

PALMDALE CITY LIBRARY

Policy #110 – Board of Library Trustees Rules of Order

1. MEETINGS, STUDY SESSIONS, AGENDAS AND STAFF REPORTS

1.1 Regular Meetings:

Regular meetings of the Board shall be held on the third Tuesday of each month. If the regular meeting date falls on a City holiday, then the meeting will be rescheduled. All regular meetings of the Board will be called to order at 6:30 p.m., unless advertised otherwise, canceled or rescheduled. If a Trustee is absent from the regular meeting and has not notified staff in advance, the absence will be considered unexcused. The City Librarian will cause to be posted notice of any continued hearing or other unfinished business, as may be required by law.

1.2 Special Meetings:

An emergency or special meeting may be called at any time by the President of the Board, or by a majority of the whole Board. Written notice shall be delivered personally or by mail at least twenty-four (24) hours before the time of a special or emergency meeting to each Trustee and to each local newspaper of general circulation, and to each radio or television station which has previously submitted a written request for notice. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at the meeting. Written notice may be dispensed with as to any Trustee who at or before the time of the meeting files an oral or written waiver of notice with the City Librarian. The waiver may also be given by telegram. Written notice will also be dispensed with as to any Trustee who is actually present at the meeting at the time it convenes.

1.3 Adjourned Meetings:

The Board may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the procedures set forth in the Ralph M. Brown Act, Government Code section 54950, et seq.

1.4 Study Sessions:

The Board may hold a study session as part of a regular, adjourned or special meeting. When a matter is set for a study session, public testimony may be barred or limited to particular persons at the discretion of the President. Public notice for study sessions on specific matters for which public hearings are anticipated in the future will be given in the same manner as that required for

public hearings, and a record of the study session shall be entered into the minutes of any such future public hearings so that the hearing records will indicate whether any information received at the study sessions was taken into consideration as evidence at the subsequent public hearings.

1.5 Open and Closed Sessions:

Except as otherwise provided in this Resolution, all meetings of the Board shall be open and public, and all persons shall be permitted to attend. The Board may hold a closed session during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which it is authorized by state law to hear or consider in closed session.

1.6 Agendas:

At least 72 hours before a regular meeting, the City Librarian shall cause copies of the Board agenda to be posted and made available at the Library and the Office of the City Clerk. In accordance with the Ralph M. Brown Act, the Board may not take action on any item that did not appear on the posted agenda unless an exception is made as permitted under Government Code section 54954.2. The President may rearrange the order of presentation of items appearing on the agenda as he or she may deem necessary or desirable for the conduct of the meeting. No person shall be entitled to rely upon the order in which items appear on the posted agenda, and any item on any agenda may commence immediately upon the time the meeting is called to order. Any Trustee may place any item on a future Agenda by making a request to the Librarian before the agenda is finalized. Agenda packets shall be prepared by the Office of the Librarian. Barring unavoidable difficulties or holidays, the Agenda packets will be distributed to members of the Board the Friday evening preceding the Tuesday Board Meeting.

1.7 Staff Reports:

When staff reports exist, they shall be made public before or at the beginning of any hearing or meeting. Staff reports shall be prepared with recommendations and the basis for recommendations, and included in the hearing record.

2. PRESENTATION OF AGENDA ITEMS

2.1 Minutes:

Minutes shall be submitted for approval and/or correction in draft form on the agenda at a subsequent regular Board meeting. The primary purpose of the minutes shall be to record the action taken by the Board and the basis thereof. The minutes shall also include a record, to the extent required by law, of all persons addressing the Board by name, city of residence, and subject or position taken.

2.2 Public Participation in Board Meetings:

Persons addressing the Board and members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening, or abusive language; clapping; whistling, stamping; or other acts that disturb, impede, or otherwise render the orderly conduct of the Board meeting unfeasible. A person engaging in such conduct shall be, at the discretion of the President or a majority of Board members, subject to removal from the meeting. Members of the public may address the Board during Public Comments and /or before consideration of any agenda item; however, no person shall address the Board without first being recognized by the President. Any person wishing to speak shall first complete a Request to Speak form and submit it to Recorder. Persons addressing the Board shall be permitted to speak for a maximum of three minutes, shall confine their remarks to the matter under consideration by the Board, and shall speak only once per agenda item unless otherwise mandated by local or state law. If a large number of persons wish to address the Board on any one item, the Board may by majority vote limit comments to no less than one minute per speaker.

2.3 Order of Conduct:

Unless the President in his or her discretion shall direct otherwise, the order for presentation shall be as follows:

- (a) Announcement of Item before Board or opening of Public Hearing
- (b) Presentation of staff report
- (c) Questions of staff by Board
- (d) Public Comment
- (e) Public hearing, if any, closed
- (f) Discussion by Trustees—Discussion may at any time include questioning by Trustees of staff and members of the public.
- (g) Motion and Second, if any
- (h) Discussion of Motion
- (i) Vote on Motion

2.4 Rules of Evidence:

Except as may be required by State or Federal law, hearings and meetings before the Board need not be conducted in strict compliance with formal rules of evidence applicable to judicial proceedings. Any relevant evidence may be considered if it is the sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs. The President may exclude irrelevant or redundant testimony and may make such other rulings as may be necessary for the orderly conduct of the proceedings while ensuring basic fairness and full consideration of the issues involved.

2.5 Oath, Oral Evidence, Time Limits, and Number of Speakers:

Any person desiring to speak must first be recognized by the President. All comments must be made clearly and audibly, and all speakers must first state their full names and addresses and the names of any persons in whose behalf they are appearing. In order to expedite the conduct of hearings, the President may limit the amount of time which a person may use in addressing the Board. The President may also limit the number of speakers or amount of testimony upon a particular issue in order to avoid repetitious and cumulative comments. Except when necessary for immediate clarification of a particular point, no person shall be allowed to speak a second time until all others wishing to speak have had an opportunity to do so, and then only at the discretion of the President.

2.6 Questioning of Speakers:

Any person other than a Trustee desiring to direct a question to a speaker or staff member shall submit the question to the President, who shall determine whether the question is relevant to the subject of the agenda item / hearing and whether or not it should be answered by the speaker or staff member. Direct questioning of speakers or staff members may be allowed in extraordinary circumstances, at the discretion of the President.

2.7 City Attorney:

Any Trustee may request the City Attorney or his or her designee to explain the legal principles and standards pertinent to the Board's action on a particular matter. The City Attorney or his or her designee may further advise the President on matters of evidence and procedure which may arise, including, but not limited to, the desirability of closed sessions to discuss pending or potential litigation.

3. MOTIONS

3.1 Motions and Seconds:

Action upon an order, resolution, or any other action of the Board may be proposed by any Trustee, including the President, by a motion. Before a motion can be considered or debated it must be seconded, at which time it shall be on the floor and must be considered. The President may second a motion. If not seconded, the motion is lost for lack of a second and shall be so declared by the President.

3.2 Amendment of Motion:

A motion on the floor may be amended, with the consent of the original maker of the motion, at any time before adoption or rejection. When an amendment is offered, the Board will debate and take action on the amendment before acting on the original motion. If the amendment is not adopted, the original motion will then be considered. If the amendment is adopted, the original motion as amended will then be considered.

3.3 Withdrawal of Motion or Second:

A motion may be withdrawn by the maker at any time before adoption or rejection, with consent of the second. A second to a motion may be withdrawn by the seconding Trustee at any time before adoption or rejection of the motion. The motion will then be lost for lack of a second unless it is seconded by another Trustee and so declared by the President.

3.4 Tabling a Motion to a Date Certain:

At any time after a motion has been seconded, any Trustee may move to table a motion to a subsequent agenda date certain. If the tabling motion is adopted, the original motion will remain on the floor but may not again be considered at the meeting at which it was made. The original motion will be considered and voted upon at the regular meeting of the Board, specified in the motion, unless again tabled at that time. If not considered at such meeting, it will be deemed lost. If the tabling motion is not adopted, consideration of the original motion will continue.

3.5 Discussion, Closure, and Question:

After a motion has been seconded, any Trustee may discuss or comment on the subject of the motion. The President will recognize Trustees who desire to speak, beginning with the motion's maker, and will protect each speaker from

disturbance or interference. When no member wishes to discuss or comment further, or when in the President's judgment discussion has been exhausted, the President will call for a vote on the motion, but in no event before each Trustee is given the opportunity to speak once.

3.6 Motions for Reconsideration:

Motions for reconsideration of a matter may be made by a Trustee who voted with the prevailing majority on the matter to be reconsidered. Any Trustee may second a motion to reconsider. Motions to reconsider shall be made at the same meeting as the original motion and before consideration of any other item or matter. If the matter to be reconsidered was considered at a public hearing, the public hearing will be reopened before additional evidence is received. Tie votes are subject to Section 4.2.1, below.

4. DECISION-MAKING

4.1 Quorum:

Attendance of three Trustees shall constitute a quorum.

4.2 Voting:

Approval of any motion brought before the Board shall require the affirmative vote of a majority of the members present ("affirmative vote"), unless otherwise specified by law.

4.2.1 Tie Votes

A tie vote shall constitute a denial of the motion. A motion for reconsideration may be made only by a Trustee who voted on the motion which resulted in a tie vote. If there is no action by an affirmative vote, the result is denial.

4.2.2 Abstentions

Abstentions shall not count as votes for the purpose of determining whether there has been an affirmative vote of a majority of the members present, but shall be counted for the purpose of determining whether a quorum is present.

4.2.3 Roll Call

Voting on resolutions shall be by roll call vote. Votes on other motions may be by voice vote unless a roll call is requested by either the President or another Trustee.

4.2.4 Motions Include Staff Recommendations

A motion to adopt or approve staff recommendations or simply to approve the action under consideration shall, unless otherwise particularly specified, be deemed to include adoption of all proposed findings and execution of all actions recommended in both the written staff report on file on the matter and any oral staff report presented during the hearing.

4.2.5 Absentees

A Trustee who is absent from any portion of a meeting conducted by the Board may vote on the matter at the time it is acted upon provided that the Trustee has: 1) listened to a tape recording of the entire portion of the meeting from which he or she was absent, if a tape recording exists; 2) examined all of the exhibits presented during the portion of the meeting from which he or he was absent; and 3) affirmed for the record before voting that he or she is as familiar with the record and with the evidence presented at the meeting as though he or had attended the entire meeting.

4.3 Findings:

On any matter for which state law or City ordinance requires the preparation of written findings, the staff report submitted on the matter shall contain findings proposed for adoption by the Board. Any motion directly or impliedly rejecting the proposed findings must include either: 1) a statement of alternative or modified findings and evidence in the record supporting those findings, or 2) direction to staff that the matter under consideration be continued for a reasonable period of time in order for staff to prepare the new set of proposed findings consistent with specified evidence which has been presented and the anticipated action to be taken.

4.4 Consent Items:

Items that require little or no discussion by the Board may be considered as consent items. The Board will act on these items in one motion at the beginning of the meeting. Approval by the Board of consent items means that the staff recommendation was approved along with the findings and conditions set forth in the staff report. Any Trustee, staff, or members of the public may request that consent items be pulled from the consent calendar and discussed.

5. CONSTRUCTION AND EFFECT

5.1 Construction:

These procedural rules shall be construed and applied so as to ensure a full and fair hearing and discussion of all matters before the Board.

5.2 President's Rulings on Points of Order:

When there is no provision of these rules of procedure applicable to the conduct of the meeting or hearing of the Board, the President shall make final decisions on any points of order, which may arise. The President's final decisions on points of order for the meeting shall not be appealable.

Adopted: 2/19/02
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