

# Sacramento Metropolitan Arts Commission

A Joint City-County Agency

## Rules of Procedure

Adopted by the Sacramento Metropolitan Arts Commission on October 11, 2010

Approved by the Sacramento City Council on December 13, 2011

By City Ordinance Number 2011-052

Approved by the Sacramento County on January 24, 2012

By County Ordinance Number SCC 1507

## **CHAPTER 1 – AUTHORITY/ADMINISTRATION**

### **A. General Authorities and Applicability**

1. The Sacramento Metropolitan Arts Commission (“Commission”) was established pursuant to Section 2.84.010 of the Sacramento City Code and Section 2.96.020 of the Sacramento County Code.
2. These Rules of Procedure (“Rules”) are intended to supplement the City Council’s Rules of Procedure. Until such time as they are amended or new rules adopted, these Rules shall govern the order and conduct of business of the Commission, except where in conflict with the City Council’s Rules of Procedure, which shall prevail in the event of such conflict.
3. These Rules shall be in effect upon adoption by the Commission and approval by Resolution of the Sacramento City Council.
4. Where these Rules conflict with City or County Codes, the latter shall control.

### **B. Mission**

The Mission of the Commission is: “Advancing community through arts and culture.”

### **C. General Administration**

1. The Commission will review and propose revisions to the Rules as needed.
2. During Commission discussions, deliberations, and proceedings, the Commission Chair (or, in his/her absence, Acting Chair) has the primary responsibility to ensure that the Commission, Staff and members of the public adhere to these Rules.

### **D. Amendment**

These Rules may be adopted, altered, amended or repealed by a majority vote of the Commission.

### **E. Suspension**

Any Rule may be temporarily suspended by a two-thirds (2/3) vote of all Commission members present.

### **F. Robert’s Rules**

To the extent these Rules do not address the parliamentary procedures for meetings by a legislative body, the latest published edition of Robert’s Rules of Order shall govern.

### **G. References to Commission Staff**

The term “Staff,” as used in these Rules refers to the staff of the Sacramento Metropolitan Arts Commission.

## CHAPTER 2 – THE COMMISSION

### A. Main Office

The main office of the Commission shall be at a centrally located, suitable space within the City or County of Sacramento.

### B. Commission Members

1. Eligibility: Members should:
  - a. Possess demonstrated knowledge about the arts and be involved with the local arts community;
  - b. Possess extensive experience which would foster the mission of the Commission;
  - c. Be arts educators, arts patrons, arts supporters, arts advocates, arts administrators and/or practicing artists; and
  - d. Have a basic understanding of the Commission's activities.
2. Balance: The composition of members should reflect a diverse representation of the City and County to the maximum extent practicable..:
3. Appointment: The Commission shall consist of eleven (11) members who shall be appointed pursuant to the City and County ordinances establishing the Commission, as follows:
  - a. Five members shall be appointed by the mayor with approval of the council..
  - b. Five members shall be appointed by the board..
  - c. One member shall be jointly appointed by the council and board upon recommendation by the commission. In making its recommendation, the Commission shall review candidate recommendations consistent with the eligibility criteria of Sections B.1 and B.2 of this Chapter.
4. Term of Office: Each member shall serve for a term of three years. No member who has served two consecutive full three-year terms shall be eligible for reappointment to the commission until two years after the last prior date the member served on the commission.
5. Absences: The position of any member who fails to attend three or more regular meetings in one year without the approval of the majority of the members of the Commission shall automatically become vacant.
6. Vacancies: The mayor, with approval of the council, shall fill any vacancy occurring among the members who the mayor appoints. The board shall fill any vacancy occurring among the members who it appoints. The commission shall make a recommendation to the council and board for filling a vacancy occurring in the position of the jointly appointed member.

7. Compensation: Commission members shall not be compensated for attendance at Commission or committee meetings.

**D. Officers**

The officers of the Commission shall be the Chair and the Vice Chair.

**E. Election of Officers**

1. The Chair shall be nominated by a majority vote of the Commission at a regular meeting each year and elected by a majority vote of the Commission members present at the meeting. If no nominee has a majority, the process will start over. The Chair's term of office shall be for a term of one year, beginning at the next regular meeting of the Commission following the election.
2. The Vice Chair shall be nominated by a majority vote of the Commission at a regular meeting each year and elected by a majority vote of the Commission members present at the meeting. If no nominee has a majority, the process will start over. The Vice Chair's term of office shall be for a term of one year, beginning at the next regular meeting of the Commission following the election.
3. The election of Chair and Vice Chair may be held at the same meeting.

## CHAPTER 3 – DUTIES

### A. Duties of Chair and Vice-Chair

1. The Chair shall:
  - a. Be the presiding officer of all meetings of the Commission, maintaining order;
  - b. Be entitled to make and second motions on matters before the Commission and vote on actions, but shall possess no veto power over actions of the Commission;
  - c. Submit to the Commission recommendations and information as may be considered proper concerning the business, affairs, and policies of the Commission;
  - d. Serve as an ex-officio member of the Board of Directors of the Friends of the Arts Commission; and
  - e. Perform such other and further duties as the Commission may prescribe from time to time.
2. The Vice-Chair shall:
  - a. Assume the duties of the Chair in the Chair's absence from a Commission meeting, and shall:
    - (i) Possess all powers of the Chair;
    - (ii) Be subject to all prescribed duties of the Chair; and
    - (iii) In the event that the Chair is vacant, the Vice Chair shall serve as the Acting Chair until the election of an Interim Chair, who shall serve out the remainder of the Chair's term.
3. If the Chair and Vice-Chair are absent from a Commission meeting, the Commission may appoint one of its members to serve as Chair pro-tempore.

### B. Joint Responsibilities of Commissioners and Staff

1. Commission members ("Commissioners") and Staff shall conduct the business of the Commission:
  - a. Recognizing that stewardship of the public interest must be of primary concern;
  - b. Working for the common good of the people of Sacramento City and County;
  - c. Assuring fair and equal treatment of all persons coming before the Commission; and

- d. Remaining mindful of the Commission's mission as well as the Commission's commitment to accountability and transparency.

## **CHAPTER 4 – EFFECTIVENESS OF COMMISSIONERS**

### **A. General Principles**

1. Commissioners shall:
  - a. Treat everyone with courtesy and refrain from inappropriate behavior and derogatory comments;
  - b. Be fair, impartial and unbiased when voting and/or sharing expertise;
  - c. Gain the attention of the Chair to inform the Chair of their wish to speak and shall be acknowledged by the Chair before speaking;
  - d. If one or more Commissioners believe the Rules are not being followed, move to require the Chair to enforce these Rules and the Chair shall do so upon an affirmative vote of a majority of the Commissioners present;
  - e. Not delay or interrupt the proceedings or the peace of the Commission, nor disturb any Commissioner while s/he is speaking, by conversation or otherwise, nor disobey the orders of the Commission or the presiding officer, except as otherwise herein provided, nor digress from the item under consideration;
  - f. Switch any noise-making devices to the off mode during Commission meetings;
  - g. Support all ordinances, policies, rules and regulations applicable to the Commission; and
  - h. Abide by these Rules and Robert's Rules of Order in conducting the business of the Commission.

### **B. Conduct between Commissioners**

1. Commissioners shall:
  - a. Value each other's time at meetings;
  - b. Attempt to build consensus on an item through an opportunity for dialogue. When this is not possible, majority vote shall prevail and the majority shall show respect for the opinions of the minority;
  - c. Have the right to dissent from, or comment on any action of the Commission, while showing respect to the majority;
  - d. Respect each other's right to speak and, if necessary, agree to disagree;

- e. Avoid offensive and negative comments and practice civility and decorum during discussions and debate; and
- f. Assist the Chair's exercise of the Chair's duty to maintain order.

**C. Interaction with Staff**

- 1. Commissioners shall:
  - a. Treat staff courteously and professionally and refrain from publicly criticizing individual staff members;
  - b. Discuss concerns regarding Staff with the Executive Director;
  - c. Refrain from giving direction to Staff.
  - d. Recommend program or project priorities to Staff.
  - e. Request staff to provide specific program or project related information.

**D. Demeanor with the Public**

- 1. Commissioners shall:
  - a. Make the public feel welcome at meetings and/or Commission events;
  - b. Be impartial, respectful and without prejudice toward the public, and refrain from directing or criticizing the public;
  - c. Listen courteously and attentively to public comment;
  - d. Not argue or debate with members of the public;
  - e. Make no promises to the public on behalf of the Commission;
  - f. Refrain from making statements to the public on behalf of the Commission without having received the express authority of the Commission to do so; and
  - g. Treat all members of the public equitably and fairly in terms of time allotted to speak, except in special circumstances when a majority of the Commission votes to permit.

**E. Communication with Public Entities**

- 1. Commissioners shall:
  - a. Project a positive image of the Commission; and

- b. Show tolerance and respect for public entities' positions, opinions and concerns and, if necessary, agree to disagree.
- c. Refrain from participation in meetings for the purpose of influencing the outcome of their deliberations, unless requested to do so by the Commission.

**F. Commissioner Conduct**

- 1. Commissioners shall receive at least two hours of training in ethics, conflicts of interest, open meetings laws, competitive bidding requirements, bias prohibitions, etc., in accordance with Government Code sections 53234 et seq., every two years.
- 2. Commissioners shall conduct themselves in accordance with such training.

## CHAPTER 5 – RESPONSIBILITIES OF STAFF

### A. General Conduct:

1. Commission Staff shall:
  - a. Prepare well-written staff reports and provide accompanying documents on all agenda items in accordance with the agenda format and preparation schedule;
  - b. Staff may take different recommendations to the bodies of elected officials for approval, even if the Commission does not support the recommendation. In such cases, the staff report shall include the Commission's recommendations and rationale.
  - c. Remain objective on issues, offer their expertise and should not be advocates for issues, but may offer their opinions;
  - d. Be available for questions from Commissioners in accordance with the Brown Act;
  - e. Respond to questions from the public during meetings when requested to do so by Commissioners; and
  - f. Refrain from arguing with the public or members of the Commission.

## CHAPTER 6 – CONDUCT OF THE PUBLIC

### A. General Conduct

1. All speakers must approach and speak when recognized by the Chair. Stamping of feet, whistles, yells or shouting, and/or similar demonstrations are unacceptable public behavior and will not be tolerated by the Chair.
2. Lobbyists must identify themselves and their client(s), and business or organization they represent, when speaking to the Commission.
3. Members of the public wishing to provide documents to the Commission shall provide enough copies for all Commissioners and Staff, as per Section 8.D.4. below.
4. Members of the public must switch any noise-making devices to the off mode during Commission meetings.
5. Members of the public wishing to speak to the Commission should complete and submit a speaker's slip to Staff prior to the item being called, indicating the agenda item or off-agenda item which they wish to address.

## **CHAPTER 7 - MEETING TYPES AND SCHEDULES**

### **A. Regular Meetings**

The commission shall establish a time and place for regular meetings to be held approximately monthly and not less than nine (9) times per year. Commission meetings shall be noticed in accordance with the Ralph M. Brown Act ("Brown Act"). The Commission's Executive Director ("Executive Director") shall set meeting dates.

Attendance at Commission meeting venues shall be limited to the posted seating capacity. Entrance to meeting venues may be regulated when venue capacity is likely to be exceeded.

### **B. Adjourned Meetings**

The Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a specified time and place, in the order of adjournment as permitted by law.

### **C. Cancellation of Regular Meetings**

Staff may cancel any regular meeting for lack of Commission business in accordance with the notice requirements of the Brown Act.

### **D. Special Meetings**

The Chair, or a majority of the Commissioners, may call a special meeting by providing notice twenty-four (24) hours in advance of the meeting to the Chair, to all Commissioners, to media outlets and persons having requested in writing notification of such meetings pursuant to state law.

## **CHAPTER 8 - MEETING AGENDAS**

### **A. Requirements for Agenda Item Submission by Commissioners**

Commissioners may submit items for inclusion on a future agenda by orally, or in writing, making the request under agenda item: "Commission Ideas, Comments and Questions."

### **B. Declaration of Policy**

No item of business shall be introduced or acted upon at a meeting of the Commission without it appearing on a duly noticed and posted agenda in accordance with the Brown Act. Exceptions to this rule are limited to those provided by State law.

### **C. Procedures for Submission of Reports**

1. For all regular and special meetings of the Commission, the Executive Director shall cause to be prepared an agenda, setting forth the time and place of the meeting and a brief description of each item of business to be transacted or discussed at the meeting.
2. Except as provided otherwise in these Rules, a written or oral staff report should be prepared for each item of business and submitted in accordance with the agenda procedure established by the Executive Director.
3. An oral report does not require a written report. However, language describing the substance of the oral report must be submitted to the Executive Director for inclusion on the agenda. Oral reports shall be summarized in the meeting's minutes.
4. "Continued" items do not require a new report if there are no changes other than the agenda date. If the report has been changed, a new report must be submitted, meeting all applicable requirements.

### **D. Written Communications from the Public**

1. The Executive Director shall manage written communications to Commissioners regarding meeting topics to ensure compliance with the Brown Act:
  - a. Agendas or any other writings distributed to all or a majority of the Commissioners for discussion or consideration at a public meeting shall be disclosed to the public, and shall be made available upon request without delay.

- b. Corrections or supplements to a staff report or other written materials already included in the agenda packet may be delivered separately.
2. Interested parties or their authorized representatives may address the Commission by written communications in regard to agenda Items. Such written communications received by staff prior to the distribution of Commission packets should be included in the agenda packet material.
3. Written communications received by the staff after such deadline will be delivered to Commissioners at the Commission meeting if related to an item on that meeting agenda.
4. Members of the public shall submit documents to the Executive Director for distribution to the Commissioners. Such documents shall become part of the official record and shall be made available to the public.

#### **E. Preparation of Agenda Packet**

1. The agenda packet shall include the agenda, staff reports, attachments, draft resolutions, and other documents. No item shall be considered by the Commission if the applicable written material is not delivered to the Commission before the meeting and made available to the public at the same time.
  - a. If a Commissioner receives any written communication relating to a matter to be discussed or considered at a public meeting or hearing from someone other than Staff or the Executive Director, the Commissioner shall notify the Executive Director of the writing(s) and, if needed, provide a copy to the Executive Director for distribution to the Commission in the manner required by these Rules.
  - b. Corrections or supplements to a staff report or other written materials already included in the agenda packet may be delivered separately.

#### **F. Distribution of Agenda Packets**

1. The Executive Director shall distribute the agenda packet to the Commissioners and persons requesting copies of the agenda packet, at least 72 hours prior to the regularly scheduled meeting.
2. Electronic copies of the agenda packet shall be available for the news media and other such organizations, agencies, institutions or persons.

## **G. Posting of Agenda**

1. The Executive Director shall post the agenda of each Regular or Adjourned Regular Meeting of the Commission at least seventy-two (72) hours in advance of the meeting in a location that is freely accessible to members of the public as required by the Brown Act.
2. Agendas will generally be published to the Commission's website at least seventy-two (72) hours in advance of a regular meeting. If technical difficulties occur, the agenda and reports shall be published on the Commission's website until those difficulties are resolved.

## **H. Failure to Meet Agenda Deadlines**

Any agenda item or revised agenda item submitted after the deadlines established and noted in these Rules shall not be accepted without the consent of the Executive Director.

## **I. Exceptions to the Agenda Requirement**

1. Matters not included on the published agenda may be discussed and acted upon by the Commission only in the following situations:
  - a. A majority of the Commissioners determines, in open session, that the matter in question constitutes an "Emergency" where delay until the next meeting would result in a deleterious outcome regarding the matter, or
  - b. Two-thirds (2/3) of the Commissioners, or if less than two-thirds is present, then all Commissioners present, determine that:
    - (i) There is a need to take immediate action; and
    - (ii) The need for action came to the attention of the Commission after the agenda had been posted; or
  - c. The item was posted for a prior meeting occurring prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

## **J. Types of Agenda Items**

1. Consent Calendar: non-controversial and routine items, not likely to be subject to debate or inquiry by the Commissioners or the public, adopted in one motion.

- a. Commissioners wishing to ask questions concerning Consent Calendar items are requested to contact the Staff person identified on the report prior to the meeting so that the need for discussion of Consent Calendar items can be minimized whenever possible.
2. Staff Reports: Matters for commissioner input and approval, likely to require an oral presentation, public comment and/or commission discussion before action is taken.
3. Public Comment: Oral communications from the audience regarding matters not on the agenda within the subject matter jurisdiction of the Commission.
4. Commission Ideas, Comments and Questions:
  - a. Brief oral or written reports summarizing meeting or conference attendance by Commissioners at Commission expense;
  - b. Requests that Commission Staff report back on various issues;
  - c. Requests to place items on a future Commission meeting's agenda; and
  - d. Reports on Commission-wide activities or news.

## CHAPTER 9 - CONDUCT OF MEETING

### A. Call to Order – Presiding Officer

1. The Chair, or, in the Chair's absence, the Vice Chair, shall take the chair at the hour appointed for the meeting and shall immediately call the meeting of the Commission to order.
2. In the absence of the Chair and Vice Chair, the Executive Director, or his or her designee shall call the meeting to order and a temporary Chair shall be elected from among the Commissioners present.
3. Upon the arrival of the Chair, or the Vice Chair, the temporary Chair shall relinquish the chair to the Chair or Vice Chair.

### B. Roll Call/Attendance

1. Before the Commission proceeds with business, the Chair shall note the Commissioners present in the minutes. The late arrival of Commissioners shall be entered into the minutes.
2. A Commissioner will be considered present at a meeting if the Commissioner is either physically at the meeting or is participating in the meeting through teleconference in accordance with the Brown Act. If not participating via teleconference, the Commissioners must be present at the meeting to vote.
3. Meeting attendance of Commissioners through teleconference will be permitted only in extraordinary circumstances such as a medical condition that physically disables the Commissioner from attending in person.
4. Commissioners attending a Commission meeting through a teleconference are not counted when determining a quorum.
5. Commissioners must be physically present at the meeting or teleconference location to vote. Proxy or absentee voting is not permitted.
6. Meetings with Commissioner attending via teleconference must follow City protocol.
  - a. The agenda must include the street address of the commissioners participating via teleconference.
  - b. The agenda must be posted at the teleconference location, stating that the teleconference location is open to the public.
  - c. The location of the teleconference must be ADA accessible.

## **C. Order of Discussion**

1. In order to provide for the efficient conduct of Commission meetings, the order of business should typically follow the agenda or the order set out below. However, the Chair may reorder agenda items, unless a majority of Commission members present object. Commissioners may request items be reordered by motion.
2. Prior to a vote by the Commission on the particular matter, Commissioners shall disclose to the Commission any of their material communications, whether written or oral, to or from non-Commission stakeholders regarding a matter on the agenda.
3. Disclosure of Commissioner Recusal. Any Commissioner who believes that his/her vote on a specific agenda item or part thereof would have a direct or indirect financial conflict of interest, shall recuse himself/herself from participating in the discussion of and action on that item. A Commissioner who recuses himself/herself shall leave the meeting room during the discussion and vote on the agenda item, unless excused from doing so by the Chair.
4. Consent Calendar
  - a. Commissioners or Staff may request that any matter be removed from the Consent Calendar.
  - b. All matters remaining on the Consent Calendar which have not been removed shall be approved by a single action, the single action to have the legal effect of individual action on each matter.
  - c. If a Consent Calendar item is removed, it shall be discussed immediately after adoption of the balance of the Consent Calendar.
5. Staff Reports
  - a. The order of discussion after introduction of an item by the Chair will generally be as follows:
    - (i) Staff comments, information and reports, followed by questions from Commissioners.
    - (ii) Public comments and information, followed by questions from Commissioners.
  - b. Commissioner discussion, motion and action.

- c. Once the item is placed before the Commission for discussion, motion or action, no member of Commission Staff or the public shall be allowed to address the Commission without the consent of the Chair or a majority of Commissioners present.

**D. Oral Communications from Members of the Public**

1. As required by the Brown Act, the Commission shall provide an opportunity to members of the public to address the Commission on any item listed on the agenda, including consent calendar items. Regular meeting agendas shall also provide for public comment on any item of interest that is not on the agenda but that is within the subject matter jurisdiction of the Commission.
2. Each person wishing to speak should complete a speaker slip located in the meeting room, provide the speaker slip to the Executive Director and wait to be called upon by the Chair.
  - a. Each speaker addressing the Commission shall limit his or her remarks to no more than three (3) minutes, or time set by the Chair.
  - b. In the further interest of conserving time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group.
  - c. Speakers may not concede any part of their allotted time to another speaker.
  - d. The Chair may modify the total time allotted for public comments or the time allotted per speaker to facilitate the orderly conduct of a meeting. Such modifications shall be applied fairly.
3. In response to public comments on matters not on the agenda, Commissioners may individually:
  - a. Briefly respond to statements made or questions posed by members of the public;
  - b. Ask questions for clarification;
  - c. Provide a reference to Staff or other resources for factual information;
  - d. Request Staff to report back to the Commission at a subsequent meeting on any matter; and

- e. Direct Staff to place a matter of business on a future agenda.

#### **E. Quorum Call**

1. A quorum shall be required for the Commission to take any action. A majority of the members of the Commission then in office shall constitute a quorum.
2. During the course of a Commission meeting, should the Chair notice that a quorum is lacking, the Chair shall call this fact to the attention of the Executive Director.
3. The Chair shall issue a quorum call. If a quorum has not been restored within two (2) minutes of a quorum call, the Chair may declare a recess for a reasonable period of time in order to reestablish a quorum or the meeting shall be deemed automatically adjourned.

#### **F. Obtaining the Floor**

1. Any Commissioner wishing to speak must first obtain the floor by being recognized by the Chair. The Chair must recognize any Commissioner who seeks the floor when appropriately entitled to do so.
2. With the concurrence of the Chair, a Commissioner holding the floor may address a question to another Commissioner and that Commissioner may respond while the floor is still held by the Commissioner asking the question. A Commissioner may opt not to answer a question while another Commissioner has the floor.

#### **G. Motions**

1. No motion shall be entertained when a question is before the Commission except the following, listed in order of precedence. Any such motion, except to continue, substitute or reconsider, shall be put to a vote without discussion.
  - a. Motion to Call for the Question (Close Debate): The Commissioner moving the adoption of a motion or resolution shall have the privilege of moving to close the debate and at once to take the vote on the immediately pending question. Such a motion requires a second, is not debatable, is not amendable, and requires a two thirds (2/3) vote for adoption.

- b. Motion to Continue: A motion to continue to a time certain is amendable, and debatable as to the propriety of continuance and as to time set in the motion, if any. The purpose of the motion is to continue the subject under discussion to another specified time.
- c. Motion to Substitute: A motion to substitute the motion under consideration with another motion requires a second, is not amendable and is debatable. A motion to substitute must be germane to the subject and compatible with the underlying purpose of the motion under consideration. If passed, the substitute motion will, by its own action, eliminate the necessity to vote on the motion being substituted. If the substitute motion fails to pass, debate will resume on the motion previously being considered.
- c. Motion to Table: The purpose of this motion is to terminate further consideration of the subject being discussed, without qualification. The effect of the motion, if approved, is to not only end discussion on any other motion being considered, but to preclude any other motion being made. A motion to table requires a second, is not amendable, and is not debatable. A motion to table shall not preclude any Commissioner from placing the subject on an agenda for a later meeting.
- e. Motion to Reconsider: A motion to reconsider any action taken by the Commission must be made not later than the second succeeding official regular meeting of the Commission and only if the motion is based upon a different state of facts giving rise to the motion. Such a motion can only be made by a Commissioner who voted with the majority. It can be seconded by any Commissioner, and is debatable. At the time such motion to reconsider is heard by the Commission, testimony shall be limited to the alleged different state of facts in support of the motion. No question shall be twice reconsidered, except by unanimous consent of the Commissioners. However, action relating to any contract may be reconsidered at any time before the final contract execution.
- f. Motion to Adjourn: A motion to adjourn requires a second and is not debatable except to set the date and time to which the meeting is adjourned to consider the unfinished business. The purpose of a motion to adjourn is to terminate the meeting although the business on the agenda has not been completed, and a time fixed for adjournment has not yet arrived. A motion to adjourn shall be in order at any time, except when:
  - (i) repeated without intervening business or discussion;

- (ii) made as an interruption of a Commissioner while speaking;
- (iii) the previous question has been moved; or
- (iv) while a vote is being taken.

## 2. Discussion of Motions

- a. Stating the Motion: The Chair or the Executive Director should state the motion before it is debated.
- b. Addressing the Commission: No person, other than a Commissioner, shall address the Commission without first securing the permission of the Chair when a motion is pending before the Commission.
- c. Chair Debate: The Chair may debate from the chair, subject only to such limitations of debate as are imposed by these Rules on all Commissioners, and shall not be deprived of any of the rights and privileges as a Member of the Commission by reason of acting as the Chair.
- d. Obtaining the Floor/Improper References to be Avoided: Every Commissioner desiring to speak shall gain the attention and priority of the Chair, and upon recognition by the Chair, shall confine himself or herself to the question under debate, avoiding all personalities and indecorous language.
- e. Interruptions: A Commissioner, once recognized, shall not be interrupted when speaking unless it is to call the person to order, or as herein otherwise provided. If a Commissioner, while speaking, is called to order, the Commissioner shall cease speaking until the question of order is determined, and, if in order, shall be permitted to proceed.
- f. Division of Question: If the question contains two or more divisional propositions, each of which is capable of standing as a complete proposition if the others are removed, the Chair may, and upon request of a Commissioner shall (unless appealed), divide the question.
- g. Withdrawal of Motion: A motion may be withdrawn by the Commissioner making the motion only with the consent of the Commissioner seconding it.

- h. Voting on a Motion: The vote on a motion shall be taken either by unison vote, roll call vote, or electronic voting device and entered in full upon the record. The Chair shall announce the result of the vote.

## H. Voting

### 1. Requirements for Action

- a. Unless a higher vote is required by law, the affirmative votes of a majority of the quorum shall be required to take action on any item of business.
- b. Each Commissioner qualified to vote on a motion shall cast either an “aye” or “no” vote, or abstain from voting.

### 2. Voting Disqualification

#### a. Recusal for Conflict of Interest.

- (i) A Commissioner shall not vote upon any matter on which the Commissioner is disqualified due to a direct or indirect conflict of interest;
- (ii) At the time an item is called, a Commissioner shall openly state that he or she is recusing himself or herself due to a conflict of interest;
- (iii) The Commissioner who is recusing himself or herself due to a financial conflict of interest shall publicly identify the financial interest in detail sufficient to be understood by the public, except disclosure of the exact street address of a residence is not required; and
- (iv) As to any other conflict of interest, the Commissioner's determination may be accompanied by an oral or written disclosure of such conflict of interest; and
- (v) A Commissioner who is disqualified by a conflict of interest in any matter shall not remain on the dais or in the meeting room during the discussion and must not vote on such matter except for consent calendar items. The Commissioner may remain on the dais for consent calendar items if the Commissioner states that he/she is abstaining from the vote due to the described conflict of interest before the consent calendar is voted on in one motion.

## **CHAPTER 10 - COMMISSION COMMITTEES**

### **A. General**

1. The Commission may establish Standing committees and Ad Hoc committees consisting of members of the Commission.
2. The Chair shall make all appointments to the Commission's Standing and Ad Hoc committees. These appointments should be reviewed annually.
3. Committees shall be formed as deemed appropriate by a majority vote of the Commission and as the need arises.
4. The Executive Director shall maintain and keep on file a list of the Standing committees and Ad Hoc committees to which Commissioners are appointed.

### **B. Standing Committees**

1. Standing Committees meet regularly, as needed, to handle ongoing business of a particular program area of the Commission. Membership shall be limited to no fewer than two and no more than five (5) commissioners.
2. Standing committees are tasked with accepting or rejecting the recommendations of Staff on programmatic and governance concerns, as well as to create efficiencies by overseeing particular tasks like approving public art plans and microgrant funding.
3. Standing committee meetings shall be noticed as per the Brown Act.

### **C. Ad Hoc Committees**

1. An Ad Hoc committee is a temporary committee established for a special purpose and of limited duration. Membership on an Ad Hoc committee shall be limited to no fewer than two (2) and no more than five (5) Commissioners. Ad Hoc committee meetings are not subject to public notice in accordance with the Brown Act.
2. Ad Hoc committees will be formed and tasked to prepare recommendations to the Commission in specific areas of Commission authority or responsibility.