



County of Santa Cruz

IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

18 W. Beach Street, Watsonville, CA; P.O. Box 1300, Santa Cruz, CA 95061

(831) 454-4036 FAX: (831) 763-8906

Notice of Public Meeting and Agenda

IHSS Advisory Commission

Date: Friday, November 17, 2023

Time: 1:00PM to 3:00PM

Location: 1400 Emeline AVE, Building K, Room 206. Santa Cruz, CA

The use of facemasks is recommended for all attendees of the IHSS Advisory Commission meeting

Agenda

1. Call to Order
2. Roll Call
3. Agenda Review
4. Consent Agenda
 - a. Approval of Meeting Minutes
 - i. October 27, 2023 Meeting.....Page 2.
 - b. Commission Vacancies
 - i. One (1) – Consumer Representative
 - ii. One (1) – Representative of Advocate Organization
5. Oral Communications and Announcements: *Anyone wishing to address the commission on any item within the jurisdiction of the Commission and not listed on the agenda may do so at this time. Comments are limited to three (3) minutes in duration.*
6. Regular Agenda – Action Items
 - a. Discussion: IHSS Advisory Commission Meeting Location
 - b. Biennial Report.....Page 6.
7. Regular Agenda – Information Items
 - a. Updates/Housekeeping
 - i. Reminders from the Chair
 1. Meeting Protocols.....Page 12.
 - ii. Topics & Speakers
 - b. IHSS Providers
 - c. IHSS Program and Public Authority Updates
8. Report Outs
 - a. Legislative
 - b. CICA Conference Calls
 - c. Website/Technology
9. Adjournment

Next Regular Meeting: January 26, 2024, 1:00PM – 3:00PM @ 1400 Emeline AVE, Building K, Room 206. Santa Cruz, CA

The County of Santa Cruz complies with the Americans with Disabilities Act. This meeting room is accessible for people with disabilities. If you wish to discuss reasonable modifications or accommodations, please call 454-4036 prior to the meeting. For the comfort of those with allergies and chemical sensitivities, please do not wear perfume or scented products to the meeting.



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IHSS Advisory Commission

Meeting Minutes

Date: Friday, October 27, 2023
Time: 1:00PM to 3:00PM
Location: 1400 Emeline AVE, Building K, Room 206. Santa Cruz, CA
Present: Lois Sones (Seniors Commission, Vice-Chair), Becky Taylor (Commission on Disabilities), Foster Andersen (Consumer), Christine Kiebert-Boss (Consumer), Patricia Fohrman (Provider), Maria Arreola (Provider)
Excused: Michael Molesky (Consumer, Chair), Jozette Irgang (Consumer), Linda Campbell (Consumer)
Absent: None
Guests: Julie Gabriel (Division Secretary, Adult and Long-Term Care services division)
Staff: Juan Magaña (Program Manager, IHSS and Public Authority)

Agenda

1. Call to Order
 - a. Meeting was called to order at 1:02PM; a quorum was present.
2. Roll Call
3. Agenda Review
 - a. Agenda reviewed; no changes were made.
4. Consent Agenda
 - a. Approval of Meeting Minutes
 - i. September 22, 2023, Meeting
 - b. Commission Vacancies
 - i. One (1) – Consumer Representative
 - ii. One (1) – Representative of Advocate Organization
 - c. Motion to approve consent agenda called by:
 - i. First/Second: Arreola/Taylor
 - ii. Ayes: Sones, Taylor, Andersen, Kiebert-Boss, Fohrman, Arreola
 - iii. Noes: None
 - iv. Abstain: None
 - v. Absent: Molesky, Irgang, Campbell
 - d. Motion carried unanimously.
5. Oral Communications and Announcements:
 - a. Fohrman reported that there will be an outdoor showing of “Coco” at the Watsonville City Plaza at 7pm.

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- b. Keibert-Boss reported that there will be a reception with music and food at the Pajaro Valley Arts, displaying Day of the Dead Altars on Oct. 29th from 1-3PM.
- c. Taylor reported for the Disabilities Committee will present Kudos awards in July 2024 for Disabilities Pride Month. Two more committee members are needed.
- d. Arreola reported on San Jose Disability Days. Staff will forward this to commission members.
- e. Andersen reported that Shared Adventures will have a booth at the Chili Cookoff at the Santa Cruz Boardwalk from 1-3PM on Oct. 28th
- f. Sones reported that Elder Day Care is officially open at 501 Main St, Watsonville. It is licensed for 120 people per day.

6. Regular Agenda – Action Items

- a. Approval of 2024 IHSS Advisory Commission Meeting Schedule
 - i. The commission requested to add to next commission agenda a discussion over having some committee meetings in Watsonville in 2024.
 - ii. Motion to approve 2024 IHSS Advisory Commission Meeting Schedule, as presented in meeting packet, called by:
 - 1. First/Second: Fohrman/Keibert-Boss
 - 2. Ayes: Sones, Taylor, Andersen, Keibert-Boss, Fohrman, Arreola
 - 3. Noes: None
 - 4. Absent: Molesky, Irgang, Campbell
 - iii. Motion carried unanimously.
- b. Subcommittee Discussion
 - i. The commission reviewed the subcommittee information included in the meeting packet and discussed the need for standing subcommittees.
 - ii. The commission agreed that there is no need for subcommittees given the purpose of the subcommittees that have been set up. They agreed that it is best for commission members to do general report outs on various topics and requested that staff include “report outs” as standing agenda item.
 - iii. Motion to dissolve standing subcommittees was called by:
 - 1. First/Second: Keiber-Boss/Fohrman
 - 2. Ayes: Sones, Taylor, Andersen, Kiebert-Boss, Fohrman, Arreola
 - 3. Noes: None
 - 4. Absent: Molesky, Irgang, Campbell
 - iv. Motion carried unanimously
- c. Biennial Report
 - i. The commission reviewed the draft version of the 2022-2023 IHSS Advisory Commission Biennial Report
 - ii. Recommended changes were provided to staff.
 - iii. The commission agreed to continue working on biennial report at the November IHSS Advisory Commission meeting.

1. Staff to include an updated draft version to the November 17, 2023 meeting packet.
 - iv. No action taken on this item.
7. Regular Agenda – Information Items
- a. Updates/Housekeeping
 - i. Reminders from the Chair:
 1. No reminders from the chair.
 - ii. Topics & Speakers:
 1. Staff reported there is no speaker scheduled for next meeting.
 2. The commission requested to invite a representative from the Office of Emergency Services to speak about disaster preparedness.
 3. The commission requested to invite Central California Alliance for Health to speak about enhanced care management.
 - b. Proclamation – November 2023 IHSS Caregiver Month
 - i. Staff reported that the Board of Supervisors proclaimed November 2023 as In-Home Supportive Services Caregiver month in Santa Cruz County.
 - ii. A copy of the proclamation was included in the meeting packet.
 - c. IHSS Providers
 - i. No report provided.
 - d. IHSS Program and Public Authority Updates
 - i. Registry:
 1. Staff reported that the Registry has a total of 228 care providers., of these 87 are available for additional work (38% of registry providers).
 - ii. Caregiver Appreciation Gift Distribution:
 1. Staff reported that on as part of November being proclaimed IHSS Caregiver Month, on Saturday, November 4th Public Authority staff will be distributing thank you gifts to IHSS care providers. The distribution will take place from 9-12pm in Santa Cruz (Emeline complex) and from 2-5pm in Watsonville (Freedom BLVD). Gifts that will be distributed are a lunch totes and two tumblers with the Public Authority logo. Staff informed that volunteers are needed to assist with the distribution.
 - A. Three members volunteered to hand out gifts.
 - iii. IHSS Career Pathways Program
 1. Homebridge is offering paid training in person training through the IHSS Career Pathways program. Santa Cruz County Public Authority has volunteered its training room so they can offer these trainings in our County. There will be three trainings offered in Watsonville on 10/31, 11/01 and 11/02.
 - e. Subcommittee Reports
 - i. Legislative/Advocacy (Molesky):
 1. No report.
 - ii. Website (Taylor/Andersen):
 1. No report.

- iii. CICA Conference Calls (Campbell):
 - 1. No report.
 - iv. Technology (vacant)
8. Adjournment
- a. Meeting adjourned at 2:43PM

Next Regular Meeting: November 17, 2023, 1:00PM – 3:00PM @ 1400 Emeline AVE, Building K, Room 206. Santa Cruz, CA

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IHSS Advisory Commission

Report - 2024

2022 - 2023

Role of the Commission

The In-Home Supportive Services (IHSS) Advisory Commission is a state-mandated advisory board established under AB 1682. The powers and duties of the IHSS Advisory Commission, as defined by Santa Cruz County Board of Supervisors' Ordinance #4655, Chapter 2.124.070 of the Santa Cruz County Code, are to:

1. Serve in an advisory capacity to the Board of Supervisors, as the governing board of the IHSS Public Authority, and any administrative body in the County related to the delivery and administration of the IHSS;
2. Review policies related to the delivery of IHSS and make recommendations to the Board of Supervisors regarding any proposed changes;
3. Review pending State and Federal legislation that may impact the IHSS program, consumers, and/or providers and make recommendations to the Board of Supervisors regarding any proposed changes;
4. Stay informed and educated on IHSS and Public Authority issues;
5. Provide a forum for consumers and providers of personal assistance services, advocates and other interested parties to participate in IHSS policy and program development.

Meetings dates, time and location

The IHSS Advisory Commission meets on the fourth Friday of every month from 1:00 – 3:00PM at 1400 Emeline AVE., Santa Cruz, in Room 206. Due to ongoing recommendations from the local health department, the commission met virtually via teleconference for the majority of its meetings in 2022. The commission does not meet in the months of July and December.

Commission Structure

The Commission comprises no more than 11 members, of which a majority must be current or former users of personal assistance services paid for through public or private funds. The remaining slots include: two current for former providers of In-Home Supportive Services; and three at-large members from any of the following: a representative of an organization that advocates for people with disabilities or seniors and/or a representative who also concurrently holds a seat on either the Santa Cruz County Seniors Commission or the Commission on Disabilities.

Currently, there are two vacancies that the commission is seeking to fill. These vacancies are comprised of one former or current user of personal assistance services and one representative of an organization that advocates for people with disabilities or seniors.

Commission staff

The IHSS Advisory Commission is staffed by the Public Authority, under the auspices of the Human Services Department. Staff from the IHSS Program attend each meeting.

Attendance 2022 and 2023

The attendance charts for 2022 and 2023 are attached.

Goals and Accomplishments

During 2022 and 2023, the IHSS Advisory Commission:

1. Hosted the following guest speakers: Max Unmey from the County's Master Shelter Plan, Matthew Sundt from the County's Housing Element Update, Jim Lyons and Angela Millhouse from the Central California Alliance for Health, Yesenia Cerna from the County's Human Services Department, Grecia Quintero and Ivette Vazquez from the San Andreas Regional Center and Rita Sanchez from the County Administrative Office.
2. Welcomed two new commission members: Rebecca Jordan (relative of consumer) and Christine Kiebert-Boss (consumer).
3. Kept informed of state budget issues by California Association of Public Authorities advocates.
4. Received updates of the State Olmstead Advisory Board as relevant.
5. Collaborated with the Health Project Center to develop training curriculum for IHSS care providers.
6. Monitored the impact of the COVID-19 health related issues on IHSS recipients and care providers.
7. Transitioned from remote meetings to in-person meetings due to the end of the public health emergency.
8. Kept informed on the Master Plan on Aging (MPA).
9. Successfully implemented disaster protocols due to local fire and flood disasters.
10. Continued providing ongoing input to IHSS Public Authority staff for posting relevant and educational information on the IHSS Public Authority website.
11. Shared information with Seniors Commission and Commissions on Disabilities.
12. Subcommittees monitored activity in the areas of interest to IHSS recipients and providers.
13. Performed ongoing work to fill the remaining vacancies in the commission.

Future Goals – FEEDBACK NEEDED

The goals of the IHSS Advisory Commission include the following:

1. Participate in Public Authority Registry recruitment efforts. Particularly providers willing to work in Santa Cruz and San Lorenzo Valley and/or willing and able to provide care for high needs clients.
2. Monitor the success of the provider enrollment process.
3. Promote ongoing education of IHSS for consumers, care providers and the community.
4. Work collaboratively with the Health Project Center to develop training curriculum for IHSS providers.
5. Participate in the development of enhanced supports for IHSS recipients and care providers.
6. Continue to monitor payroll activity to assure providers are being paid timely.
7. Monitor the ongoing use of the Electronic Visit Verification requirement for IHSS and its impact on consumers and providers.
8. Increase collaboration with the local labor organization.
9. Network with community-based organizations and other commissions to solve issues that affect IHSS and related services.
10. Hold IHSS Advisory Commission meetings in south and mid-county locations.
11. Work collaboratively with partner agencies and commissions on improving disaster planning and emergency preparedness.
12. Identify community resources that IHSS consumers and providers can access in emergency situations.
13. The commission will seek to resume the Caring Community Summit, as it becomes feasible.
14. Resume new commissioner orientation and conduct annual refreshers for existing commissioners.
15. Advocate for fall prevention and supports in the home of all recipients of IHSS.
16. Establish a relationship with the Office of Emergency Services.
17. Advocate for increased wages for IHSS care providers.

Recommendations – FEEDBACK NEEDED

Recommendations from the IHSS Advisory Commission include the following:

1. Advocate for mixed housing with caregivers to support integrated caregiver and community planning.
2. Advocate for a living wage for caregivers so they can remain in our community.
3. Advocate for the county to develop a comprehensive emergency preparedness program.
4. Explore the feasibility of an agency-based (Contract Mode) IHSS system in Santa Cruz County.
5. Advocate for the needs of IHSS recipients and caregivers to be included in plans when developing the MPA.

6. Connect with Central California Alliance for Health to help coordinate services under the California Advancing and Innovating Medi-Cal (CalAIM) program.

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2022 Attendance

IHSS Advisory Commission 2022 Attendance Roster													
Name	Affiliation	Jan	Feb	Mar	Apr	Apr*	May	Jun	Aug	Sep	Oct	Nov	Dec*
Lois Sones	Seniors Commission	X	X	X	X	X	X	C	X	X	C	C	X
Becky Taylor	Commission on Disabilities	X	X	X	X	X	X	C	E	X	C	X	X
Vacant	Rep of Advocate Agency	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Foster Andersen	Consumer	X	X	E	E	E	X	C	X	X	C	C	X
Michael Molesky	Consumer	E	X	X	X	X	X	C	X	E	C	C	X
Linda Campbell	Consumer	X	X	X	X	X	X	C	X	X	C	C	X
Jozett Irgang	Consumer	X	X	X	A	E	X	C	X	X	C	C	A
Vacant	Consumer	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Vacant	Consumer	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Maria Arreola	Provider	X	X	X	E	E	X	C	X	X	C	C	X
Patricia Fohrman	Provider	X	X	X	X	X	X	C	X	A	C	C	X

*Special Meeting

Key:

- X = Present
- E = Excused
- A = Absent
- R = Resigned
- n/a = Not yet appointed
- C = meeting cancelled

2023 Attendance

IHSS Advisory Commission 2023. Attendance Roster											
Name	Affiliation	Jan	Feb	Mar	Apr	May	Jun	Aug	Sep	Oct	Nov
Lois Sones	Seniors Commission	X	X	E	C	E	X	X	X	X	
Becky Taylor	Commission on Disabilities	X	X	E	C	X	E	X	X	X	
Vacant	Rep of Advocate Agency							n/a	n/a	n/a	n/a
Rebecca Jordan	Family Member of Consumer	X	X	X	C	X	X	R	R	R	R
Foster Andersen	Consumer	X	X	E	C	E	X	X	X	X	
Michael Molesky	Consumer	X	X	X	C	X	X	X	X	E	
Linda Campbell	Consumer	X	X	X	C	X	E	X	X	E	
Jozett Irgang	Consumer	X	X	X	C	E	X	X	X	E	
Christine Kiebert-Boss	Consumer	n/a	n/a	n/a	n/a	n/a	n/a	X	X	X	
Vacant	Consumer	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Maria Arreola	Provider	X	X	E	C	X	X	X	E	X	
Patricia Fohrman	Provider	X	A	X	C	X	X	X	X	X	

Key:
 X = Present
 E = Excused
 A = Absent
 R = Resigned
 n/a = Not yet appointed
 C = meeting cancelled



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

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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