

**Friday Memo**  
**April 10, 2015**

**Upcoming Events – Bruce Harter**

April 11: Know Your Rights Symposium, Bethlehem Missionary Baptist Church, 10:00 AM  
April 13: Agenda Setting, Superintendent's Office, 2:45 PM  
April 13: Technology Subcommittee, IT Center, 4:00 PM  
April 13: Youth Commission, Helms, 6:30 PM  
April 13: Special Education CAC, Cameron School, 7:00 PM  
April 13-15: Middle College WASC Visitation  
April 14: Facilities Subcommittee, FOC, 4:00 PM  
April 16: Board Retreat, Marina Bay Harbor Master's Building, 9:00 AM  
April 16: Youth Commission LCAP Townhall, Helms, 6:00 PM

**Board Retreat, April 16, 2015 – Bruce Harter**

The Board retreat will begin at 9:00 AM at the Marina Bay Yacht Harbor in the Harbor Master's Building, 1340 Marina Way South, Richmond, CA. The facility is located adjacent to the Facilities Operations Center. A continental breakfast will be provided.

**Joint Meeting with CBOC – Bruce Harter**

Policy 7214.2 includes a provision for two joint meetings each year between the Board and the Citizens Bond Oversight Committee. We've scheduled a joint meeting for Wednesday, June 17 beginning at 6:00 PM at the Facilities Operation Center.

**Private School Enrollment – Bruce Harter**

In last week's Friday Memo we included the data comparing the charter school enrollment from 2007-08 to this year and a projection for 2016-17. Attached is chart that shows the private school enrollment for same two years, 2007-08 to 2014-15 that comes from the California Department of Education data set. Just like with charter schools, some students live outside of WCCUSD and there are students who live in WCCUSD who attend private schools outside the district. What's significant is declining enrollment for the private schools which are undoubtedly impacted by the growth in charter schools.

**Property and Liability Insurance – Sheri Gamba**

The school district participates in the Northern California Regional Liability Excess Fund Joint Powers Agency also known as Nor Cal ReLiEF or NCR JPA for property and liability insurance coverage. There is a sister JPA in Southern California and between the two JPAs insurance is pooled for 444 agencies that educate 2 million California students. These JPAs were formed to provide school districts an opportunity to pool insurance coverages for competitive pricing and self-insurance as well as to provide a venue for school districts to work together proactively on risk management issues of mutual interest. West Contra Costa Unified participates with property, liability, crime, equipment breakdown and student insurance. The total annual premiums are \$1.6 million for total insured values of over \$360 million.

**Rosenberg’s Rules of Order – Bruce Harter**

Board Bylaw 9323 states that meetings of the Board shall be conducted by the president in a manner consistent with the adopted bylaws of the Board and California School Boards Association guidelines for the conduct of meetings. CSBA trains with Rosenberg’s Rules of Order, Revised 2011 which are attached.

**Parent University Initiative –Wendell Greer**

Parent University is a seven-session, two hour per week course designed to foster parent engagement and create active parent leaders. Parents learn about parental involvement, preparing for a lifetime of learning, understanding our education system, becoming effective communicators and how to take action for a quality education. More than 200+ parents are currently participating in Parent University at nine (9) sites (see below for complete schedule). Parent University is led by the schools School Community Outreach Worker and an Adult Education Teacher.

School	Day of the week	Time	Room Number	Session 1	Session 2	Session 3	Session 4	Session 5	Session 6	Session 7	Graduation
Bayview	Thursday	5:30- 7:00 pm	Staff lounge	3/5/2015	3/12/2015	3/26/2015	4/2/2015	4/16/2015	4/23/2015	4/30/2015	5/7/2015
De Anza	Tuesday	6:00-8:00 pm	Cafeteria	2/24/2015	3/3/2015	3/10/2015	3/17/2015	3/24/2015	3/31/2015	4/14/2015	4/21/2015
Dover-2nd Cohort	Monday	6:15-8:15 pm	Parent Room	2/9/2015	3/2/2015	3/9/2015	3/16/2015	3/23/2015	3/30/2015	4/13/2015	4/20/2015
Dover-3rd Cohort	Wednesday	9 am to 11 am	Parent Room	4/15/2015	4/22/2015	4/29/2015	5/6/2015	5/13/2015	5/20/2015	5/27/2015	5/29/2015
Lake	Thursday	9 am to 11 am	Room 25	2/5/2015	2/26/2015	3/5/2015	3/12/2015	3/19/2015	3/26/2015	4/2/2015	4/2/2015
Montalvin	Thursday	9 am to 11 am	library	3/12/2015	3/19/2015	3/26/2015	4/2/2015	4/16/2015	4/23/2015	4/30/2015	4/30/2015
Nystrom	Friday	9 am to 11 am	Room by Library	4/3/2015	4/17/2015	4/24/2015	5/1/2015	5/8/2015	5/15/2015	5/22/2015	5/29/2015
Riverside	Wednesday	9 am to 11 am	Teacher's Room	3/4/2015	3/11/2015	3/18/2015	3/25/2015	4/1/2015	4/15/2015	4/22/2015	4/29/2015
Verde	Friday	8:30-10:30	Library	4/3/2015	4/17/2015	4/24/2015	5/1/2015	5/8/2015	5/15/2015	5/22/2015	5/29/2015
Wilson	Tuesday	5:30-8:00 pm	Room 12	3/3/2015	3/10/2015	3/17/2015	3/24/2015	3/31/2015	4/14/2015	4/21/2015	TBD

Below is a picture of Riverside Elementary Parents Participating in Session 3-Understanding our Education System.

- How California’s public school system is organized
- What your child will learn in school
- How your child’s progress will be measured



**Youth Commission- Wendell Greer**

Youth Commission LCAP Student Town Hall Meeting will be held Thursday, April 16<sup>th</sup> from 6-8 at Helms Middle School in the multipurpose room. Buses will be provided from high schools to increase student access and participation.

**Community Engagement- Wendell Greer**

In an effort to support unaccompanied immigrant youth, WCCUSD and Catholic Charities of the East Bay will host a Know Your Rights Presentation & Legal Screening workshop for youth on Saturday, April 18<sup>th</sup> from 10am-1pm at DeJean Middle School. The event is part of the District's ongoing partnership with Catholic Charities to support unaccompanied immigrant youth in gaining access to immigration relief and legal services.

**Full Service Community Schools- Wendell Greer**

The next West County Full Service Community Schools Leadership Advisory Committee will be held Tuesday, April 21<sup>st</sup> from 1-3:30pm at The East Bay Center for Performing Arts.

**2<sup>nd</sup> Summit Charter Petition Expected—Linda Delgado**

Summit Public Schools will submit a charter petition by or on April 22<sup>nd</sup> to open a middle through high school in north Richmond / San Pablo area. Their targeted opening dates are August of the 2016/17 academic year. This will be their second school in WCCUSD, and will be a replication of the county-sponsored model in El Cerrito featuring blended learning. Concerning space, they have reserved the right to pursue prop 39 space in the district if the charter is approved, but plan to pursue their own rental site.

West Contra Costa Unified School District  
*Office of the Superintendent*

The build out plan follows:

- Year One: 105 students in grade 7: 5-6 teachers; and 7-8 total staff.
- Year Two: 207 students in grades 7 through 8: 9-10 teachers; and 11-12 total staff.
- Year Three: 310 students in grades 7 through 9: 15-16 teachers; and 19-20 total staff.
- Year Four: 412 students in grades 7 through 10: 20-21 teachers; and 24-25 total staff.
- Year Five: 512 students in grades 7 through 11: 26-27 teachers; and 30-31 total staff.

Grade levels to be served at full capacity: 7 through 12 Anticipated enrollment at full capacity: Approximately 608.

**Upcoming events for secondary schools – Wendell Greer**

Below are some of the upcoming events in the next two months that are happening within our secondary school.

<b>Date</b>	<b>Time</b>	<b>Site</b>	<b>Event</b>
Saturday, April 18 <sup>th</sup>		All High Schools	Cal Day
Thursday, April 23 <sup>rd</sup>	6:00pm-8:00pm	Richmond High School	Contra Costa College Parent Information Night
Tuesday, April 21 <sup>st</sup>	7:00am-4:00pm	El Cerrito DeAnza Hercules Pinole	Rising Scholars College visit to UC Davis
Monday, April 27 <sup>th</sup>	8:00am-3:30pm	Hercules HS	College visit to San Jose State
Wednesday, April 29 <sup>th</sup>		DeAnza	College visit to UC Davis for Juniors
Thursday, May 7 <sup>th</sup>		DeAnza	College visit to Santa Clara University for College Fair
Thursday, May 7 <sup>th</sup>	8:00am-3:30pm	Hercules HS	College visit to Sacramento State
Friday, May 8 <sup>th</sup>		Pinole MS	No Place for Hate Event in Multipurpose Room
Saturday, May 9 <sup>th</sup>	12:00pm-4:00pm	Hercules HS	Saint Mary's College Fair
Thursday, May 28 <sup>th</sup>		Crespi MS	Career Fair

**Public Records Log – Marcus Walton**

Included in this week's memo is the log of public records requests received by the district. If you have any questions, please contact me.

**Private Schools in West Contra Costa 2007-08 / 2014-15**

2007-08		2014-15	
School Name	Enrollment	School	Total Enrollment
A Better Chance / California Autism Found	37	A Better Chance / California Autism Foundat	34
Arlington Christian School	48	Arlington Christian School	25
Calvary Christian Academy	131	Bethel Christian Academy	79
Canterbury Elementary	99	Big Minds	9
Contra Costa Christian Academy	10	Canterbury Elementary	69
Crestmont School	63	Crestmont School	71
East Bay Waldorf	268	East Bay Waldorf	173
El Sobrante Christian	384	El Sobrante Christian School	259
Elim Christian / Colegio Evangelico Elim	44	Montessori Family School	102
HB6 Christian Academy	6	Prospect Sierra School	473
La Cheim-Richmond	22	Salesian College Preparatory	436
Malcolm X Academy	20	Seneca Family of Agencie, Catalyst Academ	26
Mosaic Christian	13	Shu Ren International School	62
Prospect Sierra	470	Spectrum Center, Inc.-Tara Hills	54
Salesian High	580	St. Cornelius Elementary	167
Spectrum Center, Inc.-DeAnza Satellite C	9	St. David's Elementary	137
Spectrum Center, Inc.-Tara Hills	79	St. Jerome Catholic Elementary	137
St. Cornelius Elementary	199	St. John the Baptist	197
St. David's Elementary	189	St. Joseph Elementary	281
St. Jerome Catholic Elementary	244	St. Paul School	176
St. John the Baptist	274	Tehiyah Day School	233
St. Joseph Elementary	306	Vista Christian School	67
St. Paul Elementary	244	Williams-Brown Academy	7
Tehiyah Day School	280	Total	3274
Vista Christian School	75		
Williams-Brown Academy	22		
Windrush	259		
<b>Total</b>	<b>4375</b>		

**Public Records Request Log 2014-2015**  
**Week Ending April 9, 2015**

	<b>Date of Receipt</b>	<b>Requestor</b>	<b>Requested Records/Information</b>	<b>Current Status</b>
21	8/14/14	Theresa Harrington	All email or correspondence regarding bond refinancing between Jan. 1, 2009 and present	<b>14 Day Extension</b> <b>Email sent – 8/21/2014</b>  <b>On Hold / Pending Legal Review</b>
87	11/18/14	Fatima Alleyne	Washington School Budget / SSC SY 2009 -to- 2013	<b>In Progress</b> <b>Gathering/Reviewing Documents</b>
89	11/18/14	Anton Jungherr	Access to review all CBOC files from 2001 to 10/31/2014	<b>Need clarification of request</b> <b>M. Walton</b>
142	1/15/15	Alison Schoenbeck CA Charter Schools Assoc.	Prop 39 / Charter School Information	<b>4/8/2015-Letter sent requesting fees</b> <b>Information received</b>  <b>14 Day Extension Invoked</b> <b>Reviewing remaining Documents</b>
143	1/15/15	Ron Beller Caliber Schools	Caliber Schools-Beta Academy Information	<b>3/13/2015-Letter sent requesting fees</b> <b>Information received</b>  <b>14 Day Extension Invoked</b> <b>Reviewing remaining Documents</b>
153	2/9/15	Alissa Mack	District's check registry and Credit Card statements for 2013-14 / All Contracts with Pacific Ed. Group	4/8/15 Documents mailed <b>COMPLETED</b>
170	2/26/15	Mike Razavi	Pinole Valley High School- Construction Documents from January, 1965 through December, 1970	<b>3/31/2015-Email sent requesting fees</b> <b>Information received</b>
175	3/16/15	Jessica Scott CC Electrical Compliance	Kennedy High / Health Clinic Project Streamline – Fringe Benefit Statements Electrician Certification Statements	<b>In Progress</b> <b>Acknowledgement letter sent</b>
176	3/23/15	Michael Strub Jr. Irell & Manella LLP	CA Healthy Kids Survey / CA School Climate Survey / CA Student Survey / LCAP / Student Information / Suspensions / Expulsions / Employment Information	<b>In Progress</b> <b>Acknowledgement letter sent</b>  <b>14 Day Extension Invoked</b>
178	4/2/15	Anton Jungherr	Ramsey & Ehrlich LLP / March, 2015 Invoice	4/8/15 Letter mailed <b>COMPLETED</b>
179	4/2/15	Anton Jungherr	Ramsey & Ehrlich LLP / Detailed Invoices for September & October, 2014	4/8/15 Documents mailed <b>COMPLETED</b>
180	4/2/15	Anton Jungherr	Ramsey & Ehrlich LLP / September, 2014 Statement / Missing pages 1 & 2	4/8/15 Documents mailed <b>COMPLETED</b>
181	4/3/15	Betty Brown East Bay Peace Action	DeAnza High School / JROTC Program Program Evaluation	4/8/15 Documents mailed <b>COMPLETED</b>



# Rosenberg's Rules of Order

REVISED 2011

*Simple Rules of Parliamentary Procedure for the 21st Century*

*By Judge Dave Rosenberg*



## MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

## VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

### About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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### ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.





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## INTRODUCTION

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The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

### Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

### The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

### The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

**First**, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

**Second**, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

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

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

**Fifth**, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

**Sixth**, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

**Seventh**, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

**Eighth**, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

**Ninth**, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

**Tenth**, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

## Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

## The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

**The basic motion.** The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

**The motion to amend.** If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

**The substitute motion.** If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

### Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

**First**, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

**Second**, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

**Third**, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

### To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

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

**Motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

**Motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

**Motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**Motion to limit debate.** The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

**NOTE:** A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

## Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

**Motion to limit debate.** Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

**Motion to close nominations.** When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

## Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?*

*Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

## The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

## Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

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

**Privilege.** The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

**Order.** The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

## Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.




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