



SINCE 1933

# **ORANGE COUNTY WATER DISTRICT**

## **RULES OF ORDER**



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## **Introduction: The Board of Directors and its Committees**

These Rules of Order have been adopted by the Board of Directors of the Orange County Water District to guide the conduct of meetings of the Board and its committees. These Rules are based on the 2011 version of “Rosenberg’s Rules of Procedure,” developed by Judge (and former city councilmember and county supervisor) David Rosenberg, with modifications to address requirements of the Orange County Water District Act and the District’s adopted policies and established practices.

### **The Board of Directors**

In accordance with Sections 4 and 12 of the Orange County Water District Act (“OCWD Act”), the ultimate governance of the District is vested in the ten-member Board of Directors, seven of whom are elected from divisions, and three of whom are appointed by the cities of Anaheim, Fullerton and Santa Ana. The Board of Directors holds its regular meetings on the first and third Wednesdays of each month, at 5:30 p.m.

### **Board Committees**

The District has eight Standing Committees of the Board: They include Administration/Finance Issues; Communications/Legislative Liaison; GWRS Steering; OCWD/MWDOC Joint Planning; Property Management; Retirement; Executive and Water Issues.

All of the Committees are advisory to the Board of Directors, and may not take final action unless specifically delegated that authority by action of the Board of Directors. The general purpose of the OCWD committees is to allow a thorough and detailed discussion of issues and to make a recommended action to the full OCWD Board. All of the Standing Committees, except for the Executive Committee, are “legislative bodies” under the Brown Act (Government Code Section 54950, et seq), and accordingly are open to the public, have fixed meeting schedules, post agendas at least 72 hours before the meeting time, and provide opportunities for public comment.

The Board President appoints members and alternates to the Standing Committees each year, and serves as an ex officio member of each committee. The full OCWD Board ratifies these appointments. All Directors are encouraged to attend all meetings of those Standing Committees with fixed meeting schedules, and those Committee meetings are noticed as joint meetings of the Committee and the Board of Directors to permit all Directors to attend and participate in those meetings in compliance with the Brown Act. For voting purposes, in the absence of appointed Committee members, other OCWD Board members, in alternate order of appointment, shall be deemed a Committee member.

Unlike the other standing committees of the District, the Executive Committee does not have a fixed meeting schedule and does not have any continuing subject matter jurisdiction (or any specific subject matter jurisdiction). Consequently, the Executive Committee is not a “legislative body” under the Brown Act and therefore is not subject to the open meeting, agenda posting and public comment requirements of the Brown Act. The Executive Committee is chaired by the President, and is composed of the President, the First and Second Vice Presidents, and the immediate past president. The Executive Committee meets on an as-needed basis, when requested by the President or General Manager, either to provide advice and guidance to the General Manager on major or challenging management issues on which the General Manager seeks advice, or to assist the General Manager or the President on emerging issues or future agenda items.

### **Ad hoc Committees**

Ad hoc Committees are established, and their members are appointed, by the President to address specific issues within a limited time period. Ad hoc Committees meet on an “as needed basis,” and do not have a fixed meeting schedule. Like standing committees, ad hoc committees act only in an advisory capacity, and take no final action. Examples of ad hoc committees that have been established to address distinct or isolated issues for later consideration by a Board Committee or the full Board of Directors are:

- Alternate Energy Committee
- Consolidation Committee
- Governmental Organization Task Force
- IT Committee
- Labor Relations Committee
- Visitor Center Committee
- Water Summit Planning Committee
- Groundwater Contamination Cleanup Committee

### **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. 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.

### Quorum - Board of Directors

Section 6 of the Orange County Water District Act provides in pertinent part that "No motion or resolution shall be passed or become effective without the affirmative vote of a majority of the members of the board." Because the affirmative vote of six Directors is required for Board action, a quorum of the Board is six Directors.

### Quorum - Board Committees

With respect to committees, task forces or other subordinate bodies, the quorum is one more than half the members of the body. As most OCWD committees are comprised of five Directors, the quorum for these committees is three Directors. Because OCWD standing committees are made up of regular members and alternates, the quorum can be met by regular and/or alternate members of the committee.

### **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 and conducts 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.

### **Agendas**

Meetings of the Board of Directors and its standing committees have written agendas. With the exception of the Executive Committee and ad hoc committees, all OCWD Board of Directors and Committee meeting agendas are published on the OCWD website and posted at the OCWD offices.

An item may be placed on the agenda of the Board of Directors only under the following circumstances:

- As directed by the General Manager, or his or her designee;
- As directed by the Board President;
- As directed by at least two directors in a Board or committee meeting; provided, however, that staff shall not be required to work on an agenda item unless at least 40% of the regular members of the Board or committee request that the item be placed on the agenda.

Unless directed otherwise by the General Manager, or pursuant to the Brown Act provisions for items arising after the posting of the agenda and requiring immediate action (Government Code Section 54954.2(b)(2)), all items to be placed on the agenda for a future meeting shall be submitted at least four working days prior to the date of the meeting.

In accordance with the Brown Act, all Board of Directors agendas, and those of standing committees with fixed meeting schedules or a subject matter jurisdiction, include as an agenda item public comments on matters that are not on the agenda. The Board of Directors allows each public speaker three minutes for his or her public comments on non-agendized items.

Most agendas of the OCWD Board of Directors and standing committees will include a consent calendar comprised of a number of items that are considered to be routine or non-controversial (e.g., approval of the minutes of the body's previous meeting, approval of warrant list). Unless noted by the Chair of a committee, the recommended actions of OCWD committees on items are usually placed on the consent calendar for approval by the Board of Directors. All items on the consent calendar are acted upon by one motion, unless a member of the body or staff requests that a matter be pulled from the consent calendar for further discussion or separate action. Members of the public wishing to provide public input on an item on the consent calendar should speak on the item during that part of the agenda. While members of the public may not pull items from the consent calendar, a director may do so at the request of a member of the public.

### **The Basic Format for an Agenda Item Discussion**

Meetings are governed by their 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. If the

matter is a public hearing, the Chair should formally open the public hearing.

- **Second**, following that agenda format, the Chair should invite the appropriate person or persons to report on the item. Usually, the Chair should recognize the principal staff member participating in the meeting (e.g., the General Manager with respect to Board meetings), who will then either report on the matter or invite the appropriate staff person to report on the item, including any staff recommendation to the body. Where a committee or task force has been charged with providing input on the agenda item, the appropriate person may be the committee Chair or a member of the task force.
- **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 open the public meeting for public input. Public speakers are allotted three minutes unless the Chair grants additional time. 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. If no member votes to second the motion, the motion fails.
- **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 members of the body shall vote on the item. With respect to votes by members of the Board of Directors, voting is conducted electronically, and the results are displayed on the screen. With respect to Board committees and other subordinate bodies of the Board of Directors, the Chair should call for the 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.” If it is unclear how members have voted or at the discretion of the Chair, the Chair may ask the Secretary to take a role call vote.
- **Tenth**, the Chair or the secretary should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the Chair or secretary should indicate how each member of the body voted.

## Motions in General

Motions are the vehicles for decision making by a body. A motion and second shall be made 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 it does not appear that 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 most 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 the Board approve the Smith project and a construction budget of \$1 million."

**The motion to amend.** If a member wants to change a basic motion that is before the body, the member would move to amend it. A motion to amend might be: "I move that the Board approve the Smith project and a construction budget of \$2 million." 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, the member would make a substitute motion. A substitute motion might be: "I make a substitute motion that the Board cancel the Smith project."

"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 approve the Smith project and a construction budget of \$1 million.” During the discussion of this motion, a member might make a second motion to “amend the main motion to approve the Smith project but with a construction budget of \$2 million, not \$1 million.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that the Board of Directors cancel the Smith project.”

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 be 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 motion.
- **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 construction budget for the Smith project be \$1 million or \$2 million). 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 (Smith project with \$1 million construction budget), or if amended, would be in its amended format (Smith project with \$2 million construction budget). The question on the floor for discussion and decision would be whether to approve the Smith project with the proposed construction budget.

## 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 all require a second but 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 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 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 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 majority vote. Because OCWD Board committees only take advisory actions and make recommendations to the Board of Directors, and a motion to table can serve to permanently terminate consideration of an item, only the Board of Directors can take action to table an item. A committee action to table an item is the same as a recommendation to the Board of Directors to table the item.
- **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 members of the body in attendance) .

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 those in attendance. 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 of those in attendance.

## **Majority and Super Majority Votes**

Unlike many bodies that define a majority vote as the vote of a majority of those in attendance at the meeting, Section 6 of the OCWD Act requires an affirmative vote of a majority of the members of the Board (i.e., six of the ten members) for all actions of the Board of Directors, other than those few actions that require the affirmative vote of eight members of the Board. The eight-vote requirement applies to approval of the additional replenishment assessment; establishment of the basin production percentage; and approval of the basin equity assessments, a surcharge and production requirements and limitations. For OCWD committees, a simple majority vote (three votes, in the case of a five-member committee) determines a question; a vote of 2-2, with one abstention, results in the motion failing.

In addition to these rules, there are exceptions requiring super majority vote requirements 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 of the members of the body in attendance (to pass). With respect to the Board of Directors, a super majority vote when all ten directors are present is seven votes; when only seven Directors are in attendance, the 2/3 vote requirement is five Directors; but, since the District Act requires six votes for the passage of any motion, a motion approved by five of seven Directors attending a Board meeting fails. For

committees composed of five voting directors, the 2/3 super majority is four members of the committee. The motions requiring a 2/3 super majority vote are:

- **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 of the members in attendance 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 of the members in attendance 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 of the members in attendance to pass.
- **Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote of the members in attendance 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 District has adopted a rule limiting public comment to three minutes per speaker. A motion to suspend the rules would be in order to allow all speakers on a particular matter to speak for up to say ten minutes each. Note that procedural rules established by the OCWD Act (such as the requirement for an affirmative vote of a majority of the Board of Directors to pass any motion or resolution, or the eight-vote supermajority requirement for adoption of the additional replenishment assessment or basin equity assessment) cannot be suspended or changed by action of the Board of Directors.

## 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.

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.

For example, for an action of OCWD Board of Directors to be valid and binding, the action must be approved by a majority of the board. (OCWD Act, Section 6) Typically, this means six of the ten members of the board must vote affirmatively in favor of the action. A vote of 5-4 would not be sufficient. A vote of 6-0 with four abstentions would be sufficient

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.”

Because Section 6 of the OCWD Act requires that a majority of the membership of the Board of Directors affirmatively vote for a matter in order for the action to become effective, abstentions are treated essentially as “no” votes. By contrast, OCWD Board committees approve items based on a majority of the committee members “present and voting.” 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”). Accordingly, a committee vote of 2-1-2 would generally be sufficient for the committee to pass an item. However, with respect to supermajority votes for actions such as motions to limit debate, where the affirmative vote of 2/3 of those members in attendance is required for passage (without regard to whether the members in attendance cast a vote), a 3-0-2 vote would not be sufficient to pass the item.

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?” 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.

Note that, when a Board member has a conflict of interest under the Political Reform Act with respect to an item on the agenda, the Board member is required to disqualify himself or herself. Disqualification is different than an abstention. Disqualification requires the Board member to take three actions: (a) publicly identify the financial interest giving rise to the conflict; (b) recuse himself or herself from discussing or voting on the item; and (c) physically leave the room until after the discussion, vote and any other disposition of the matter is concluded (Government Code Section 87105); provided, however, that the Director need not leave the room if the conflict arises from an item on the consent calendar.

### **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 at the same meeting.

A motion to reconsider at the same meeting 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. The 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 of the members in attendance, 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 or the speaker. 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.

### **Additional Notes Regarding Public Input**

The rules outlined above are meant to provide clear direction as to how members of the public can communicate at agendized, public meetings and participate in the decision making process at OCWD. When conducting meetings, the Chair will strive to:

- Tell the public what the body will be doing in each agenda item
- Keep the public informed while the body is doing it.
- Tell the public what the body did when the body has acted. Help meeting participants fully understand what is being discussed and voted and help them fully participate in the decision making process.