

RULES OF ORDER AND PROCEDURE FOR THE SANTA MONICA HOUSING
COMMISSION

RULE 1. RULES OF ORDER.

Except as otherwise provided by these rules (“Rules”), the City Charter, the Municipal Code, or applicable provisions of state law, the procedures of the Housing Commission shall be governed by the latest revised edition of Roberts Rules of Order.

These rules, or any one of them, may be suspended by a vote of two-thirds (2/3) of the members present.

RULE 2. TIME AND PLACE FOR HOLDING REGULAR MEETINGS.

The Housing Commission establishes the first Thursday of each month as the day for holding regular meetings. The regular meeting shall commence at 6 p.m. If any such Thursday falls on any day designated by law by the City Council as a day for public feast, Thanksgiving, or holiday, such regular meeting shall be held on the date of the regular meeting next following said Thursday at the hour heretofore fixed or at such other day as may be fixed. The Ken Edwards Center is established as the place for holding its regular meetings.

RULE 3. QUORUM AND ACTION.

Four members of the Housing Commission shall constitute a quorum for the transaction of business. Action shall be taken by a majority vote of the entire membership of the Housing Commission. However, in the case of a quasi-judicial hearing, if only four members are participating, the applicant or appellant shall be entitled to request and receive a continuance of the hearing, until such time as seven members are participating.

Whenever any member questions the presence of a quorum, the presiding officer shall forthwith direct the Secretary to call the roll, each member shall respond when his or her name is called and the Secretary shall announce the result. Such proceedings shall be without debate, but no member who is speaking may be interrupted by a question as to the presence of a quorum.

The Housing Commission may also establish standing subcommittees of its members to address designated areas of business on the Housing Commission behalf and may establish ad hoc committees to formulate reports or recommendations on particular matters. Standing subcommittees established pursuant to this section are required to hold meetings in compliance with the Ralph M. Brown Act (the “Brown Act”), California Government Code Sections 54960 et seq., and in accordance with these Rules.

Either Council or Housing Commission with the consent of Council may establish advisory groups made up of nonmembers to advise the Housing Commission on designated areas of business. Advisory groups established pursuant to this section are required to hold meetings in compliance with the Brown Act and in accordance with these Rules.

RULE 4. ATTENDANCE.

Attendance at Housing Commission meetings is expected of all members. An absence is defined as a failure to attend at least two-thirds of a meeting and includes both excused and unexcused absences. Members who have two unexcused absences out of six consecutive regular meetings shall automatically be deemed to have resigned. An absence is considered unexcused when a member does not communicate their absence to the Chair or liaison of the body prior to the scheduled meeting. If a member has more than two excused absences from regular meetings, the member shall receive a warning from the Chair. If the member misses another two regular meetings, the liaison shall inform the City Clerk’s office, who will then inform the City Council.

RULE 5. MEETINGS TO BE PUBLIC - EXCEPTION FOR CLOSED SESSIONS.

As required by the Brown Act, all regular, adjourned regular, and special meetings of the Housing Commission shall be public. Other than qualifying instances under the Brown Act for the Personnel Board, no board, commission, or task force is authorized to conduct closed sessions.

RULE 6. AGENDA.

The Staff Liaison shall prepare the Agenda as follows:

(a) The Liaison shall consult with the Chair and/or Vice-Chair in the preparation of the Agenda.

(b) The Agenda and all available supporting documents shall be provided to all members on the Friday preceding the scheduled meeting to which it pertains or as soon thereafter as possible, but no later than 72 hours prior to a regular meeting or 24 hours prior to a special meeting, as required by the Brown Act.

(c) Any member may request that any matter within the jurisdiction of the Housing Commission be reviewed for placement on the Agenda in consultation with the Staff Liaison and Chair. Members must submit proposed agenda items by 12 p.m. on Monday in order to ensure that matters will be agendized for the following meeting. Subject to Brown Act requirements, items submitted after the deadline will be agendized for the following meeting, if possible.

(d) The Staff Liaison shall submit the Agenda to the City Clerk's Office for posting in a timely manner, to be posted as required by the Brown Act, no later than 72 hours prior to a regular meeting or 24 hours prior to a special meeting. Copies of the Agenda shall be posted in the lobbies of City Hall and the Public Safety Facility. Online posting of the Agenda shall be done in addition to physically posting agendas in the lobbies of City Hall and the Public Safety Facility. The City Clerk shall maintain on file in his or her office declarations establishing compliance with the posting requirements.

(e) No action shall be taken on any item not appearing on the posted Agenda unless the item is added to the Agenda in the manner authorized by the Brown Act.

(f) Matters directed to be placed on the Agenda at the direction of members shall be listed on the Agenda in the order of receipt by the Staff Liaison.

(g) Written requests to the Housing Commission shall be referred to the Staff Liaison or his/her designee. Written requests being agendized shall be scheduled for consideration at the earliest convenient meeting, taking into consideration the length and content of meeting agendas. Members of the public submitting written requests shall be

advised of how their requests are being handled. Agendized communications shall be listed on the Agenda in order of receipt. No communication shall be placed on an Agenda if it contains material that:

- (1) Is profane.
- (2) Is potentially slanderous or libelous.
- (3) Advocates or opposes the candidacy of any person or party for any elective office.
- (4) Is primarily an advertisement or promotion or has as a substantial purpose, the advancement of any cause the major benefit of which is private and not public.

Members of the public submitting written requests to the Housing Commission are encouraged to limit their submissions to one per meeting.

RULE 7. CATEGORIES AND ORDER OF BUSINESS.

The business of the Housing Commission shall be conducted in the order and manner specified below. The order may be changed by a majority vote of those present. The following is the order of business:

- (a) Call to Order.
- (b) Salute to the Flag.
- (c) Roll Call.
- (d) Special Ceremonial Agenda Items. This item includes proclamations, commendations, introductions of special guests, and presentations and reports by other non-City public entities or legislative bodies.
- (e) Department Head Report. This item shall consist of a report from the Department Head (or designee) of the Community Services Department on actions taken and upcoming actions to be taken relating to areas of interest to the Housing Commission.
- (f) Consent Calendar. The Consent Calendar shall consist of the approval of minutes of previous meetings and other routine items which do not necessitate a separate public hearing and which are determined in the Agenda preparation process to be relatively non-controversial. The consent calendar shall be considered as one item

regardless of the number of matters appearing on it and may be approved by a single vote. The title to the individual consent items need not be read unless a request to do so is made by any member. Members of the public shall have no more than one opportunity to address the Housing Commission concerning any and all items on the consent calendar. Members of the public shall be heard prior to consideration of the Consent Calendar. Members may request to have individual matters removed from the Consent Calendar so that they may be heard on those matters. All matters remaining on the Consent Calendar may be approved by a single vote. Any items removed from the Consent Calendar shall be considered separately in the order of their appearance on the Agenda. Removed items may be heard immediately following the consent calendar

(g) Study Session. During Study Sessions staff will present information regarding a complex matter that will be subject to deliberation and decisions in the future. No action will be recommended or taken as part of the Study Session.

(h) Continued Items. This item includes agenda items of a previous meeting not considered at such meeting. The Housing Commission may vote by a majority of its members to have a carry-over item placed on a subsequent agenda as a continued item.

(i) Administrative Proceedings. This item includes proceedings requiring the Housing Commission to make a quasi-judicial decision concerning an individual application.

(j) Staff Administrative Items. This category will include policy matters to be considered by the Housing Commission.

(k) Public Hearings. This item consists of public hearings required by specific provisions of law.

(l) Resolutions. A resolution will be considered under this item only if the substance makes extensive public input advisable, or if it should be considered after another item on the Agenda, otherwise the resolution will be considered on the Consent Calendar.

(m) Written Communication. This item allows the Housing Commission to consider issues raised by written submissions from the public.

(n) Member Items. Items requested by members for discussion and possible action.

(o) Public Input. This item allows members of the public to address the Housing Commission on matters that are within their subject matter jurisdiction. No formal action may be taken on any matter under this item unless the item is specifically agendized.

RULE 8. PREPARATION OF MINUTES.

The Secretary of the Housing Commission shall have exclusive responsibility for preparation of the Minutes, and any directions for corrections in the Minutes shall be made only by majority vote of the Housing Commission.

RULE 9. APPROVAL OF MINUTES.

Minutes of a Housing Commission meeting may be approved without reading if the Secretary has previously furnished each member with a copy and unless a reading is ordered by a majority vote of the Housing Commission.

RULE 10. PRESIDING OFFICER.

The Chair shall be the Presiding Officer at all meetings of the Housing Commission. In the absence of the Chair, the Vice Chair shall preside. In the absence of both the Chair and Vice Chair, the Secretary shall call the Housing Commission to order and a temporary Presiding Officer shall be elected by the members present to serve until the arrival of the Chair or Vice Chair or until adjournment.

RULE 11. POWERS AND DUTIES OF PRESIDING OFFICER.

(a) Participation. The Presiding Officer may move, second, and debate from the chair, subject only to such limitations of debate as are imposed upon members by these rules, and shall not be deprived of any of the rights or privileges of a member by reason of his or her acting as the Presiding Officer.

(b) Duties. The Presiding Officer shall (1) preserve order at all meetings of the Housing Commission, (2) state (or cause to be stated) each question coming before the Housing Commission, (3) announce the decisions of the Housing Commission on all subjects; (4) decide all questions of order subject to the right to appeal rulings on

questions of order to the entire Housing Commission, and (5) encourage all persons present at the meeting to conform their conduct to the City's Civility Policy.

RULE 12. SWORN TESTIMONY AND SUBPOENA POWER.

The power and process to request that a person appearing before the Housing Commission on any matter shall be sworn and the power and process for the Housing Commission to issue a subpoena is provided in the Municipal Code section 2.32.060.

RULE 13. RULES OF DEBATE.

(a) Getting the Floor. A member desiring to speak shall gain recognition by the Presiding Officer.

(b) Questions to Staff. Every member desiring to question City staff shall address his or her questions to the Staff Liaison or designated staff. Members of the City staff, after recognition by the Presiding Officer shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

(c) Interruptions. A member who has the floor shall not be interrupted when speaking unless he or she is called to order by the Presiding Officer, a point of order or a personal privilege is raised by another member or the speaker chooses to yield to a question by another member. If a member is called to order, he or she shall cease speaking until the question of order is determined.

(d) Points of Order. The Presiding Officer shall determine all points of order subject to the right of any member to appeal to the Housing Commission. If an appeal is taken, the question shall be: "Shall the decision of the Presiding Officer be sustained?" The Presiding Officer's decision may be overruled by a two-thirds vote of the members then present.

(e) Point of Personal Privilege. The right of a member to address the Housing Commission on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are questioned or where the safety or welfare of the Housing Commission is concerned.

(f) Privilege of Final Comment. The member moving the adoption of a resolution, or motion, shall have the privilege of speaking last on the matter after all other members have been given an opportunity to speak.

(g) Motion to Reconsider Actions. A motion to reconsider any action taken by the Housing Commission may be made only by one of the members on the prevailing side and may be seconded by any member. Such motion may be made at any time and shall be debatable. A motion by a non-prevailing member or a request by a member of the public for reconsideration may be made only if one year has passed since the action was taken.

(h) Calling for the Question. A question may be called by majority vote of those present. However, neither the moving party nor the party seconding any motion may call for the question, each member shall be afforded one opportunity to speak on each item before the question is called, and a question may not be called to interrupt or cut off a particular speaker.

(i) Limitation of Debate. Members shall limit their remarks to the subject under debate. No member shall be allowed to speak more than once upon any particular subject until every other member desiring to do so has spoken. Prior to beginning deliberation, the Housing Commission may, by a two-thirds vote of those present, limit the amount of time that each member may spend stating his or her views on a particular agenda item.

RULE 14. PROTEST AGAINST HOUSING COMMISSION ACTION.

Any member shall have the right to have the reasons for his or her opposition to any action of the Housing Commission entered in the Minutes. Such opposition shall be made in the following manner: "I would like the Minutes to reflect that I opposed this action for the following reasons..."

RULE 15. DISCLOSURE FOR QUASI-JUDICIAL MATTERS.

On quasi-judicial matters, members shall verbally disclose off the record contacts relating to the item, after the item is called and before the Housing Commission's

consideration of the matter. Disclosure shall include the identity of any individual(s) with whom the member had contact and the nature of the contact.

RULE 16. PUBLIC TESTIMONY.

(a) Scope. Pursuant to the Brown Act, public testimony is permitted on all agenda items, and the public shall have an opportunity to comment on any matter which is not on the Agenda but is within the Housing Commission jurisdiction. However, members of the public do not have the right to give testimony outside the scope of or unrelated to the agenda item under consideration. Additionally, members of the public should strive to avoid unduly reiterating their own or others' testimony.

(a) Registration. Any member of the public wishing to address the Housing Commission regarding any item on the Agenda for public comment shall register with the Staff Liaison prior to the start of the meeting, if possible, but no later than prior to the hearing on that item. Any request received after the start of the hearing shall be considered late and may only be heard with Housing Commission's approval.

(b) Manner of Addressing the Housing Commission. After being recognized by the Presiding Officer, each member of the public addressing the Housing Commission shall go to the lectern, state his or her name and whom he or she is representing, if he or she represents an organization or other person. Each member of the public is encouraged, but not required, to also state his or her address, neighborhood, or city of residence. All remarks shall be addressed to the Housing Commission as a whole and not to any individual member. After a public hearing has been closed, no member of the public shall address the Housing Commission on the matter under consideration without first securing Housing Commission approval.

(c) Time Limits. Except on Written Communication, members of the public shall limit their remarks to three minutes per agenda item unless the Housing Commission grants additional time by majority vote. For purposes of these Rules, the Consent Calendar shall be considered one item. Persons speaking on another's written communication and persons submitting late requests to speak, who receive permission to speak shall be limited to one minute. On Written Communication, those speaking on another's item may speak only if the person raising the matter appears and testifies. If the

person who raises the item does not appear and testify, the matter shall be received and filed and persons wishing to speak on the matter may give their testimony during Public Input. A member of the public wishing to speak on more than one item shall limit his or her remarks to a total of six minutes per meeting unless the Housing Commission grants additional time by majority vote. A member of the public may allocate time between items in one-minute increments up to two minutes. Testimony given as an applicant or appellant does not count toward the six-minute maximum. A member reporting to the Housing Commission on behalf of a Board or Commission shall not be subject to these rules on time limits; however, the Housing Commission may limit the duration of such reports.

(d) Special Time Limits for Applicants and Appellants for Public Hearings. Applicants and appellants on administrative items shall limit their remarks to ten minutes and may reserve some of their time for use for rebuttal at the conclusion of the public hearing. The appellant shall have the opportunity to address the Housing Commission first and last.

RULE 17. RULES OF CONDUCT AND SAFETY.

When the Housing Commission is in session, all persons present must preserve safety and order and should strive to conform their conduct to the City's Civility Policy. Members of the public should sit in the audience seating area, unless addressing the Housing Commission or entering or leaving the meeting room, should not block the aisles with personal belongings, and should not bring audible equipment into the meeting room, including cellular telephones that could cause a disruption.

Any person who disrupts the meeting shall be called to order by the Presiding Officer. Disruption shall include but not be limited to, blocking the audience or camera view of the proceedings. If such conduct continues, the Presiding Officer may request the removal of the person from the meeting room.

RULE 18. ENTITLEMENT TO VOTE AND FAILURE TO VOTE.

Every member is entitled to vote unless disqualified by reason of a conflict of interest. A member who abstains from voting consents to the decision made by the voting members.

RULE 19. VOTING PROCEDURE.

Any vote of the Housing Commission, including a roll call vote, may be registered by the members answering “Yes” for an affirmative vote or “No” for a negative vote upon his or her name being called by the Staff Liaison. The Chair shall vote last.

RULE 20. DISQUALIFICATION FOR CONFLICT OF INTEREST.

Any member who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state the nature of such disqualification and shall leave the dais prior to Housing Commission consideration of the matter. A member stating such disqualification shall not be counted as part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

RULE 21. TIE VOTE.

Tie votes shall be lost motions.

RULE 22. CHANGING VOTE.

The vote of a member may be changed only if he or she makes a timely request to do so immediately following the announcement of the vote by the Staff Liaison or the Presiding Officer and prior to the time that the next item in the order of business is taken up.

RULE 23. PROCEDURE ON AGENDA ITEMS REQUIRING A MOTION.

The following procedure shall be followed in connection with any Agenda item requiring a motion:

- (a) Staff Liaison reads the title.
- (b) Presiding Officer calls for a staff report.
- (c) Members question City staff.
- (d) Housing Commission receives Public testimony.
- (e) Housing Commission deliberates.

(f) A member makes a motion, another member seconds the motion, and the Housing Commission debates it, with the maker of the motion having the opportunity to speak last.

(g) The Presiding Officer or Staff Liaison restates the motion.

(h) The Housing Commission votes on the motion.

(i) The Presiding Officer or Staff Liaison announces result.

RULE 24. PRESENCE OF CITY STAFF AT HOUSING COMMISSION MEETINGS.

The Staff Liaison shall attend and be present during all Housing Commission meetings and give necessary service and advice.

RULE 25. RECORD OF MEETINGS.

All public meetings of the Housing Commission shall be recorded. The recording shall be made by the Secretary and retained in accordance with the City's record retention schedule. The use of other recording or television equipment is permitted so long as it is not disruptive of the meeting.

RULE 26. INTERPRETATION AND MODIFICATION OF THESE RULES.

These rules shall be interpreted liberally in order to provide for the optimum in the free interchange of information and public debate without an unnecessary waste of time or duplication of effort. These rules may be amended by City Council resolution.

RULE 27. FAILURE TO OBSERVE RULES OF ORDER.

These rules of order and procedures govern the conduct of Housing Commission meetings. These rules are intended to expedite the transaction of the business of the Housing Commission in an orderly fashion and are deemed to be procedural only. Failure to strictly observe these rules shall not affect the jurisdiction of the Housing Commission or invalidate any action taken at a meeting that otherwise conforms to law.

RULE 28. COMPOSITION OF HOUSING COMMISSION

The Housing Commission shall consist of seven members appointed by the City Council of the City of Santa Monica. Of those members, two shall be current affordable housing

program participants with at least one who is 62 years or older and one who is homeless or formerly homeless.