

## **COUNTY OF LOS ANGELES**

### **PROCEDURAL RULES FOR COUNTY COMMISSIONS AND COMMITTEES**

#### **BASED ON ROBERTS'S RULES OF ORDER (ABRIDGED)**

#### **MEETINGS - TIME AND PLACE OF REGULAR AND SPECIAL MEETINGS**

**REGULAR MEETINGS.** The Commission or Committee shall provide by resolution, by-law or other rule the time for regular meetings, which shall be held at least once a month. If the day of any regular meeting falls on a holiday, such regular meeting shall be held at the same hour on the next business day.

**ADJOURNMENT OF REGULAR MEETING.** Any regular meeting may be adjourned to a time and place specified in the order of adjournment.

**LACK OF A QUORUM.** If less than a quorum is present at any meeting, the members present may adjourn the meeting to a time and place specified in the order of adjournment.

**NOTICE OF ADJOURNMENT WHERE NONE OF THE MEMBERS ARE PRESENT.** If all members are absent from any regular or adjourned regular meeting, the Clerk or Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given to each of the members of the Commission or Committee in the manner required for special meetings.

**POSTING OF NOTICE OR ORDER OF ADJOURNMENT.** A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular or adjourned regular meeting was held and within twenty-four (24) hours after the time of adjournment.

**SPECIAL MEETINGS.** A special meeting may be called any time by the Presiding Officer or by a majority of the members of the Commission or Committee.

**SPECIAL MEETINGS, NOTICE.** The Presiding Officer or a majority of the members of the Commission or Committee must deliver written notice of a special meeting to each member of the Commission or Committee personally or by mail at least twenty-four (24) hours before the time of such meeting as specified in the notice.

**NOTICE, CONTENTS.** The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at a special meeting.

*MEETINGS SHALL BE PUBLIC.* All meetings of the Commission or Committee shall be open and public.

### **BUSINESS**

*ORDER OF BUSINESS.* The following is usual:

- (1) Call to order;
- (2) Reading and approval of the minutes of the previous meeting;
- (3) Reports of officers and standing committees;
- (4) Reports of special committees;
- (5) Unfinished business;
- (6) New business;
- (7) Adjournment.

*BRINGING UP A MATTER.* A matter is brought up either by a member, or by the presentation of a communication.

*MOTIONS MUST BE STATED BY THE CHAIRPERSON.* After a motion has been made, the Chairperson must state the motion before the Commission or Committee. The Chairperson alone puts the motion before the Commission or Committee. He/She must either rule it out of order, or state the question on it so that the Commission or Committee may know what is before it for consideration and action.

*MODIFICATION OF A MOTION BEFORE DEBATE.* Before a motion is stated or ruled out of order, no debate or other motion is in order, but members may suggest modifications of the motion, and the mover has the right to make modifications or to withdraw his/her motion. After the motion is stated by the chairperson, the mover cannot modify or withdraw his/her motion without consent of the Commission or Committee.

### **DEBATING THE MOTION**

*WHAT MAY BE DEBATED.* All resolutions, committee reports, communications, and all motions, except undebatable motions (footnote 1) may be debated before final action is taken on them.

*DISPOSAL OF MOTION WITHOUT DEBATE.* The Commission or Committee may by a two-thirds vote decide to dispose of a resolution, committee report, communication, or motion without debate.

*SUBJECT MATTER OF DEBATE.* Debate must be limited to the merits of the immediately pending question, except that in a few cases the main question is also opened to debate (footnote 2).

*METHOD OF LIMITING DEBATE.* The debate, by a two-thirds vote, may be limited to any extent desired. The maker of the motion is entitled to close the debate.

### **VOTING ON THE MOTION**

*CALLING THE QUESTION.* When the debate appears to the Chairperson to be finished, he/she should inquire as to whether the Commission or Committee is ready for the question. If, after a reasonable pause, no one claims the floor, the Chairperson may proceed to put the question, i.e. to take the vote on the question.

*ORDER OF VOTE.* The Chairperson must first call for the affirmative and then the negative votes.

*STATEMENT OF THE QUESTION.* In stating the question, the Chairperson should make perfectly clear what the question is that the Commission or Committee is to decide.

*MAJORITY VOTE.* When a quorum is present, a majority vote, with certain exceptions, (footnote 3) is sufficient for the adoption of any motion that is in order.

*TIE VOTE.* On a tie vote the motion is lost.

*DUTY OF THE CHAIRPERSON TO VOTE.* The Chairperson, as a member of the Commission or Committee, has the same duty as any other member to vote on every question submitted to the Commission or Committee.

*VOTE MUST BE ANNOUNCED.* Announcing the vote is necessary part of putting the question, and the vote does not go into effect until announced.

*METHOD OF ANNOUNCING THE VOTE.* In announcing the vote the Chairperson should state first whether the motion is carried or lost; second, what is the effect, or result, of the vote; and third, what is the immediately pending business, if any.



### **MOTIONS**

*MAIN MOTION.* This motion is necessary to bring up a particular subject. It cannot be made when any other question is before the Commission or Committee, and it yields to all privileged, incidental, and subsidiary motions, i.e., any of those motions can be made while a main motion is pending. A main motion is debatable, subject to amendment and can have any subsidiary motion applied to it. Generally, a main motion requires for its adoption a majority vote.

*SUBSIDIARY MOTION (footnote 4).* This motion is applied to another motion for the purpose of disposing of it. Thus, by means of this motion, the original motion may be changed, it may be referred to a committee, action may be postponed, etc. When applied to any main motion, it supersedes the main motion and must be decided before the main motion can be acted upon. With the exception of the motion to amend and those motions affecting the limits of debate, the subsidiary motion cannot be applied to a subsidiary, incidental, or privileged motion. And with certain exceptions (footnote 5), the subsidiary motion may be amended. A motion to amend anything which has already been adopted is not a subsidiary motion but is a main motion.

*INCIDENTAL MOTION (footnote 6).* This motion arises with relation to a pending motion and therefore must be decided before the motion out of which it arose is acted upon. It yields to a privileged motion and to the motion to lay on the table. It is undebatable and cannot be amended.

*PRIVILEGED MOTION (footnote 7).* This is the highest ranking motion, used to bring an important and urgent matter before the Commission or Committee. Although it has no relation to the pending question, it takes precedence over all other motions, and thus it is undebatable and, with certain exceptions (footnote 8), cannot have any subsidiary motion applied to it.

### **OFFICERS AND THEIR DUTIES**

*PRESIDING OFFICER (Chairperson).* The Chairperson's duties are generally as follows: To open the session, by taking the chair and calling the members to order; to announce the business before the commission or Committee in the order in which it is to be acted upon; to recognize members entitled to the floor; to state and to put to vote all questions which are regularly moved or which arise in the course of the proceeding and to announce the result of the vote; to protect the Commission or Committee from the annoyance of frivolous or dilatory motions by refusing to recognize them; to assist in the expediting of business in every way compatible with the rights of



the members, as by allowing brief remarks when undebatable motions are pending, if Procedural Rules for he/she thinks it is advisable; to restrain the members when engaged in debate, within the the rules of order; to enforce the observance of order and decorum among the members, deciding all questions of order unless when in doubt he/she prefers to submit the question for the decision of the Commission or Committee; to inform the Commission or Committee on any point of order or practice pertinent to pending business; to authenticate, by his/her signature, when necessary, all the acts, orders, and proceedings of the Commission or Committee.

The Vice Chairperson, in absence or incapacity of the Chairperson, shall perform the duties of the Chairperson. Should the office of the Chairperson become vacant, the Vice Chairman shall perform the duties of the Chairperson until the Commission or Committee Members elect a new Chairperson.

*SECRETARY OR CLERK.* The secretary is the recording officer of the Commission or Committee and the custodian of the records. He/She is also obligated to keep a roll of the members and to call the roll, to notify officers and committees of their appointments and to furnish committees with all papers referred to them. He/She should send out all proper notices of all called meetings and conduct the correspondence of the organization. The secretary should make out an order of business for each meeting. In the absence of the Chairperson and if there is no Vice Chairperson, the secretary should call the meeting to order and preside until the election of Chairperson, pro tem, which should take place immediately.

### **ELECTION AND TERMS OF OFFICERS**

The Chairperson and Vice Chairperson shall be elected from among the Members of the Commission. The contact person shall be the secretary. The Commission or Committee Members may appoint such other officers (permanent, acting, or temporary) as may be appropriate. The Members may fix and determine the qualifications, and duties of the officers.

The Chairperson and Vice Chairperson shall be elected each year at the annual meeting of the Commission or Committee. The terms of offices of Chairperson and Vice Chairperson are for the calendar year or for the portion thereof remaining after election to office. Should any of the offices of Chairperson or Vice Chairperson become vacant, the Commission or Committee Members at the next regular meeting shall elect a successor for the unexpired term. The Chairperson and Vice Chairperson shall hold such offices until successors are elected and assume office.

## FOOTNOTES

### 1. Undebatable Motions:

- Adjourn
- Take a recess
- Suspension of the rules
- Objection to the consideration of a question
- Lay on the table
- Take from the table
- Motions to close, limit, or extend the limits of debate
- Amend and undebatable motion
- Reconsider and undebatable motion
- Dispense with the reading the minutes

### 2. Motions that Open the Main Question to Debate:

- Postpone indefinitely
- Reconsider a debatable question

### 3. Motions Requiring a Two-Thirds Vote:

- Amend (annul, repeal, or rescind) any part of the standing rules order previously adopted; previous notice is also required
- Amend or rescind a standing rule, a program or order of business, or a resolution, previously adopted, without notice being given at a previous meeting or in the call for the instant meeting
- Take up a question out of its proper order
- Suspend the rules
- Limit or extend the limits of debate

### 4. Subsidiary Motions:

(Arranged in the order of their precedence; when one of these motions is the immediate question, every motion above it is in order and every one below it is out of order.)

- Lay on the table
- The previous question
- Limit or extend limits of debate
- Postpone definitely, or to a certain time
- Commit or refer, or recommit to committee or otherwise
- Amend
- Postpone indefinitely

## **Footnotes**

### **5. Unamendable Subsidiary Motions:**

- Lay on the table
- The previous question
- Postpone indefinitely

### **6. Incidental Motions:**

- Questions of order
- Suspension of the rules
- Objection to the consideration of a matter
- Requests growing out of business pending or that has just been pending; as, a parliamentary inquiry, a request for information, for leave to withdraw a motion, to read papers, to be excused from a duty, or for any other privilege

### **7. Privileged Motions:**

- Fix the time to which to adjourn  
(if made while another question is pending)
- Adjourn (when unqualified)
- Take a recess (if made when another question is pending)
- Raise a question of privilege

### **8. The Following Privileged Motions Can Be Amended:**

- Fix the time to which to adjourn
- Take a recess



# **BROWN ACT PRESENTATION OUTLINE**

**Los Angeles County**

**Commission on Disabilities**

**June 21, 2006**

## **I. WHAT IS THE BROWN ACT?**

The Brown Act is the state law which requires local legislative bodies to conduct business in an open forum. It guarantees the public's right to attend and participate in meetings.

## **II. WHO DOES THE BROWN ACT APPLY TO?**

The Brown Act applies to public commissions, boards and councils, including committees, created by the legislative body.

## **III. WHAT IS REQUIRED BY THE BROWN ACT?**

Agenda Posting Requirements- Agenda must be posted at least 72 hours (3 days) in advance. The agenda must contain a brief description of each item to be discussed or transacted at the meeting.

Definition of Meeting- A meeting is a gathering of a quorum of the legislative body where public business is transacted or discussed. There are three types of meetings- regular, special, emergency.

Conducting Meetings- A meeting must be held within the agency's jurisdiction. It cannot be held in a place that discriminates or that requires a payment or purchase. It is not permissible to require a person to register or provide information as a condition to attendance. The use of tape recorders, cameras, and broadcasting are allowed unless disruptive. Public comment must be allowed on each agenda item; there must also be a general comment period. Reasonable rules can be adopted.

Closed Session Exceptions-

Personnel matters; public security threat; anticipated/pending litigation, initiation of litigation; labor negotiation; real estate negotiations.

## **IV. WHAT ARE THE CONSEQUENCES OF VIOLATING THE BROWN ACT?**

Civil action to stop or prevent violations, or to declare action null and void.  
Misdemeanor for knowing violations.