilities of all officers, employees and officials of Marin County.

II. Discrimination: There shall be no discrimination in any County activity, organization or pursuit because of race, religion, sex, national origin or political affiliation.

III. Acceptance of gratuities: No officer, official or employee shall accept a fee, compensation, gift, payment of expenses or any other thing of monetary value in any circumstances in which acceptance may result in or create the appearance of any one or more of the following:

1. Use of public office and/or employment for private gain.
3. Impeding government efficiency or economy.
4. Any loss of complete independence or impartiality.
5. The making of a County decision outside of official channels.
6. Any reduction of public confidence in the integrity of County government and/or its employees.

IV. Ethical responsibilities: Each officer, official and employee has an obligation to the citizen, to the people’s elected representatives and to fellow employees to cooperate in accomplishing the County’s goals, to expose corruption wherever discovered, to refrain from disclosing any confidential information, to preserve and safeguard the County’s assets and to be consistently mindful of the fact that public office and/or employment shall be considered a trust at all times.

Adopted by
Board of Supervisors
2/7/67

Code of Ethics - Board and Commission Members

- The following code of ethics represents the guiding principles for public officials. Marin County is committed to the highest standards of conduct by and among elected and appointed county officials in the performance of their duties. This Code of Ethics seeks to insure that promoting the common good is the hallmark of the decision making process.

- Promote decisions that serve the public interest and promote the greatest public good.

- Actively promote public confidence in county government through your actions.

- Recognize and support the public’s right to know the public's business.

- Involve citizens in the decision making process and welcome divergent points of view.

- Respond to the public in ways that are complete, clear and easy to understand.

- Maintain a respectful attitude toward employees, other public officials and colleagues.

- Respect and protect privileged information (i.e., personnel matters, litigation).

- Be a good listener, carefully considering all opinions and points of view.
• Be informed on the background on issues before your commission or board.

• Work in partnership with other governmental agencies, political subdivisions and organizations to further the interest of the county.

• Reference to an appointed position or title will only be used when attending official meetings or functions and in no case shall my appointed title be used to promote or advance personal or political interests.

• Void outside interests that will interfere or conflict with maintaining an objective and impartial perspective.

• Carefully guard against conflict of interest or its appearance in your actions or decisions.

• Accepting gifts, services or any object of value from any source offered to influence a decision is prohibited.

• Efforts to influence or attempt to influence other officials to act in a manner benefiting your personal/financial interests are prohibited.

• Evaluate recommendations (or decisions) to identify the best service, product or alternative at minimal cost without sacrificing quality or fiscal responsibility.

• Comply with all laws and regulations applicable to an appointed official and those governing the conduct of meetings.
Mission Statement, Goals and Values

Mission Statement

The mission of the County of Marin is to provide excellent services that support healthy, safe and sustainable communities; preserve Marin's unique environmental heritage; and encourage meaningful participation in the governance of the County by all.

Goals

- Provide Excellent Public Service
- Create a Sustainable Future
- Promote Service Excellence
- Encourage Community Collaboration and Partnering
- Promote Innovative Management and Employee Development

Defining Values

- Trust
- Justice
- Quality
- Respect
- Equality
- Integrity
- Diversity
- Innovation
- Excellence
- Citizenship
- Accessibility
- Collaboration
- Accountability
- Responsiveness

Adopted by the Board of Supervisors, September 25, 2001
10a. Marin County Administrative Regulations Pertaining to Boards/Commissions/Committees
COUNTY OF MARIN
OFFICE OF THE COUNTY ADMINISTRATOR
ADMINISTRATIVE REGULATION NO. 21

SUBJECT: MARIN COUNTY POLICY ON USE OF COUNTY BUSINESS CARDS AND COUNTY LETTER STATIONERY BY APPOINTED ADVISORY BODIES AND COUNTY EMPLOYEES

EFFECTIVE DATE: September 26, 2000

This regulation is issued pursuant to Chapters 2.08 and 2.84 of the Marin County Code and has been approved by the Board of Supervisors.

Definition

This regulation covers (I) Statement of Policy; (II) Authorized Use; (III) Unauthorized Use; and the enforcement of Administrative Policy 21 (IV).

I. STATEMENT OF POLICY

County letterhead stationery, and County business cards, may be used by County employees; and by persons appointed by the Board of Supervisors to a County board, commission, committee, task force or other advisory body; only when such County letterhead stationery or business cards are duly authorized for use, and only when such use is consistent with the duties of the employee or the purpose of the County advisory body.

No County employee; and no person appointed by the Board of Supervisors to a County board, commission, committee, task force or other advisory body; shall at any time make improper use of any stationery or business card appearing to constitute an official business card or stationery of the County of Marin.

II. AUTHORIZED USE

To the extent their use has been authorized, proper use of County letterhead stationery or business cards by County boards, commissions, committees, task forces or other advisory bodies is limited to communications with the Board of Supervisors and County officials; and functions and tasks associated with the administration of the board, commission, committee, task force or other advisory body (e.g., meeting notices and confirmations, room reservations, agendas, meeting minutes, etc.).

To the extent their use has been authorized, proper use of County letterhead stationery or business cards by a County employee is limited to official correspondence or informational exchanges made necessary or appropriate as a result of the nature and scope of the employee's official duties and responsibilities.
III. UNAUTHORIZED USE

An improper use of letterhead stationery or business card occurs under any of the following circumstances:

- the letterhead stationery or business card was not authorized by the Board of Supervisors or its designee (i.e., the County Administrator in the case of an appointed advisory body, or a County department head);

- or the letterhead stationery or business card was used by a person who was not authorized to use the stationery or business card (e.g., the person was not an authorized County employee or an authorized member of a County board, commission, committee, task force or other advisory body);

- or the letterhead stationery or business card was used for an improper or illegal purpose (e.g., to mislead or misrepresent, to create the appearance of authority where none exists, or to facilitate any harassing, unprofessional or inappropriate behavior or act);

- or the letterhead stationery or business card was used in a manner that is inconsistent with the mission or purpose of the appointed advisory body, or that a reasonable person would anticipate to reflect poorly on the County of Marin.

IV. Enforcement

Violations of this policy shall be handled as follows:

A violation of this policy involving a County employee should be brought to the attention of the employee’s appointing authority. Such a violation shall be cause for disciplinary action, the nature of which shall depend on the nature of the violation. Established procedures for disciplinary actions involving County employees shall apply; including compliance with the procedures of any applicable collective bargaining agreement with the employee’s bargaining representative, the Personnel Commission Rules and Regulations, and the County Merit System Ordinance.

A violation of this policy involving a person appointed by the Board of Supervisors to a County board, commission, committee, task force or other advisory body should be brought to the attention of the County Administrator, who shall investigate the reported violation and report his or her findings to the Board of Supervisors. A violation may be cause for immediate removal of the person from their appointed position by the Board of Supervisors, or such other remedy as the Board may determine to be appropriate.
Agenda Posting Guidelines

The Brown Act (Government Code Section 54950) requires that agendas for regular meetings be posted at least 72 hours in advance in a location which is accessible to the public 7 days a week, 24 hours a day.

To ensure that both Brown Act and Americans with Disabilities Act (ADA) requirements are being met by Commissions, please incorporate the following agenda posting guidelines:

1. **Meeting Venues**
   ALL meetings, whether taking place in an outside venue or at the Civic Center, need to be ADA accessible. Please review the attached document titled "Accessibility Bulletin-Public Meeting Access" for further information. If you have additional questions, please contact the County's Disability Access Coordinator at (415) 473-4381 or disabilityaccess@co.marin.ca.us.

2. **Agenda Posting**
   The Clerk of the Board staff will post your agendas in the Sheriff's lobby IF they are received in the Clerk's office (Room 329) no later than 8:30 a.m. Thursday morning. If your Commission does not have the Clerk of the Board post your agendas or if you miss the Clerk's posting deadline, you must arrange to have them posted in the Sheriff's lobby within the appropriate timeframe to comply with Brown Act requirements.

   Your Commission may email your agendas to the Clerk’s office for posting by sending them to the following email address:

   BOS-Adv Comm Agendas (for in-house email)
   BOS-AdvCommAgendas@co.marin.ca.us (for outside email)

   Additionally, if you post an agenda for your Commission outside of the Civic Center, please make sure you follow Brown Act rules and ADA requirements for posting as outlined in this guide.

January 2009
3. **Agenda Format**
   The County's ADA Coordinator has recommended that ALL agendas be formatted to ensure that ADA requirements are being met. An "Agenda Template" is attached to assist you with the required components. **Please incorporate this Template into your current agenda format.**

4. **Agenda Materials for Review by the Public**
   Recent changes in law (SB343) amended Section 54957.5 of the Government Code. The new law requires that a writing that is public record and that relates to an agenda item for an open session of a regular meeting **shall be made available for public inspection at the time the writing is distributed to all, or a majority of all, the members of the legislative body.** In order to comply with the requirement to make writing that is distributed after the 72-hour posting "available" for public inspection, the local legislative body must make the writing **available to the public at a public office location that the agency shall designate for this purpose.** Therefore, each local agency is required to list the address of that office or location on the agenda for all meetings of the body. The sample template includes the suggested language.

Some of the basic components of the Agenda Template are:

- **Font should be at least 12 pt. Arial (14 pt. is better)**

- All agendas should include an ADA footer (see attached template). Please note that this footer requires the County to provide auxiliary aids or services (such as American sign language interpreters and assistive listening devices) upon reasonable notice -- at no charge to the individual requiring the accommodation(s).

- On the bottom of the agenda, the name of your Commission should be shown in large, boldface type. This will allow members of the public who are thumbing through a number of agendas on the clipboard to easily find what they are looking for.

Please contact the Clerk of the Board office at 499-7331 if you have further questions.

January 2009
All public meetings and events sponsored or conducted by the County of Marin are held in accessible sites. Requests for accommodations may be made by calling (telephone number (Voice), 711 (CRS) or by e-mail at (email address) at least five business days in advance of the event. Copies of documents are available in alternative formats, upon request.
COUNTY OF MARIN
Disability Access Program

ACCESSIBILITY GUIDANCE BULLETIN

PLANNING ACCESSIBLE PUBLIC MEETINGS

The opportunity to participate in government, including participation in public meetings, is a fundamental right of citizens of the United States. Both state and federal laws guarantee this right. The Americans with Disabilities Act (ADA) requires that an individual with a disability not be denied the opportunity to participate in any government program, service or activity because a government entity’s facilities are inaccessible. The Brown Act, as amended by AB 3035, specifically requires that a public entity ensure that individuals with disabilities are not denied physical or communication access to public meetings. Furthermore, a public entity must ensure that communication with members of the public with disabilities is as effective as its communications with others.

When planning public meetings, County agencies must assure that the meetings are accessible to members of the public who have a disability. Accessible public meetings require not only physical access to the meeting facility, but also access to the information communicated through the meeting.

This Guidance Bulletin is designed to identify the primary areas of concern related to public meetings, the responsibilities of the meeting planner, and alternatives for providing solutions.

SELECTING AN ACCESSIBLE MEETING LOCATION

All public meetings must take place in locations that are accessible to persons with disabilities. All parts of the building do not need to be accessible, but parking (if provided), the path of travel into and through the facility, the meeting area, and the restrooms must be accessible. If overnight stays are involved, conveniently located accessible accommodations should also be considered.

PUBLIC MEETING NOTICES

To facilitate accessibility, use a simple, uncluttered page design for written meeting announcements. It is recommended that the font be clear and simple, such as 12 to 14 point Ariel or Courier, and that text be in a contrasting color to the paper to increase legibility for readers with low vision. Be aware that some software programs may not allow people using assistive devices, such as screen readers, to read a document. Be prepared to design forms that can be made accessible, or post or have available a word version of the agenda, if needed for an accommodation.
Always include the name and telephone number of the contact person and timelines for requesting accommodations needed, as well as, a TTY number that can be used by individuals with hearing impairments.

Designate an individual to be responsible for ensuring the meeting notice and other written materials contain the proper information for requesting accommodations and for processing requests received.

**ALTERNATIVE FORMATS**

Written materials that are distributed to members of the public, such as an agenda or hand-outs, are subject to the requirement that communication be equally effective to persons with disabilities. Therefore, upon receipt of a specific request, a public entity that provides information in written form must make that information available to individuals in a form that is usable by them. Alternative formats may include computer diskette, audiotape, large print or Braille. The type of format necessary to ensure effective communication will vary with the individual's needs and the length and complexity of the communication involved. (U.S. Department of Justice, ADA, Title II Technical Assistance Manual [TAM] section 7.1000)

The public entity should provide an opportunity for individuals with disabilities to request the alternative format of their choice. An interactive discussion with the individual is encouraged when clarification regarding the type of alternative format to be provided is needed. This discussion may result in identifying practical options for the public entity that are also suited to meet the requestor's needs. According to the U.S. Department of Justice, the expressed choice of the individual must be given primary consideration unless the public entity can demonstrate that another effective means of communication exists. (Title II TAM section 7.1100)

Although providing documents in alternative formats may result in some additional cost, a public entity may not place a surcharge on individuals with disabilities to cover these expenses. If a document is available to the public free of charge, it must also be available in an alternative format free of charge. If a fee is charged for documents provided to the general public, this fee must be the same for documents provided in alternative formats. (TAM section 3.500, CA Govt. Code section 11125.1[e])

**AUXILIARY AIDS AND SERVICES**

Upon receipt of a specific request, it may be necessary to provide auxiliary aids and services to individuals with disabilities to allow full participation in a public meeting. These may include, but are not limited to:
**Sign Language Interpreters**
A qualified interpreter is an individual who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any specialized vocabulary that may be necessary.

**Audio Tape**
Providing materials in recorded format is a method of making information accessible to persons who have visual, learning or physical disabilities. Audio material is commonly recorded on cassette tapes, but it may also be stored on CD-ROM.

**Real-Time Transcription**
A method of making information accessible to individuals who are hearing-impaired, real-time transcription permits verbal input to be transcribed to a computer which displays a running transcript of the proceedings, much like closed-captioning on a television.

**Assistive Listening Devices**
An assistive listening device (ALD) is a communication system that enables individuals who are hard-of-hearing to better comprehend speech or music. The four main types of ALDs are: Acoustic, Frequency Modulated, Induction (loop) and Infrared.

**Open and Closed Video Captioning**
Open captions are captions that have been decoded, so they are a part of the video or television picture, similar to subtitles in a film. Open captions cannot be turned off. Closed captions are captions hidden in the video signal that remain invisible without a special decoder to decipher them.

**PUBLIC TRANSPORTATION**
It is always a good practice to conduct public meetings in close proximity to accessible public transportation. There must be a safe and accessible path of travel leading from the transportation stop to the facility entrance. (Title 24, CCR section 1114B.1.2)

**PARKING**
If parking is provided, the parking area must have the correct number of appropriately marked accessible parking spaces. In most circumstances both van and passenger vehicle access aisles must be provided. In addition, there must be a safe path of travel provided between the parking area and the entrance to the facility. (Title 24, CCR section 1129B.1)
RESTROOMS
At least one set of restrooms within the facility must be accessible. If there is more than one set of restrooms, but not all are accessible, there must be directional signage that indicates where the accessible restrooms are located. (Title 24, CCR section 1117B.5)

TELEPHONES AND DRINKING FOUNTAINS
Whenever possible, public meeting locations should have at least one accessible telephone and one accessible drinking fountain. At least one telephone per floor should have amplification capabilities and be accessible to persons using wheelchairs. Where drinking fountains are provided, at least one per floor must be accessible to persons using wheelchairs and must be enclosed in an alcove or not encroach into an accessible route. (Title 24, CCR section 1117B1.2 and 1117B.2)

MEETING ROOMS AND BREAK-OUT ROOMS
Meeting rooms and break-out rooms must be arranged with consideration for the full participation of persons with disabilities. All public meeting space should be wheelchair accessible. This should include integrated wheelchair seating, turning room, and adequate aisle space. (Title 24, CCR section 1118B)

SPEAKER PLATFORM
If there is a raised platform, an accessible ramp must be provided, as well as an accessible path of travel leading to the platform. Microphones should be adjustable in order to adapt to the height of the speaker. (Title 24, CCR section 1133B.5)

EMERGENCY EVACUATION
There must be an emergency evacuation plan for individuals with disabilities. One should not assume that all individuals with disabilities need special assistance in an evacuation, but should always ask before providing assistance.

For information in locating accessible meeting sites and other access resources contact the Disability Access Coordinator at: 499-7002.

Additional information may be obtained from:

The Federal Access Board
1331 F Street NW, Suite 1000
Washington, DC 20004-1111
(800) 872-2253
(800) 993-2822 TTY
(202) 272-0081 FAX
www.access-board.gov
ACCESSIBLE PUBLIC EVENT CHECKLIST

It is the policy of the County of Marin that all County sponsored public meetings and events are physically and programmatically accessible to people with disabilities. This checklist has been developed in order to assist County departments in assessing potential sites and to ensure that all County meetings and events comply with Federal and state law in being accessible to persons with disabilities.

Event Name/Description:
_____________________________________________________________

Event Location/Address:
_____________________________________________________________

Event On-Site Contact:
_____________________________________________________________

Telephone #: ________________ e-mail: _____________________________

Date & Time of Event:
_____________________________________________________________

Responsible Department:
_____________________________________________________________

Dept. ADA Coordinator or Contact Person:
_____________________________________________________________

Telephone #: __________________ e-mail: ___________________________

Department ADA Coordinators or designated department staff is responsible for ensuring that this form is completed and that accessibility is verified at least 10 working days prior to any county-sponsored public meeting or event. It is not necessary to fill out this form more than once for regularly scheduled County meetings, so long as the ADA Coordinator of the Department continues to ensure that the provisions herein are being complied with at each meeting. If upon filling out or reviewing this form, it is apparent that additional information is required, or it appears that the meeting or event cannot be made physically or programmatically accessible, please contact the County Disability Access Program Manager at (415) 499-6065 (Voice/TTY) to discuss possible alternative solutions or sites.

Section One of this checklist is designed to assess compliance with “programmatic” accessibility standards, to ensure that events will be accessible not only to persons with physical disabilities, but to people with sensory, cognitive, and other disabilities, as well.

Section Two of this checklist is designed to ensure that potential meeting sites and event locations comply with physical accessibility standards.
Individual Terms that are underlined are defined in the Definitions section of this document.

Please provide comments as needed.

Note: Items listed first and in bold are minimum requirements. Please do not consider holding a public event without these in place. Items listed last, in italics are strongly recommended.

Programmatic Accessibility Checklist

Notice

1. All notices and announcements for the event or meeting include accessibility information (See sample in Appendix) ☐ ☐

2. All notices and announcements for the event or meeting include information on whom to contact to request accessibility accommodations. ☐ ☐

Communication Access

1. If a microphone is provided for public participation, the microphone cable is long enough to serve accessible seating areas or a wireless unit is provided. ☐ ☐

2. Film or video materials used at this event are captioned. ☐ ☐

3. Printed materials are available upon request, in alternative formats. This generally requires an electronic version of any materials. Large print copies (18 point) are recommended. ☐ ☐

4. For meetings of 50 or more people, Assistive Listening Devices (ALDs) are available. ☐ ☐

5. Signage of where to obtain ALDs is posted with ALD symbol at the site. ☐ ☐

6. For meetings of 100 or more people, Real-Time Captioning has been scheduled. ☐ ☐

7. For meetings of 500 or more people, two American Sign Language Interpreters have been scheduled. ☐ ☐

8. An oral description is available, either through the presenter or through pre-recorded audiotape. ☐ ☐

9. The meeting is accessible by speakerphone or Bridge Line. ☐ ☐
# PHYSICAL ACCESSIBILITY CHECKLIST

## Getting to the Event:

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. An accessible route exists from the street to the event and all event activities.</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2. All public events should have signage to direct the public to the location. In the unusual situation in which the main route to the meeting is not accessible, the accessible route with directional signage is provided.</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

## Transportation:

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. If the event itself includes transportation, wheelchair accessible vehicles are also available and advertised as available to the public.</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2. The meeting or event is located close to accessible public transportation.</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>3. An accessible route is provided from the public transportation stop to the building or facility entrance.</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>4. Accessible parking is available (review # of car and van accessible spaces).</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>5. There is accessible passenger loading and unloading space.</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

## Amenities:

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <strong>Accessible restrooms</strong> are available within 200 feet of the event’s location</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2. <strong>Accessible drinking fountains</strong> are available (if drinking fountains provided).</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>3. <strong>Accessible telephones</strong> are available (if telephones are provided).</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>4. Art displays or exhibits are positioned to provide an accessible route and to not be a hazard to people who are blind or have visual disabilities.</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>5. If food or beverages are provided, the service is located on an accessible route. Self-service items are reachable from a seated position with accessible operating mechanisms. [Countertops are 28 – 34 inches high.]</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

## Seating:

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. If seating is provided, wheelchair and companion seating is dispersed in multiple location(s) and seating ratio. (see definitions for ratio chart)</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>2. Seating is available for deaf and hard of hearing people near the front of the space so that attendees may see the interpreter/captioner, or lip read.</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>
3. Signs are provided indicating the accessible seating areas for both wheelchair users and persons who are deaf or hard of hearing.

Event Set-up:

1. If a stage or platform is provided, it is accessible by means of a ramp, wheelchair lift, or portable wheelchair lift.

2. If a dais or podium is provided for the public, an accessible dais or podium is also provided.

3. Fencing or other crowd control barriers are placed so as to provide an accessible route, and barricading complies with County DPW barricade standards.
**ACCESSIBLE PUBLIC EVENT POLICY DEFINITIONS**

**Accessibility information** – Meeting or Event Notice shall include information on how to request accommodations, including alternative formats or auxiliary aids and services, notice of wheelchair accessibility, and information on whom to contact to make accommodation requests. Please see "Sample Accessible Meeting Notice," and "Sample Accessible Event Notice" below.

**Accessible Podium (Dais)** – A fixed or mobile speaker or presenter’s table or podium that is no higher than 34” on which a microphone and presentation materials can be placed.

**Accessible drinking fountains** – Drinking fountain with the bubbler no higher than 36” with knee clearance underneath that is 27” high x 18” minimum deep and a level clear floor area in front of it.

**Accessible Entrance** – An entry door or gate is a minimum 32 inches clear when opened 90 degrees; threshold is no higher than ¼ inch (3/4 inch may be permitted in existing conditions if beveled), and door is easily opened, or has automatic door opener.

**Accessible exhibit materials** – Alternative formats or services that provide equivalent exhibit information for people with sensory disabilities in a manner appropriate to the program material. Examples include but are not limited to:

1. Titles of work and narrative using large 14 point san serif fonts on a high contrast background
2. Taped audio descriptions of photographs/artwork
3. Tactile replicas of art objects
4. Captioning of video or film presentations
5. Trained staff available to provide descriptions or tours

**Accessible surface** – Firm, stable and slip resistant surfaces, such as concrete, asphalt, wood, carpet, portable flooring etc. Grass, dirt, wood chips and sand are not accessible surfaces.

**Accessible parking** – A ratio of parking provided for the exclusive use of people with disabilities, located near the accessible entrance to the facility. Note: temporary accessible spaces can be created using signs and cones or chalk powder lines, provided that the minimum parking space and side access aisle dimensional requirements are met.
The minimum parking ratios required are:

- **1 to 25 spaces**: One van accessible space
- **28 to 50**: One auto and one van accessible spaces
- **51 to 75**: Two auto and one van accessible spaces
- **76 to 100**: Two auto and one van accessible spaces
- **101 to 150**: Four auto and one van accessible spaces
- **151 to 200**: Five auto and one van accessible spaces
- **201 to 300**: Six auto and one van accessible spaces
- **301 to 400**: Seven auto and one van accessible spaces
- **401 to 500**: Seven auto and two van accessible spaces
- **501 to 1000**: 2% autos with a minimum of one out of eight or fraction thereof van accessible

**Accessible Parking Space** – an auto parking space with identification signage that is 9 feet minimum width and 19 feet minimum length with an adjacent 5 feet clear access aisle. The parking space and access aisle shall be level.

**Accessible Van Parking Space**. A van accessible parking space with identification signage that is 9 feet minimum wide, 19 feet minimum long with an adjacent 8 feet clear access aisle. The parking and side access aisle space shall be level and have an 84 inch minimum clear height.

**Accessible Passenger Drop Off** – a 25-foot long vehicular passenger drop off area with a 5 feet min with adjacent aisle space that is level and 25 feet.

**Accessible portable toilets and sinks** – Toilets and sinks that meet state and federal requirements for wheelchair accessibility. Acceptable toilet manufacturers include, but are not limited to, Satellite and L&L Manufacturing. If one unit is to be provided, it must be accessible. When multiple units are provided, a minimum of 10%, but not less than one unit, and not less than one unit per cluster of units. Accessible toilets and sinks shall be located on a level area, along an accessible route, with an accessible surface. Ramps to accessible units shall not exceed 1:12 slope, have handrails on both sides, and a 60 inch square level landing at the unit door. Please note: this information is provided for situations in which the general public will be using portable toilets. A portable, accessible toilet is NEVER equivalent access if the general public is using indoor toilets.

**Accessible restrooms** – Toilet rooms that are located on an accessible route and contain accessible features including 32” minimum entry, an interior 60” turning space, lavatory with 27” min. knee space, wide toilet compartments with grab bars, and all accessories mounted no higher than 44 inches to the upper most control, etc.

**Accessible route** – A continuous unobstructed path connecting all accessible elements and spaces of a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, crosswalks at vehicular ways, walks, ramps, and lifts.
Accessible tables – A table providing knee space that is a minimum of 27" high, 30" wide and 19" deep unobstructed knee space with the tabletop no higher than 34".

Accessible Telephones – Telephones that are located on an accessible route, mounted at 48" from the floor to the coin slot and have volume controls.

Assistive Listening Device – A device that takes a signal from a microphone or public address system and sends it to a personal amplification system. Assistive Listening Devices (ALDs) can be procured through companies that provide public address systems (see Resource lists) or through the Department of Human Resources.

Captioned – Video or film program with subtitles reflecting the content of the spoken or descriptive material.

Directional Signage – Signage that indicate the direction of the accessible route when the accessible route is not the same as that of the general public. The signage may be directional arrows that include the International Symbol of Accessibility (ISA). Directional signage should be placed at any directional change that is not the same as that of the path of the general public.

Hazard to people who are blind or have visual disabilities – Pedestrian and participant areas shall be clear of objects (including plant branches and public art) which overhang less than 80" from the floor surface, or wall, and post mounted or freestanding objects that protrude 4" or more between 27" and 80" above the floor or ground into circulation areas.

Portable wheelchair lift – A lift that is not built into the structure but can be available for a specific event. Portable wheelchair lifts can be rented by calling (415) 863-1414, ext.105.

Accessible Seating location - Accessible seating must be situated so those individuals who cannot stand can view the meeting or event over seated or standing participants. Seating for persons who are deaf must be provided in a location near the stage/presentation area with direct view to the stage/presentation location of sign language interpreters.

Seating ratio – The number of accessible seats in relation to the number of seats provided as follows:

| 1 to 25 | One seat |
| 26 to 50 | Two seats |
| 51 to 300 | Four seats |
| 301 to 500 | Six seats |
| over 500 | Six, plus one additional space for each increase of 100 |
**Wheelchair and companion seating** – Seating for wheelchair users and adjacent, shoulder aligned seating for individuals accompanying wheelchair users that is located on the same level as that of the wheelchair user.

To receive a copy of this document in an alternate format or for additional information, please contact:

**Marin County Disability Access Program**
3501 Civic Center Drive, Room 304
San Rafael, CA  94903-4157
415.499.6065 (Voice/TTY)
415.499.3799 fax
wcampagna@co.marin.ca.us
SAMPLE ACCESSIBLE MEETING / EVENT NOTICES

Accessible Meeting Information

[Site] is accessible to persons using wheelchairs and others with disabilities. Assistive listening devices are available and meetings are open-captioned. Agendas are available in large print. Materials in alternative formats, American Sign Language interpreters, and other accommodations will be made available upon request. Please make your request for alternative format or other accommodations, to [Name, Phone, Email]. Providing at least 72 hours notice prior to the meeting will help to ensure availability.

The nearest bus stop is located at: ____________________________________.

In order to assist the County’s efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based scented products. Please help the County to accommodate these individuals.

For inquiries or requests for accommodations, please call _______ (V), ________ (TTY)

(Shorter Version)

Disability Access

[Site] is accessible to persons using wheelchairs and others with disabilities. Informational materials will be available in large print. Assistive listening devices, materials in other alternative formats, American Sign Language interpreters and other accommodations will be made available upon request. Please contact [Name, Phone, Email]. Providing at least 72 hours notice will help to help ensure availability.

In order to assist the County’s efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based scented products. Please help the County to accommodate these individuals.

(Flyer/Limited Space Version)

Disability Access

[Site] is wheelchair accessible. Assistive listening devices and [any other provided accommodations, such as materials in large print] will be available at the meeting. To request real time captioning, a sign language interpreter or other accommodations, please contact [Name, Phone, Email]. Providing at least 72 hours advance notice will help to ensure availability.
RESOURCES

Accessible portable toilets
Ajax Portable Toilets – 800-282-8988
JW Enterprises Portable Toilets – 800-350-3331
Portosan Portable Toilets – 800-545-5516
Waste Management – 800-422-5606

Accessible portable sinks and toilets – Acme & Sons – 800-322-2263

Portable wheelchair lifts - somArts - 863-1414 Extension 105

Accessible Van Transportation - MV Transportation – 468-4300


Physical and Programmatic Accessibility Assistance:
Marin County Disability Access Program– (415) 499-6065 Voice/TTY)

For additional information, please contact:

Marin County Disability Access Program
3501 Civic Center Drive, Room 304
San Rafael, CA  94903-4157
415.499.6065 (Voice/TTY)
415.499.3799 fax
wcampagna@co.marin.ca.us
Parliamentary Procedure Cheat Sheet

Each officer should be familiar with the fundamental rules of parliamentary procedure. The business of any meeting is conducted more efficiently and quickly with parliamentary procedure and gives members a sense of security in knowing what course of action may be taken.

As stated in “Robert’s Rules of Order Newly Revised,” the rules of parliamentary law are built on a careful balance of the rights of persons and subgroups within an organization. The rules are based on regard for the rights of:
- The majority – defined as more than half
- The minority
- Individual members
- Absentees
- All these together

Order of Business

Call to order
The president must first determine if a quorum is present. A quorum is defined as the number of voting members who must be present in order for business to be legally transacted. The bylaws should stipulate the number for quorum. If your bylaws do not stipulate a number for quorum, then it is a majority (more than half) of your voting members. No business may be conducted if the meeting lacks a quorum. The president stands, waits or signals for quiet, and says, “The meeting will come to order.”

Roll call
The president says, “The secretary will call the roll.”

Reading and approval of minutes
The president says, “The secretary will read the minutes.” Note: The secretary stands to read the minutes. The president sits down. This should only happen if the minutes are not distributed before the meeting.

Or the president says “The minutes were distributed before the meeting.”

The president says, “Are there any corrections to the minutes?” (Pause) [Choose one of the following statements:]

['If there are no corrections, the minutes are approved as read/distributed. ‘]

['If there is no objection, the secretary will make the correction(s) [insert proposed corrections]. If there are no further corrections, the minutes are approved as corrected.’]
Reports of officers

The president says, “The next business in order is hearing reports of the officers.” Note: Officers are called on in the order they are listed in the bylaws. The president should only call on those who have reports to make. An officer should not move the implementation of a recommendation in her report; another member can make such a motion following the officer’s report.

The treasurer reports at every meeting. In calling on the treasurer the president says, “May we have the treasurer’s report.” Note: A treasurer’s report is never adopted. An audit report, usually presented annually, is the only financial report that is adopted. This language is used to adopt the audit report: “The question is on the adoption of the audit report. Those in favor of adopting the audit report say ‘aye’. Those opposed say ‘no’. The ‘ayes’ have it and the audit report is adopted.”

Reports of standing committees

The president says, “The next business in order is hearing reports of the standing committees.” Note: Standing committees are called on in the order they are listed in the bylaws. The president should only call on those who have reports to make.

The chairman or other reporting member of a committee says, “On behalf of the committee, I move the adoption of [insert motion needed to implement any recommendations the committee makes].” Note: A motion arising out of a standing committee’s report is taken up immediately.

Reports of special committees

Note: Announced only if there are such committees prepared or instructed to report.

The president says, “The next business in order is hearing reports of special committees. The committee appointed to [insert special committee name] will now report.” Note: Special committees are called on in the order in which they were appointed.

The chairman or other reporting member of a committee says, “On behalf of the committee, I move the adoption of [insert motion needed to implement any recommendations the committee makes].” Note: A motion arising out of a special committee’s report is taken up immediately.

Special orders

Note: Announced only if there are such items.

Matters set by the bylaws for a particular meeting, such as elections, are taken up at this time.

Unfinished business and general orders

Note: Announced only if there are such items.

Unfinished business — sometimes incorrectly referred to as old business — refers to questions that have carried over from the previous meeting as a result of that meeting
having adjourned without completing its order of business. General orders refer to business that has been postponed to the present meeting.

The president says, “The next item of business is the motion relating to [insert motion] that was postponed to this meeting. The question is on the adoption of the motion that [insert motion]. Is there any discussion?”

**New Business**
The president says, “Is there any new business?”
“Is there any further new business?”

**Announcements**
The president says, “The chair has the following announcements [insert announcements]. Are there other announcements?”

**Program**
The president does not “turn the meeting over” but announces, “[Insert name of speaker] will now present the program” or “[insert name of person giving introduction] will introduce our speaker.”

**Adjournment**
The president says, “Is there any further business? (Pause) Since there is no further business, the meeting is adjourned.” Or they may say, “A motion to adjourn is in order.” In announcing the affirmative vote: “The ‘ayes’ have it and the meeting is adjourned.”
Note: A single rap of the gavel may be used.

**How is Business Brought Before the Board?**
To get business before the board someone must make a motion. A main motion is a formal proposal for consideration and action. Since only one subject can be considered at a time, no main motion can be made while another motion is before the board.

**Main Motions that are not in Order**
- Conflicts with the governing documents of the Board.
- Presents substantially the same question as previously rejected during the same meeting.
- Presents essentially the same question as one that was temporarily disposed of but is still in the control of the Board (such as referred to a committee).
- Proposes action outside the scope of the Board’s objects (unless by a 2/3 vote the members authorizes its introduction).

**The Eight Steps in Processing Main Motions**
1. A member rises and addresses the chair when nothing is pending, “Madame president.”
2. The president recognizes the member by nodding at her or saying, “The chair recognizes Amy.”
3. The member states her motion, “I move that we have a canned food drive.”
4. Another member, without recognition, seconds the motion, “Second.”
5. Chair states the motion and places it before the members for discussion. “It is moved and seconded that we have a canned food drive. Is there any discussion?”

6. Members have the right to get recognition and debate the motion. During debate subsidiary motions (e.g. amendments or postponement) may be introduced to help the board perfect the motion and make a final decision.

7. When discussion is finished the president puts the question to a vote. “The question is on the adoption of the motion that we have a canned food drive. Those in favor, say ‘aye’. (Pause.) “Those opposed, say ‘no’.” (Pause.)

8. The president announces the results of the vote. “The ‘ayes’ (‘noes’) have it; the motion is adopted (lost); we will (not) have a canned food drive; the next business in order is ...”

The Process of Amending

1. To insert or to add (a word, consecutive words or a paragraph).
   a. Phrasing:
      i. “I move to amend the motion by inserting the word ‘consecutive’ before the word ‘terms.’”
      ii. “I move to amend by adding the words ‘at a cost not to exceed $100.’”
      iii. “I move to amend by adding the following paragraph ...”

2. To strike out (a word, consecutive words or a paragraph).
   a. Phrasing:
      i. “I move to amend by striking out the word ‘every.’”
      ii. “I move to amend by striking out the third paragraph.”

3. To strike out and insert (words) or to substitute (paragraph or entire main motion).
   a. Phrasing:
      i. “I move to amend by striking out the word ‘monthly’ and insert the word ‘annually.’”
      ii. “I move to amend by substituting for the pending main motion the following ...”

Forms of Voting

A majority is usually required to pass a motion. It is a fundamental principle of parliamentary law that the right to vote is limited to the members of an organization who are actually present at the time the vote is taken in a legal meeting.

Voting may be done by:

- General (unanimous) consent: The president asks if there is any objection, and if none, the motion passes. “If there is no objection, we will adjourn. (Pause.) There being no objection, the meeting is adjourned.”
- Voice vote: Regular method of voting on any motion that does not require more than a majority vote; most common form of voting. “The question is on the adoption of the motion that ____. Those in favor, say ‘aye’.” (Pause.) “Those opposed, say ‘no’.” (Pause.)
• Rising vote: Method used when a two-thirds vote is required for adoption; is also used when a member calls for a division of the assembly. “The question is on the adoption of the motion that ___. Those in favor, please stand.” (Pause.) “Thank you, please be seated. Those opposed, please stand.” (Pause.) “Thank you, please be seated.”

• Show of hands: An alternative method for a voice vote; used in small boards, committees or very small meetings. “The question is on the adoption of the motion that ___. Those in favor please raise your hand.” (Pause.) “Thank you. Those opposed please raise your hand.” (Pause.) “Thank you.”

• Voting cards: An alternative method for a voice vote; cards must be issued during the credentialing process. “The question is on the adoption of the motion that ___. Those in favor please raise your voting card.” (Pause.) “Thank you. Those opposed please raise your voting card.” (Pause.) “Thank you.”

• Counted vote: Can be ordered by the president when it appears a voice vote is unclear, and it can be ordered by a majority vote of the members.

• Ballot or roll call vote: Can be ordered by a majority vote of the members and is required if specified in the bylaws.

**Nominations**

• Nominations do not need a second
• Closing nominations requires 2/3 vote. To reopen requires a majority vote.

**Parliamentary Rules for a Committee**

The formality necessary in a large group would hinder business in the smaller group. Therefore, in a committee:

• Members are not required to obtain the floor before making motions or speaking.
• Motions need not be seconded.
• There is no limit to the number of times a member may speak to a question.
• Informal discussion of a subject is permitted while there is no motion about it pending.
• All proposed actions must be approved by vote.
• Voting may be by voice or show of hands; minutes may be taken.
• The chairman may make and debate motions. They is usually an active participant in the discussions and work of the committee. They may vote on all questions.
THE BASICS OF PARLIAMENTARY PROCEDURE

Parliamentary procedure is simple in principle. It is based largely on common sense and courtesy. It just seems technical due to the special vocabulary used. If the vocabulary is understood, the rules are easy.

The Basic Principles of Parliamentary Procedure:

1. Only one subject may claim the attention of the assembly at one time.
2. Each proposition presented for consideration is entitled to full and free debate.
3. Every member has rights that are equal to every other member.
4. The will of the majority must be carried out, and the rights of the minority must be preserved.
5. The personality and desires of each member should be merged into the organizational unit.

MOTIONS

The proper way for an individual to propose that the group take a certain action is by making a motion.

Main Motions have for their object the bringing of questions, or propositions before the assembly for consideration. Only one main motion can be considered at a given time by the assembly.

Subsidiary Motions have for their object the modification or disposition of the main motion being considered. It is in order to propose them while a main motion is still before the assembly, and to vote upon them before voting upon the main motion.

Privileged Motions have not connection whatsoever with the main motion before the assembly, but are motions of such importance that they are entitled to immediate consideration. The main business before the house may be temporarily set aside to address a privileged motion.

Incidental Motions arise "incidentally" out of the business of the assembly, and have very common characteristics.

PROCESS FOR HANDLING A MOTION

1. A member rises and addresses the presiding officer. The officer should be addressed as Mr. President or Mr. or Madame Chairman.

2. The member is recognized by the presiding officer. When a member has been recognized, the member is the only member entitled to present or discuss a motion.

3. The member proposes a motion. The motion should begin "I move that" followed by a statement of proposal. It is not permissible to discuss the merits of the motion either prior to or immediately following the formal proposal of the motion.

4. Another member seconds the motion. The member simply states "I second the motion" If nobody seconds the motion, the presiding officer may ask "Is there a second to the motion?" If there is none, he may declare "The motion is lost for want of a second"

5. The Presiding officer states the motion to the assembly. When a motion has been properly proposed and seconded, the chairperson repeats the motion to the assembly. In may then be spoken of as a "question", a "proposition", or a "measure."
6. The assembly discusses or debates the motion. To speak, a member must obtain the floor in the same manner as when presenting a motion.
   a. The presiding officer should show preference to the proposer of the motion.
   b. A member who has not spoken has prior claim over one who has already spoken.
   c. The presiding officer should alternate between proponents and opponents of the motion.
   d. The presiding officer should recognize a member who seldom speaks in preference to one who frequently speaks.

DISCUSSION MUST BE CONFINED TO THE QUESTION THAT IS "BEFORE THE ASSEMBLY".

7. The presiding officer takes the vote on the motion. Before taking the vote, the chairman ask, "Is there further discussion?" or "Are you ready for the question?" The chairman proceeds to take the vote by announcing "All in favor of the motion (STATE THE MOTION) say 'aye'. The chairman then says "Those opposed say 'No'."

8. The presiding officer announces the results of the vote. The chairman announces the vote by saying "The motion is carried; therefore (STATE THE INTENT OF THE MOTION)." or if the vote is in the negative, the chairman states "The motion is lost."

9. Another motion is then in order.

AMENDING A MOTION

The purpose of the motion-to-amend is to modify a motion that has already been presented in such a manner that it will be more satisfactory to the members. The following are common methods of amending:

1. By addition or insertion to add something to the motion which it did not contain.
2. By eliminating or striking out to subtract or eliminate something from the original motion.
3. By substitution to eliminate something from the original motion and substitute something else in its place.

AN AMENDMENT MAY BE HOSTILE, BUT IT MUST BE GERMANE.
A hostile amendment is opposed to the spirit of the motion to which it is applied. To be germane, an amendment must have direct bearing on the subject of the motion to which it is applied. An amendment may nullify the original motion, but if it relates to the same subject matter, it is germane.

TYPES OF AMENDMENTS:
   1. Amendment of the First Rank - An amendment to the motion.
   2. Amendment of the Second Rank - An amendment to an amendment, that modifies and relates directly to the amendment, and NOT to the original motion.

NO AMENDMENT BEYOND THE SECOND RANK IS POSSIBLE.
If it is desired to amend two separate and unrelated parts of a motion, then it must be done with two amendments of the first rank. Until an amendment of the second rank is voted on no other amendment of the second rank is in order. Until the amendment of the first rank is voted upon, no other amendment of the first rank can be proposed.

ORDER OF VOTING ON AMENDMENTS:

Amendments are voted upon in inverse order of proposal.

1. Discussion is held and the vote is taken upon the amendment to the amendment.
2. Discussion is called for and the vote is taken upon the amendment to the motion.
3. When the vote on the amendment has been taken, discussion on the motion as amended is opened and when completed, a vote is taken upon the motion as amended.
<table>
<thead>
<tr>
<th>Purpose of Motion</th>
<th>Interrupt Speaker?</th>
<th>Second Required?</th>
<th>Debatable?</th>
<th>Vote Required?</th>
<th>Motions That Apply</th>
</tr>
</thead>
<tbody>
<tr>
<td>Privileged Motions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to fix time to adjourn</td>
<td>no</td>
<td>yes</td>
<td>limited maj.</td>
<td>none</td>
<td>amend, reconsider</td>
</tr>
<tr>
<td>to adjourn (unqualified)</td>
<td>no</td>
<td>yes</td>
<td>no maj.</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>to take a recess</td>
<td>no</td>
<td>yes</td>
<td>limited maj.</td>
<td>amend</td>
<td></td>
</tr>
<tr>
<td>to rise to a question of privilege</td>
<td>yes</td>
<td>no</td>
<td>no rules</td>
<td>all</td>
<td></td>
</tr>
<tr>
<td>to call for the orders of the day</td>
<td>yes</td>
<td>no</td>
<td>no maj.</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>Subsidiary Motions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to lay on the table</td>
<td>no</td>
<td>yes</td>
<td>no maj.</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>to call for the previous question</td>
<td>no</td>
<td>yes</td>
<td>no 2/3</td>
<td>reconsider</td>
<td></td>
</tr>
<tr>
<td>to limit, or extend limits of debate</td>
<td>no</td>
<td>yes</td>
<td>limited 2/3</td>
<td>amend, reconsider</td>
<td></td>
</tr>
<tr>
<td>to postpone definitely</td>
<td>no</td>
<td>yes</td>
<td>limited maj.</td>
<td>amend, reconsider, previous question</td>
<td></td>
</tr>
<tr>
<td>to refer to a committee</td>
<td>no</td>
<td>yes</td>
<td>limited maj.</td>
<td>amend, reconsider, previous question</td>
<td></td>
</tr>
<tr>
<td>to amend</td>
<td>no</td>
<td>yes</td>
<td>yes maj.</td>
<td>amend, reconsider, previous question</td>
<td></td>
</tr>
<tr>
<td>to postpone indefinitely</td>
<td>no</td>
<td>yes</td>
<td>yes maj.</td>
<td>limit debate, reconsider, previous question</td>
<td></td>
</tr>
<tr>
<td>Main Motions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>general main motions</td>
<td>no</td>
<td>yes</td>
<td>yes maj.</td>
<td>all</td>
<td></td>
</tr>
<tr>
<td>to take from the table</td>
<td>no</td>
<td>yes</td>
<td>yes maj.</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>to reconsider</td>
<td>yes</td>
<td>yes</td>
<td>yes maj.</td>
<td>limit debate, table, previous question, postpone definitely</td>
<td></td>
</tr>
<tr>
<td>to reconsider and enter in minutes</td>
<td>yes</td>
<td>yes</td>
<td>no none</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>to rescind</td>
<td>no</td>
<td>yes</td>
<td>yes 2/3</td>
<td>all</td>
<td></td>
</tr>
<tr>
<td>to expunge</td>
<td>no</td>
<td>yes</td>
<td>yes 2/3</td>
<td>all</td>
<td></td>
</tr>
<tr>
<td>to adopt a resolution</td>
<td>no</td>
<td>yes</td>
<td>yes maj.</td>
<td>all</td>
<td></td>
</tr>
<tr>
<td>to adjourn (qualified)</td>
<td>no</td>
<td>yes</td>
<td>yes maj.</td>
<td>all</td>
<td></td>
</tr>
<tr>
<td>to create orders of the day (special)</td>
<td>no</td>
<td>yes</td>
<td>yes 2/3</td>
<td>all</td>
<td></td>
</tr>
<tr>
<td>to amend constitution etc.</td>
<td>no</td>
<td>yes</td>
<td>yes 2/3</td>
<td>all</td>
<td></td>
</tr>
<tr>
<td>Incidental Motions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to suspend rules</td>
<td>no</td>
<td>yes</td>
<td>no 2/3</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>to withdraw a motion</td>
<td>no</td>
<td>no</td>
<td>no maj.</td>
<td>reconsider</td>
<td></td>
</tr>
<tr>
<td>to read papers</td>
<td>no</td>
<td>yes</td>
<td>no maj.</td>
<td>reconsider</td>
<td></td>
</tr>
<tr>
<td>to object to consideration</td>
<td>yes</td>
<td>no</td>
<td>no 2/3</td>
<td>reconsider</td>
<td></td>
</tr>
<tr>
<td>to rise to a point of order</td>
<td>yes</td>
<td>no</td>
<td>no rules</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>to rise to parliamentary inquiry</td>
<td>yes</td>
<td>no</td>
<td>no none</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>to appeal from the decision of chair</td>
<td>yes</td>
<td>yes</td>
<td>limited maj.</td>
<td>all except amend</td>
<td></td>
</tr>
<tr>
<td>to call for a division of the house</td>
<td>yes</td>
<td>no</td>
<td>no maj.</td>
<td>none</td>
<td></td>
</tr>
<tr>
<td>to call for a division of a question</td>
<td>no</td>
<td>yes</td>
<td>no maj.</td>
<td>amend</td>
<td></td>
</tr>
<tr>
<td>Kind of Motion</td>
<td>Objective</td>
<td>Effect</td>
<td></td>
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<td>--------------------------------------</td>
<td>---------------------------------------------------------</td>
<td>---------------------------------------------</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>to lay on the table</td>
<td>clears the floor for more urgent business</td>
<td>delays action</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to call for the previous question</td>
<td>secures immediate vote on pending question</td>
<td>ends debate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to limit or extend time for debate</td>
<td>provides more or less time for discussion</td>
<td>shortens discussion</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to postpone definitely</td>
<td>gives more time for information discussion</td>
<td>delays action</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to commit or refer</td>
<td>to enable more careful consideration</td>
<td>delays action</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to amend</td>
<td>to improve the motion</td>
<td>changes the motion</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to postpone indefinitely</td>
<td>to prevent a vote on the question</td>
<td>suppresses the question</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to raise a point of order</td>
<td>to call attention to violation of the rules</td>
<td>keeps group using parliamentary procedure</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to appeal from decision of chair</td>
<td>to determine the attitude of the group</td>
<td>secures group ruling</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to suspend the rules</td>
<td>to permit action not possible under the rules</td>
<td>secures action prevented by the rules</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to object to the consideration of a</td>
<td>to prevent wasting time</td>
<td>suppresses the motion</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>question</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to divide the question</td>
<td>to secure more careful consideration</td>
<td>secures action</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to call for a division</td>
<td>to determine the accuracy of a voice vote</td>
<td>secures an accurate check of the vote</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to nominate</td>
<td>to suggest names for office</td>
<td>places names for consideration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to make a request growing out of</td>
<td>to secure information or ask to be excused from duty</td>
<td>provides information</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>pending business</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to fix the time to adjourn</td>
<td>to have legal continuation of the meeting</td>
<td>sets continuation time</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to adjourn</td>
<td>to end the meeting</td>
<td>adjourns the meeting</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to take a recess</td>
<td>to secure an intermission of the meeting</td>
<td>delays action</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to raise a question of privilege</td>
<td>to correct undesirable conditions</td>
<td>corrects undesirable conditions</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to call for the order of the day</td>
<td>to secure adherence to order of business</td>
<td>same as the objective</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to take from the table</td>
<td>to continue the consideration of question</td>
<td>continues consideration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to reconsider</td>
<td>to reconsider the question</td>
<td>secures further consideration and another</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>to reconsider and have entered in</td>
<td>to reconsider the question at the next meeting</td>
<td>secures further consideration and another</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the minutes</td>
<td></td>
<td>vote</td>
<td></td>
<td></td>
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<tr>
<td>to rescind</td>
<td>to repeal action previously taken</td>
<td>same as objective</td>
<td></td>
<td></td>
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<tr>
<td>to ratify</td>
<td>to approve previous action taken</td>
<td>same as objective</td>
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</tbody>
</table>
GLOSSARY OF STANDARD TERMS OF PARLIAMENTARY PROCEDURE

Agenda (or Order of Business) - The regular program of procedure of an organization.

Amend - To alter a motion by addition, deletion, or in any other way.

Chair - The Chairman or presiding officer. “Addressing the Chair” means speaking to the presiding officer. Being “Recognized by the Chair” means being given permission to speak further.

**Power of Chair** - The Chairman has the following authority:
- a. to decide in what order speakers shall be recognized
- b. to refuse to recognize members offering dilatory, absurd, or frivolous motions
- c. to restrain speakers within the limits of the rules
- d. to enforce good decorum
- e. to appoint committees
- f. to decide points of order
- g. to vote in cases where the vote would make or break a tie
- h. The chair should avoid influencing a vote by his own comment on a motion.

Actions of the chair are subject to appeal.

Commit - To refer to a committee

**Committee of the Whole** - The meeting, on a motion duly made, may “resolve itself into a committee of the whole.” This means that the meeting is officially discontinued while everyone remains and becomes a member of a large special committee, which includes everyone present. A special chairman is appointed to preside over the committee.

Division - When all those voting stand in separate “for” and “against” groups.

Division of Question - To separate a motion into different parts that are considered individually.

Floor - The privilege of speaking before the assembly.

Indefinite Postponement - The object is not merely to “postpone” but in effect to reject the motion.

Informal Consideration - When a member moves for “informal consideration,” and the motion is adopted, the meeting lays aside formal rules, and allows each committee member to speak on the subject under consideration.

Motion - A formal proposal to a meeting that it take certain action.

Order - An expression of the will of the assembly, in the form of a command.

Order of the Day - A motion to drop the present discussion, and that the chairman announce the next matter to be taken up in accordance with the organization’s customary business routine.

Parliamentary Inquiry - An investigation to determine the proper course of procedure.

Privilege - The privileges and rights of the meeting in connection with matters of physical comfort or ineligibility or misconduct of a member in the meeting.

Question - The question is a proposition or motion that has been placed before the meeting for action by the chairman. To "move the question" is to demand that the chairman take a vote on the current motion.

Resolution - An act of the assembly that declares facts, expresses opinion, but does not command.

Suspension of Rules - To allow something to be done that would otherwise violate the meeting rules, but is not in conflict with the constitution or by-laws, or with the fundamental principles of parliamentary law.

Table - To delay action on a motion.
Introduction to Robert's Rules of Order

Motions
A motion is a proposal that the entire membership take action or a stand on an issue. Individual members can:

- Move a motion
- Second a motion
- Debate motions
- Vote on motions

Types of Motions
Main Motions introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.

Subsidiary Motions change or affect how a main motion is handled, and are voted on before a main motion.

Privileged Motions bring up urgent items about special or important matters unrelated to pending business.

Incidental Motions provide a means of questioning procedure concerning other motions and have priority.

Presenting a Motion

1. Obtaining the floor
   1. Wait until the last speaker has finished.
   2. Rise and address the Chair by saying, for example, "Mr. Chairman," or "Madam President."
   3. Wait until the Chair recognizes you.
2. Make Your Motion
   1. Speak in a clear and concise manner.
   2. Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ...".
   3. Avoid personalities and stay on your subject.
3. Wait for Someone to Second Your Motion
   1. Another member will second your motion or the Chair will call for a second. If there is no second, your motion is lost.
4. The Chair States Your Motion
   1. The Chair will say, "it has been moved and seconded that we ..." Thus placing your motion before the membership for consideration and action.
2. The membership then debates your motion, or may move directly to a vote.
3. Once your motion is presented to the membership by the Chair it becomes "assembly property", and cannot be changed by you without the consent of the members.

5. Expanding on Your Motion
   1. The time for you to speak in favor of your motion is at this point in time, rather than at the time you present it.
   2. The mover is always allowed to speak first.
   3. All comments and debate must be directed to the Chair.
   4. Keep to the time limit for speaking that has been established.
   5. The mover may speak again only after other speakers are finished, unless called upon by the Chair.

6. Putting the Question to the Membership
   1. The Chair asks, "Are you ready to vote on the question?"
   2. If there is no more discussion, a vote is taken.
   3. Alternatively, a motion to "move the previous question", if adopted, brings the question to a vote.

   **Voting on a Motion**
   The method of vote on a motion depends on the circumstances and the by-laws of your organization. There are five methods used to vote by most organizations:

   - **Voice.** The Chair asks those in favor to say, "aye", those opposed to say "no". Any member may move for an exact count.
   - **Roll Call.** Each member answers "yes" or "no" as his name is called. This method is used when a record of each person's vote is required.
   - **General Consent.** When a motion is not likely to be opposed, the Chair says, "if there is no objection ..." The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.
   - **Division.** Members raise their hands or stand with the ayes or the noes. A count is not necessarily required.
   - **Ballot.** Members write their vote on a slip of paper. This method is used to maintain secrecy in votes.

   **Use It Properly**

   - Allow motions that are in order.
   - Have members obtain the floor properly.
   - Speak clearly and concisely.
   - Obey the rules of debate.
   - Most importantly, *BE COURTEOUS*. 
How to Write a Motion  
Written by Jeremy Barlow

Writing a motion for a board meeting isn’t difficult, but it does take some forethought. Perhaps you’ve been to a board meeting where someone filed a motion and so many amendments followed it that the final version didn’t remotely resemble the original wording. A well-written motion is specific, unique, and concise. By writing a clear motion, you will reduce time spent in discussion and in making amendments. More importantly, you can be sure that your motion will be carried out exactly as you intended.

If you’re not familiar with writing motions, it helps to better understand what kind of motion you want to make. There are four basic kinds of motions:

1. **Main Motions**

A main motion is an item that you want to introduce to the membership to consider and vote on. You cannot introduce a main motion when any other motion is on the floor. Main motions yield to privileged, subsidiary, and incidental motions.

2. **Subsidiary Motions**

The purpose of a subsidiary motion is to change or affect how a main motion is handled. The membership votes on the subsidiary motion before they vote on the main motion.
Example: A main motion to take a specific action is filed and seconded. Another member moves to refer the action to a committee (subsidiary motion) and it is seconded. The members vote on the subsidiary motion first.

3. **Privileged Motions**

The purpose of a privileged motion is to bring up items that are urgent about special or important matters that are unrelated to pending business.
Example: A privileged motion is to delay a motion until after a recess. The chair addresses this motion before the main motion.

4. **Incidental Motions**
The purpose of an incidental motion is to question or clarify the procedure relative to other motions. Incidental motions must be considered before the motion that it questions. Robert’s Rules lists incidental motions that cover almost any issue that surfaces.

**Example:** A member files a broad or vague motion and another member seconds it. Another member files a motion to table the main motion and requests additional information. The incidental motion is seconded. The chair addresses the incidental motion before the main motion.

**Writing a Clear, Concise Board Meeting Motion**

Now that you know what kind of motion you are writing and the hierarchy that it takes, you can begin writing your motion. Remember that it should be clearly and concisely worded.

Think through your motion carefully and determine exactly what it is you want to accomplish with it. Include details and support it. Anticipate questions and objections and answer them in your motion. Address any legal concerns in your summary.

If there is a fiscal component, include how the action will be funded. Main motions that require funding may require two main motions—one to pass the action and one to fund it.

Review your motion to see if it asks for a clear action to be taken. State a timeframe when applicable.

Rely on your chair and fellow board members for assistance. Ask one or more of them to review your motion and offer feedback.

Let’s take a look at a couple of examples. A homeowner’s association has been discussing that the roofs of six buildings need to be replaced. The discussion has trended towards replacing the existing shake-shingle roofs with asphalt roofs due to the decreased cost. Homeowners concur with the decision and the village has just changed its ordinance to allow the asphalt roofs in that neighborhood. It’s time to make a motion to replace the roofs.

**Example of a poorly written board meeting motion:**

“I move to replace the wood shingles on three of the buildings with asphalt shingles.”
Example of a well-written board meeting motion:

“I move to replace the wood shingles on buildings 1, 2, and 3 with asphalt shingles in May, 2017. The ordinance has been changed to allow for asphalt shingles. The second phase of replacing the roofs will occur in July, 2017 for the remaining buildings 4, 5, and 6, so that they will all match by the end of the summer. The roof replacements for both phases will be funded from the association budget at a cost of $10,000 per roof.”

In looking at the examples, it’s easy to see why the first example invites questions about the change in material, which buildings are being repaired, when the remaining roofs will be repaired, how costs will be managed, and when the work will be completed. This type of motion is likely to be subject to subsidiary or incidental motions.

The second example concisely spells out all of the details, not leaving anything to chance. Your fellow board members will appreciate a well-planned motion.

One of the negatives in writing vague, unclear motions is that your motion will be subjected to being amended many times. Moreover, you risk losing the substance of your original intent. Writing motions that are specific, concise, and unique keep the meeting moving along fluidly. By understanding the type of motion you are making, taking time to think it through, and addressing potential objections, you can write a clear motion that will help members make an informed vote.

Helpful tips for writing a board meeting motion:

1. Be specific, unique and concise
2. Understand the different motion types
3. Address potential objections
4. Rely on your board chair and board members for assistance

Marin Health Council

Council Sample ‘Motion’ Form

Date:___________

To ensure an accurate record of all Marin Health Council Motions/Decisions, please fill out this document with a clearly stated motion. The Motion will be written into the minutes with modifications, if any. If modifications are made to the motion, those will be reflected in the Council's minutes.

Roberts Rules of Order suggest that all motions be stated in the affirmative rather than the negative; “That the Marin Health Council act ....”, rather than “That the Marin Health Council not ...”.

Motion Offered by: ________________________________

Motion Seconded by: ______________________________

MOTION

(please print)
## Robert's Rules of Order Motions Chart

### Part 1, Main Motions
These motions are listed in order of precedence. A motion can be introduced if it is higher on the chart than the pending motion. § indicates the section from Robert's Rules.

<table>
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</thead>
<tbody>
<tr>
<td>§21</td>
<td>Close meeting</td>
<td>I move to adjourn</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>§20</td>
<td>Take break</td>
<td>I move to recess for ...</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>§19</td>
<td>Register complaint</td>
<td>I rise to a question of privilege</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>§18</td>
<td>Make follow agenda</td>
<td>I call for the orders of the day</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>§17</td>
<td>Lay aside temporarily</td>
<td>I move to lay the question on the table</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>§16</td>
<td>Close debate</td>
<td>I move the previous question</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>§15</td>
<td>Limit or extend debate</td>
<td>I move that debate be limited to ...</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>2/3</td>
</tr>
<tr>
<td>§14</td>
<td>Postpone to a certain time</td>
<td>I move to postpone the motion to ...</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>§13</td>
<td>Refer to committee</td>
<td>I move to refer the motion to ...</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>§12</td>
<td>Modify wording of motion</td>
<td>I move to amend the motion by ...</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>§11</td>
<td>Kill main motion</td>
<td>I move that the motion be postponed indefinitely</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>§10</td>
<td>Bring business before assembly (a main motion)</td>
<td>I move that [or &quot;to&quot;] ...</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Majority</td>
</tr>
</tbody>
</table>

### Part 2, Incidental Motions
No order of precedence. These motions arise incidentally and are decided immediately.

<table>
<thead>
<tr>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>§23</td>
<td>Enforce rules</td>
<td>Point of Order</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>§24</td>
<td>Submit matter to assembly</td>
<td>I appeal from the decision of the chair</td>
<td>Yes</td>
<td>Yes</td>
<td>Varies</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>§25</td>
<td>Suspend rules</td>
<td>I move to suspend the rules</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>2/3</td>
</tr>
<tr>
<td>§26</td>
<td>Avoid main motion altogether</td>
<td>I object to the consideration of the question</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>2/3</td>
</tr>
<tr>
<td>§27</td>
<td>Divide motion</td>
<td>I move to divide the question</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Majority</td>
</tr>
<tr>
<td>§29</td>
<td>Demand a rising vote</td>
<td>I move for a rising vote</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>§33</td>
<td>Parliamentary law question</td>
<td>Parliamentary inquiry</td>
<td>Yes if urgent</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>§33</td>
<td>Request for information</td>
<td>Point of information</td>
<td>Yes if urgent</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>None</td>
</tr>
</tbody>
</table>

### Part 3, Motions That Bring a Question Again Before the Assembly
No order of precedence. Introduce only when nothing else is pending.

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</thead>
<tbody>
<tr>
<td>§34</td>
<td>Take matter from table</td>
<td>I move to take from the table ...</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Majority</td>
</tr>
<tr>
<td>§35</td>
<td>Cancel previous action</td>
<td>I move to rescind ...</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2/3 or Majority with notice</td>
</tr>
<tr>
<td>§37</td>
<td>Reconsider motion</td>
<td>I move to reconsider ...</td>
<td>No</td>
<td>Yes</td>
<td>Varies</td>
<td>No</td>
<td>Majority</td>
</tr>
</tbody>
</table>
## Parliamentary Procedure Motions Chart

<table>
<thead>
<tr>
<th>Motion</th>
<th>S</th>
<th>A</th>
<th>M</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjourn</td>
<td>S</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recess</td>
<td>S</td>
<td>A</td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>Table</td>
<td></td>
<td></td>
<td>M</td>
<td></td>
</tr>
<tr>
<td>Close Debate</td>
<td>S</td>
<td></td>
<td>2/3</td>
<td>R</td>
</tr>
<tr>
<td>Limit Debate</td>
<td>S</td>
<td>A</td>
<td>2/3</td>
<td>R</td>
</tr>
<tr>
<td>Postpone to a Later Time</td>
<td>S</td>
<td>D</td>
<td>A</td>
<td>M</td>
</tr>
<tr>
<td>Refer to A Committee</td>
<td>S</td>
<td>D</td>
<td>A</td>
<td>M</td>
</tr>
<tr>
<td>Amend a Motion</td>
<td>S</td>
<td>D</td>
<td>A</td>
<td>M</td>
</tr>
<tr>
<td>Amendment to an Amendment</td>
<td>S</td>
<td>D</td>
<td>A</td>
<td>M</td>
</tr>
<tr>
<td>Postpone Indefinitely</td>
<td>S</td>
<td>D</td>
<td>A</td>
<td>M</td>
</tr>
<tr>
<td>Main Motion</td>
<td>S</td>
<td>D</td>
<td>A</td>
<td>M</td>
</tr>
</tbody>
</table>

*S=Must be Seconded; D=Debatable; A=Amendable; M= Requires a Simple Majority Vote; 2/3= Requires a 2/3 Vote; R=May be Reconsidered or Rescinded

### OTHER TERMS AND DEFINITIONS

**ORDERS OF THE DAY**

Agenda. A deviation requires suspension of the rules

**MAIN MOTION**

Brings new business (the next agenda item) before the Senate

**DIVIDE THE QUESTION**

Divides a motion into two or more separate motions (each must be able to stand on its own)

**CONSIDER BY PARAGRAPH**

Adoption of a proposal is held until all paragraphs are debated and amended. After all are considered, any paragraph may be further amended. Preambles cannot be considered until debate on the body of the proposal has ended.

**AMEND**

Inserting or striking out words or paragraphs or substituting entire paragraphs or resolutions

**WITHDRAW/MODIFY MOTION**

Applies after a question is stated. A mover may accept an amendment without obtaining the floor.

**COMMIT/REFER/RECOMMIT TO COMMITTEE.**

State the committee to receive the question or resolution. If none with jurisdiction exists, specify the size of committee desired and the means of selecting members.

**EXTEND DEBATE**

Can apply only to the immediately-pending questions and for a specific time or period of time.

**LIMIT DEBATE**

Closes debate at a specific time or limits debate to a specific period of time

**TAKE FROM THE TABLE**

State the item to take from the table and resume consideration of an item previously laid on the table.

**INFORMAL CONSIDERATION**

You must move that the Senate go into a “Committee of the Whole” and conduct informal discussion as if in committee. The ‘committee’ may limit the number or length of speeches or close debate by 2/3 vote. Votes are formal.
PURPOSE

The City Clerks Association of California issues these guidelines as a tool for government agencies to transition to minutes styles that are efficient, succinct, cost-effective for staff to prepare, and more appropriately aligned with the intent of the Government Code.

FINDINGS

• Legislative bodies must act, and must be seen to act, within the laws of the State of California and local charters, if applicable. Being seen to act within the law is important, because the legislative body’s decisions may be subject to external scrutiny by the public, auditors, or judicial inquiry. Minutes testify that the correct procedures for decision-making were followed.

• Legislative body minutes shall be prepared in a manner consistent with the intent of the Government Code. Relevant Government Codes are as follows:
  
  ▪ Government Code 40801. The city clerk shall keep an accurate record of the proceeding of the legislative body and the board of equalization in books bearing appropriate titles and devoted exclusively to such purposes, respectively. The books shall have a comprehensive general index.
  
  ▪ Government Code 36814. The council shall cause the clerk to keep a correct record of its proceedings. At the request of a member, the city clerk shall enter the ayes and noes in the journal.
  
  ▪ Government Code 54953(c)(2). The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

  ▪ Government Code 53232.3(d). Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

• All components of minutes shall be for the primary purpose of memorializing decisions made by the legislative body. Any minute component that does not serve this primary purpose should be minimized or eliminated; this includes comments made by individual body members and members of the public.

GUIDELINES

• Minutes should provide a record of a) when and where a meeting took place, and who was present (including member absences, late arrivals, departures, adjournment time); b) type of meeting (Regular/Special/Adjourned Regular); c) what was considered; d) what was decided; and e) agreed upon follow-up action. Pursuant to Government Code 54953(c)(2), minutes shall report any action taken and the vote or abstention on that action of each member present for the action.

• Appropriate styles are action minutes or brief summary minutes. Verbatim style minutes should not be used, because verbatim or lengthy summary minutes do not serve the intent of the Government Code, which is to record the proceedings of the legislative body.

• Action minutes merely record final decisions made.
• **Brief summary** minutes, at a minimum, record the final decisions made; and, at a maximum, may record what advice the body was given to enable it to make its decisions, the body’s thought process in making the decision, and the final decisions made. Emphasis is given on the body’s thought process, not individual members’ thought processes. The minutes should summarize only the main points which arose in discussion if and only if they are relevant to the decision.

• Comments made by members such as “for the record” or “for the minutes” have no bearing on the content of minutes and are given no greater and no lesser consideration than other comments made at the public meeting. Members seeking to memorialize comments should incorporate such verbiage into the language of the motion. As an alternative, members may submit written statements to be retained with the agenda item.

• Since the main purpose of minutes is to record the legislative body’s decision, summary minutes should be brief. By concentrating on the legislative body’s decision, brief summary minutes will provide only a select recording of what was discussed at the meeting. Brief summary minutes should not attempt to reproduce, however summarily, what every speaker said. It should only record the essence of the discussion and include the main threads that lead to the body’s conclusion.

• To the fullest extent possible, brief summary minutes should be impersonal and should not attribute views to individual persons. Only the positions and decisions taken by the whole legislative body are relevant, not those of individual members. The passive voice is favored i.e. “It was suggested that…,” “It was generally felt that…,” “It was questioned whether…,” “During discussion, it was clarified…”

• There are reasons for not attributing comments to specific speakers. First, it makes for brevity—a point can be recorded more concisely in impersonal form. Second, a point raised by one speaker will often be further developed by others—in impersonal brief summary minutes, only the fully-developed point is recorded in its final form. Third, points by several speakers can be consolidated into a single paragraph. Fourth, the impersonal style averts future corrections to minutes.

• While the primary purpose of minutes is to memorialize decisions made by the legislative body as a whole, under limited circumstances it is necessary and/or appropriate to attribute comments to individual members including:
  - Individual member’s reports pursuant to Government Code 53232.3(d) (enacted by AB 1234, 2005). The minute record shall include the type of meeting attended at the expense of the local agency and the subject matter.
  - Individual member’s reports on intergovernmental agencies. Brief summary minutes should include the type of meeting at a minimum, and, at the maximum, include the subject matter.
  - Individuals speaking under public comment. Brief summary minutes shall, at a minimum, list the public member’s name (if provided); and, at a maximum, include the overall topic and stance/position. Such as Mr. Jones spoke in opposition to the Project X. Being mindful that the minutes are recordings of the legislative body’s proceedings, it is not appropriate to include detail of individual comments. There is an exception for public testimony provided during public hearings, for which the minutes shall include the speaker’s name (if provided) and a summary position of the speaker (i.e., supported or opposed).

• For purposes of meeting Government Code 36814 and/or 54953(c)(2), the city clerk should enter the ayes and noes in the minutes. For informal consensus (i.e. providing staff direction), it is appropriate to note the dissent of one or more members by, at a minimum, stating the dissenting member’s name and dissention, such as “Mr. Jones dissented,” and at a maximum to also include a brief reason, such as “Mr. Jones dissented citing budget concerns.”

• While the primary purpose of legislative body meetings is for the legislative body to take legislative action and make decisions to advance agency business, it is acknowledged that agency meetings also
serve as platforms for ceremonial presentations and reports on social and community events. At a minimum, brief summary minutes should identify that presentations were made and event reports were given; and, at a maximum, report only the subject matter of the presentation or event.

- For community workshops and town hall meetings subject to the Brown Act, brief summary minutes, at a maximum, record the overall topic, provided that no legislative actions were taken. It is advisable to note in the minutes that no legislative action was taken.

- The guidelines contained herein are applicable to committees and commissions subject to the Brown Act. It is acknowledged that many boards and commissions take few legislative actions, and the tendency is to include more detail in the minutes on event reports and planning. At a maximum, brief summary minutes may include key points of the final reports or determinations, and all comments shall be attributable to the entire body and not attributable to individual members.

- Brief summary minutes shall serve to clarify decisions taken and who is expected to execute the decisions. It is not necessary to write down all action points or all tasks identified. Minutes shall not serve as a substitute for task lists, and the focus shall remain on the final decisions made by the legislative body.

- The language of brief summary minutes should be relatively restrained and neutral, however impassioned the discussion. Brief summary minutes will record the substance of the point in an intemperate way.

- To the fullest extent possible, minutes should be self-contained to be intelligible without reference to other documents.

- As a general rule, individual member comments are not identified in the brief summary minutes of discussions, and minutes should concentrate on the collective body’s thought process and the collective decisions made by the majority, not individuals.

- Brief summary minutes should concentrate on central issues germane to the final decision. The record of the discussion should be presented in a logical sequence, rather than reproduced in the actual order they were made in discussion.

- The legislative body may wish to choose more, substantive (summary) minutes if there’s no archival audio/video backup recording available of its proceedings. If audio/video recording is available for future reference, minute notations can be more limited (action).