

RULES OF PROCEDURE OF THE EMERYVILLE CITY/SCHOOL COMMITTEE
March 2, 2017

1.0 AUTHORITY AND APPLICABILITY

- 1.1 Authority: As provided by Government Code Section 54954.3, the Emeryville City/School Committee established these Rules of Procedure for the conduct of Emeryville City/School Committee meetings. The following rules shall be in effect upon their adoption by the Emeryville City/School Committee and until such time as they are amended or new rules adopted.
- 1.2 Applicability: These Rules of Procedure shall apply to meetings of the Emeryville City/School Committee only.

2.0 GENERAL RULES

- 2.1 Public Meetings: All meetings of the Emeryville City/School Committee shall be open to the public. The Emeryville City/School Committee shall not meet in closed session.
- 2.2 Meeting Dates/Time: Regular meetings will be held bi-monthly on the 1st Thursday of the following months: January, March, May, July September and November. Adjourned regular or special meetings may be called by the Presiding Officer of the Emeryville City/School Committee. All regular meetings of the Emeryville City/School Committee will convene at 5:30 P.M. Meetings will adjourn at 7:30 P.M. unless a majority of the Emeryville City/School Committee votes to proceed with the business beyond that time.
- 2.3 Quorum: Six members of the Emeryville City/School Committee shall constitute a quorum necessary to transact business (3 members of City Council and 3 members of the School Board). In the event a quorum is not in attendance, those attending will be named in the minutes, and they shall adjourn the meeting to a later set time.
- 2.4 Right of the Floor: Any member of the Emeryville City/School Committee or person in attendance desiring to speak shall first be recognized by the Chair and shall, with the exception of Public Comment, confine any remarks to the subject under consideration.
- 2.5 Rules of Order: Except in cases of conflict with these Rules, "Robert's Rules of Order" shall govern the proceedings of the Emeryville City/School Committee.
- 2.8 City Manager and School Superintendent: The Emeryville City Manager and EUSD School Superintendent shall attend all meetings of the Emeryville City/School Committee unless excused, and in his or her absence, their designee shall substitute. The City Manager and School Superintendent shall have the right to make recommendations and to take part in all discussions of the Emeryville City/School Committee, but shall have no vote.

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- 2.11 Committee Members: The members of the City of Emeryville City Council and Emery Unified School District Board shall be members of the Emeryville City/School Committee.
- 2.12 Presiding Officer: The members of the Emeryville City/School Committee shall appoint two of its members to be the Presiding Officer, one from the City Council and one from the Emeryville Unified School Board. At the regular meeting in January of each year, the Emeryville City/School Committee shall appoint, by a majority vote, the Presiding Officer to serve for the subsequent year.
- 2.13 Call to Order: The Presiding Officer shall call the meeting to order at the hour appointed. In the absence of the Presiding Officers, the City Manager or the School Superintendent shall call the meeting to order. The Emeryville City/School Committee members present shall then proceed to elect a Temporary Presiding Officer.
- 2.14 Preservation of Order: The Presiding Officer shall preserve strict order and decorum, shall prevent threatening, bullying, or disruptive verbal attacks on the Emeryville City/School Committee members, staff, and/or citizens, confine debate to the item under discussion, and discourage demonstrations before the Emeryville City/School Committee such as applauding or “booing”.
- 2.15 Point of Order: The Presiding Officer shall determine all points of order subject to the right of any member to appeal. If an appeal is taken, the question shall be, "shall the Presiding Officer's decision be sustained?"
- 2.16 Authority to Clear Room Where Meeting Willfully Interrupted, Etc.: Upon instructions by the Presiding Officer, the Chief of Police or his or her designee may be called for the purpose of removing any person who, in the Presiding Officer's judgment, has violated the rules of conduct and has disrupted the meeting. In the event that any meeting is willfully interrupted by an individual, group or groups of persons so as to render the orderly conduct of such meeting infeasible and order cannot be restored by removal of the individual or individuals who are willfully interrupting the meeting, the Presiding Officer may order the meeting room cleared and continue in session. Only matters appearing on the Agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the Presiding Officer from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.
- 3.0 **TYPES OF MEETINGS**
- 3.1 Regular Meetings: The Emeryville City/School Committee shall meet at the Emeryville Center of Community Life, Building C, Multi-Purpose Room 4727 San Pablo Avenue, Emeryville, CA 94608 for all regular meetings. The regular meetings shall begin at 5:30 PM on the 1st Thursday of the following months: January, March, May, July, September and November. If the meeting date shall fall on a holiday, the Emeryville City/School Committee shall meet at a time and date so designated by the Committee.

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- 3.2 Adjourned Meetings: Any meeting of the Emeryville City/School Committee may be adjourned to a later date, place, and time, provided no adjournment is for a longer period than the next regularly scheduled meeting.
- 3.3 Special Meetings: Special meetings may be called by the Presiding Officer or by a majority of the Emeryville City/School Committee members during a regularly scheduled meeting. The call for a special meeting must specify the day, hour, and place, and shall specify the subject(s) to be considered. Special Meetings shall be noticed and conducted in accordance with the Ralph M. Brown Act, as it may be amended from time to time.
- 3.4 Closed Session Meetings: The Emeryville City/School Committee shall not conduct closed session meetings.
- 3.5 Media Attendance: All meetings of the Emeryville City/School Committee shall be open to the media, and may be recorded by tape, radio, television, photography, provided such recordings do not interfere with the orderly conduct of the meetings.

4.0 ORDER & PREPARATION OF AGENDA

4.1 Agenda Order of Business:

1. Call to Order and Roll Call
2. Public Comment
3. Approval of Minutes
4. Agenda Items
5. City and EUSD Staff Comments/Announcements
6. Emeryville City/School Committee Member Comments/Announcements
7. New Business For Next Regular Emeryville City/School Committee Meeting – Date
8. Adjournment

4.2 Agenda Preparation:

1. Agenda Items may be placed on the Agenda by an Emeryville City/School Committee member, the City Manager or the School Superintendent. The Emeryville City/School Committee shall have no authority to approve or authorize contracts or the payment of money; any such action must be conducted as part of a regular or special meeting of the City of Emeryville City Council or Emery Unified School District Board.
2. Agenda Items are to be delivered to the City Manager or School Superintendent by 5 PM on Wednesday, eight (8) days preceding the regular meeting date. Each item shall contain a brief description of the matter to be discussed.
3. Any written material to accompany the agenda shall be delivered to the City Manager or School Superintendent by 5 PM on Wednesday, eight (8) days preceding the

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regular meeting date.

4. The City Manager and School Superintendent, in consultation with the Presiding Officer, shall finalize the Agenda by 5 PM on Thursday, seven (7) days preceding the regular meeting.
 5. The Agenda together with all reports pertaining thereto shall be provided to Emeryville City/School Committee members by 5 pm Friday, six (6) days preceding the regular meeting.
 6. The Agenda for a regular meeting shall be made available to the public as soon as it is made available to the Emeryville City/School Committee members, and in no event later than 72 hours before the regular meeting. The Agenda for a special meeting shall be made available to the public as soon as it is made available to the Emeryville City/School Committee members, and in no event later than 24 hours before the special meeting.
- 4.3 Hearing Items Out of Order: The Presiding Officer may remove an item from the Agenda for consideration out of the order shown on the Agenda, unless, by a majority vote, the Emeryville City/School Committee votes to not consider and act on the item out of order.
- 4.4 Minutes: The City Manager and School Superintendent, or their designees, shall have exclusive responsibility for preparation of the Minutes of all Emeryville City/School Committee meetings and any corrections of the Minutes shall be made only by action of the Emeryville City/School Committee. The Minutes shall be an accurate, clear and concise statement of every Emeryville City/School Committee action, including the motions made and the vote thereon.
- 5.0 **CITIZENS RIGHTS**
- 5.1 Addressing the Emeryville City/School Committee:
- A. Any person may address the Emeryville City/School Committee on the following Order of Business portions of the Agenda as identified in Section 4.1:
 1. Agenda Items
 2. Public Comment
 - B. The following shall apply for “Agenda Items”:
 1. Each person desiring to address the Emeryville City/School Committee on an Agenda Item shall signal their desire to address the Committee (e.g. raising their hand) after the matter has been presented to and discussed by the members of the Emeryville City/School Committee.

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2. Before the Emeryville City/School Committee takes action on the item, if any action is contemplated, the Presiding Officer shall recognize those members of the public who have signaled their desire to address the Committee. Each person, once recognized by the Presiding Officer, shall approach in an orderly fashion, and state their name and city of residence for the record. To assist with preparation of the minutes of the meeting, each person is asked to sign their name on a speakers list at the podium, but is not required to do so.
 3. Each individual speaker is limited to two (2) minutes for any comment on an Agenda Item. At the discretion of the Presiding Officer, the time allotted to an individual speaker may be further adjusted.
 4. At the discretion of the Presiding Officer, the total amount of time allotted to comments from members of the public on an individual Agenda Item may be limited if deemed necessary in order to complete the business of the Emeryville City/School Committee as listed on the Agenda.
 5. All remarks on an Agenda Item shall be directed to the Presiding Officer and the Emeryville City/School Committee as a body and not to any particular member of the Emeryville City/School Committee, staff or member of the public.
 6. No person, other than members of the Emeryville City/School Committee, the City Manager, School Superintendent and the person recognized by the Presiding Officer shall be permitted to enter into the discussion.
 7. No question shall be asked of Emeryville City/School Committee Members, the City Manager, School Superintendent or staff except through the Presiding Officer.
- C. The following shall apply for "Public Comments":
1. Any person who desires to address the Emeryville City/School Committee on any item not on the Agenda, which item is within the subject matter jurisdiction of the Emeryville City/School Committee, may do so during that portion of the Agenda called Public Comment.
 2. The Emeryville City/School Committee members and City or School District staff may only respond to public comments in accordance with California Government Code Section 54952.2. Accordingly, the Emeryville City/School Committee members and City or School District staff upon recognition of the Presiding Officer, may only briefly respond to statements made or questions posed, ask a question for clarification, refer the person to City or School District staff or others for information, request staff to report back at a future meeting, direct staff to place a matter of business on a future meeting, or take action on an item in accordance with California

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Government Code Section 54952.2(b).

3. Each speaker is limited to two (2) minutes for any comment during “Public Comments”. At the discretion of the Presiding Officer, the time allotted to an individual speaker may be further adjusted.
4. At the discretion of the Presiding Officer, the total amount of time allotted to “Public Comments” may be limited if deemed necessary in order to complete the business of the Emeryville City/School Committee as listed on the Agenda.

D. The following shall apply for any other portion of the Agenda:

1. At the discretion of the Presiding Officer, members of the public may be allowed to address the Emeryville City/School Committee on any other portion of the Agenda, if the member of the public is recognized by the Presiding Officer.
2. Each speaker is limited to one (1) minute for any comment on any other portion of the Agenda. At the discretion of the Presiding Officer, the time allotted to an individual speaker may be further adjusted.
3. At the discretion of the Presiding Officer, the total amount of time allotted to comments from members of the public on any other portion of the Agenda may be limited if deemed necessary in order to complete the business of the Emeryville City/School Committee as listed on the Agenda.

5.3 Written Communications: Any person may submit written comments to the Emeryville City/School Committee through the office of the City Manager or School Superintendent, and request that the Emeryville City/School Committee receive copies in the Agenda packet provided such written comments are relevant to matters within the subject matter jurisdiction of the Emeryville City/School Committee and are received in sufficient time to include in the Agenda packet.

6.0 **SUSPENSION AND AMENDMENTS OF RULES**

6.1 Suspension: Any provision of these rules not already governed by State law may be temporarily suspended by a majority vote of the Emeryville City/School Committee.

6.2 Amendment: These rules may be amended or new rules adopted as a regularly scheduled Agenda Item by a majority vote of the Emeryville City/School Committee.

7.0 **MISCELLANEOUS RULES**

7.1 Presiding Officer: The Presiding Officer may move, second, and debate from the chair, and shall not be deprived of any rights and privileges of a Member.

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- 7.2 Roll Call Votes: Upon demand by any Emeryville City/School Committee member a roll call vote shall be taken on any motion before the Emeryville City/School Committee. The Presiding Officer's name shall be called last with the other members' names called in alphabetical order by the City Manager or School Superintendent. Each member of the Emeryville City/School Committee present at a meeting shall be entitled to cast one vote. The adoption of any resolution or motion shall require the majority vote of the members present.
- 7.3 Personal Privilege: The right of an Emeryville City/School Committee member to address the Emeryville City/School Committee on a question of personal privilege shall be limited to cases in which the integrity, character, or motives of the Member are in question, or to where the welfare of the Emeryville City/School Committee is concerned. The Member may not interrupt the speaker, however, until recognized by the Presiding Officer.
- 7.4 Protests: Any Member shall have the right to enter into the public record reasons for dissent or protests against any action carried by the majority, after the vote has been taken.
- 7.5 Motion to Reconsider: A motion to reconsider any action taken by the Emeryville City/School Committee may be made in accordance with the following:
- a. The motion must be made by a member of the prevailing side, although it may be seconded by any Emeryville City/School Committee Member.
 - b. The motion is debatable and has precedence over a pending motion.
 - c. The motion must be made before the adjournment of the next regular meeting.