



Governance & Ethics Committee

Item #3 Review Meeting Management Protocol Options and Rosenberg's Rules of Order

July 2, 2024

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Background

- **August 17, 2021 – Council Priority Setting:** Council approves a 6-month pilot program for basic meeting management protocols, to be revisited at the 2022 Council Priority Session. 2022 Priority Sessions never held; formal resolution prepared but never adopted; protocols mostly followed since.
- **December 4, 2023 - Governance and Ethics Meeting:** Committee provided input on the current procedures, and considered possible modifications, including possibility of switching from Robert's Rules of Order to Rosenberg's; additional info requested



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Today's Objective

- Present additional information on Rosenberg's
- Receive Committee Input on Robert's vs. Rosenberg's
- Present and Receive Committee input on other Key Elements of Meeting Management Protocols
- Gather enough input for staff to develop a new policy for meeting management protocols for Committee consideration at your September meeting



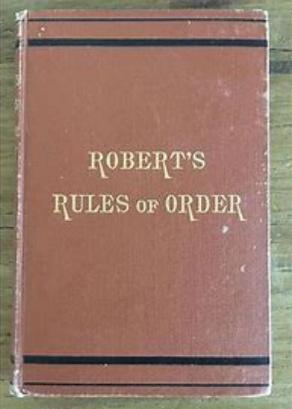
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What's Wrong with Robert's Rules?

- Parliamentary rules first published in 1876 by U.S. army officer Henry Martin Robert; based on the rules and practices of U.S. Congress
- The Rules are voluminous and complicated, with many technical provisions not applicable to smaller legislative bodies
- This makes them unwieldy, and sometimes confusing, with potential "traps" for the unwary.



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Rosenberg's Rules of Order

- Rosenberg's Rules of Order is a simplified set of parliamentary rules used by a growing number of cities throughout California.
- Generally, more aligned with Brown Act requirements
- Retaining the basic tenets of order, but in a more practical, user-friendly manner



Rosenberg's Rules of Order
REVISED 2011
Simple Rules of Parliamentary Procedure for the 21st Century

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Differences between Robert's and Rosenberg's

- **Quorum Rules:** Same
- **Process for Agenda Item Consideration:** Rosenberg provides a good description about how agenda items should be processed for public bodies.
- **Time:** Under Rosenberg, the chair has more direct authority to limit time of public and member speakers, subject to overrule by majority
- **Actions to Approve:** motion, second, vote process substantially the same

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Differences (cont'd)

- **Multiple Motions:** max of 3 motions to be on the floor at the same time, while Roberts allow up to 13 .
- **Substitute Motions:** Under Robert's Rules, "to substitute" is a type of amendment. There are rules governing how substitutions are handled and they are somewhat complex. Rosenberg allows members to propose a completely different motion as a "substitute motion." Rosenberg gives the chair discretion to rule on whether a motion is a "motion to amend" or a "substitute motion."

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Differences (cont'd)

- **Motion to Reconsider:** Similar treatment. Rosenberg says that if the motion to reconsider passes, "a new original motion is in order." This is different from Robert's, which says that if the motion to reconsider passes, debate is resumed at the point it had reached just before the vote was taken.
- **Courtesy and Decorum:** Similar treatment.
- **Interruptions – Withdraw a Motion:** Rosenberg allows a member to interrupt debate and withdraw a motion at any time. Under Robert, once a motion has been made, seconded and stated by the chair, it belongs to the body itself, not to the original maker. If a member wishes to withdraw the motion, the member asks permission of the body. Robert does not allow interruption for this purpose and does not allow a member to withdraw a motion unilaterally.

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Current Meeting Management “Practice”

1. City staff provides a report on the item, if warranted;
2. Each Councilmember shall have the opportunity to ask their questions;
3. City staff shall, to the extent possible, provide a response to all Councilmember questions;
4. The public shall have the opportunity to provide public comment on the item;
5. At the Mayor’s request, City staff shall, to the extent possible, provide responses to the comments or questions from the public;
6. A Councilmember shall then make a motion and the motion should be seconded by another Councilmember;
7. Each Councilmember who wishes to speak to the motion (during the deliberation portion of the meeting) shall then have the opportunity to make statements regarding the motion; and;
8. A vote shall then be taken.

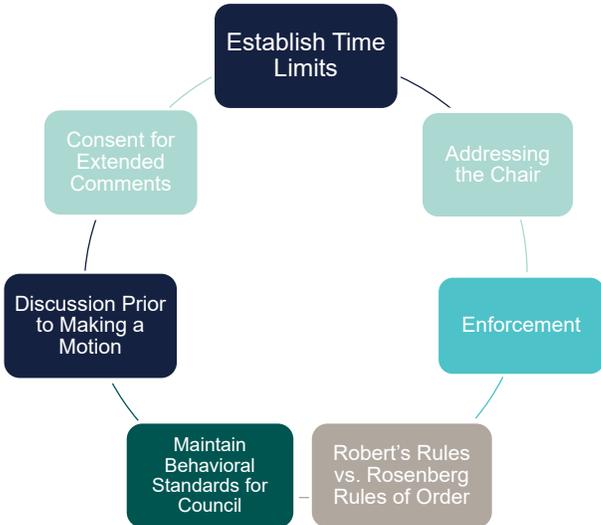


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Options to Consider



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graph TD; A[Establish Time Limits] --> B[Consent for Extended Comments]; A --> C[Addressing the Chair]; B --> D[Discussion Prior to Making a Motion]; C --> E[Enforcement]; D --> F[Maintain Behavioral Standards for Council]; E --> G[Robert's Rules vs. Rosenberg Rules of Order];
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Establish Time Limits

- Could help focus remarks and ensure all have an equal opportunity to speak.
- On the other hand, specific time limits and/or limits on the number of times a member is allowed to speak may negatively impact Council deliberations and information/idea sharing on important policy matters.
- Could also be challenging to track.
- Continuing to rely on the Presiding Officer to guide the City Council's discussions in a timely manner is generally preferred and used in many (if not most) jurisdictions.

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If time limits imposed, could add process for extending the limits

- Councilmembers seeking to make extended comments may request consent from the Chair or the Council to allow extended speaking time.
- This can be utilized if the City Council elects to set time limits as a matter of general policy or if the Chair/Board adopts a limit to discussion/questions on a particular agenda item.

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Formal Provision for Discussions Prior to Making a Motion

- Council could consider the formal addition of a Council “discussions” step prior to the making of a motion.
- This is generally consistent with existing practices and can, particularly for more significant matters, facilitate the making of constructive motions that take into account the collective thoughts of the Council.
- As per standards, the Presiding Officer would manage this process with all Councilmembers given an opportunity to speak.

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Other Options to Consider

- **Addressing the Chair:** Councilmembers should address comments to the Chair (as the Presiding Officer), not directly to other members to assist with maintaining order and civility.
- **Minimize Repeating Points:** Councilmembers should avoid extended restatements of points already made by others to keep discussions efficient. The Chair will preside over these matters and may minimize repeated remarks.
- **Focus on Agenda Items:** Comments should relate directly to the agenda items being discussed and off-topic discussions may be redirected by the Chair.

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Other Options to Consider (cont'd)

- **Require Respectful Language:** Formalize a rule that requires member comments to be respectful and policy oriented, with no personal attacks, questioning of motives, or other forms of disrespectful comments, consistent with the City of Santa Clara Code of Ethics and Values Behavioral Standards for Councilmembers.
- **No Interruptions:** Allow each member to speak without interruption.
- **Enforcement:** As the Chair of the meeting, the Presiding Officer may raise points of order to address violations of meeting rules; individual members may as well, with a right to appeal determinations by the Chair to the full body. Questions regarding applicable rules or questions of interpretation may be presented to the City Attorney for advice.

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Next Steps

- Upon direction from the Committee, City staff will bring a draft policy, and any amendments to existing policies or City Code sections as may be required for the Committee's consideration.
- Staff will include a review of other Council Policies that should/could be cross referenced (e.g., 029 – Time limits for Speakers at Council; 030 - Adding an Item on the Agenda Meetings; and 042 – Reconsideration of Council Action)

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Governance & Ethics Committee

**Item #3 Review Meeting
Management Protocol
Options and Rosenberg's
Rules of Order**

July 2, 2024

The image shows a graphic for a meeting. On the left is the official seal of the City of Santa Clara, California, featuring a mission building, the year 1852, and the motto 'THE MISSION CITY'. The seal is set against a dark blue background with a white and orange diagonal stripe. To the right of the seal, the text 'Governance & Ethics Committee' is written in a large, bold, dark blue font. Below this, the meeting topic 'Item #3 Review Meeting Management Protocol Options and Rosenberg's Rules of Order' is listed in a smaller, bold, dark blue font. At the bottom right, the date 'July 2, 2024' is displayed in a bold, dark blue font.