



REVIEW OF CITY COUNCIL RULES OF PROCEDURE AND ORDER OF BUSINESS – PARLIAMENTARY PROCEDURE

City Manager's Office

Inclusiveness, Community Engagement & Governmental Processes Committee

May 3, 2023

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BACKGROUND

On January 5, 2022 - Inclusiveness, Community Engagement, and Governmental Processes Committee (ICGC) received and discussed a schedule to review nine Rules of Procedure and Order of Business items. Through discussion, the Committee added three additional items for review to the schedule and requested the discussion item be presented to Council for input.

On February 15, 2022, City Council received and discussed a schedule to review twelve Rules of Procedure and Order of Business items. Through discussion, the Council added additional items for review.

Review Period April 6, 2022 – October 5, 2022

On April 11, 2023, the City Council received and discussed recommendations associated with Section IX, Item F – Agenda Sequencing and Order of Business related to Oral Communications. The City Council motioned to accept the recommendations from the Committee, repeal Resolution No. 23618, and adopt Resolution No. 23976.



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DISCUSSION

Resolution 23976 includes framework associated with conducting City Council meetings and order of business, however, does not identify parliamentary procedure to lean upon when the resolution is silent. Additionally, the existing resolution does not identify a parliamentarian.



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CURRENT PROCESS

Advantages:

- Customized rules of order and procedure

Disadvantages:

- Unclear process for proposing, amending, approving, and defeating legislative motions.
- Requires a universal understanding of processes and procedures.
- Confusion related to motions, voting order, and possibility of the chairperson inadvertently overlooking or failing to enforce the rules.
- No parliamentarian guidance.



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SURVEY RESULTS

Rules of Order:

| Robert's Rules | Rosenberg's Rules | Other |
|----------------|------------------------|-------------|
| 7 Cities | Sacramento Stockton | Chula Vista |

Parliamentarian:

| None | Presiding Officer | City Attorney/Designee |
|----------|-------------------|------------------------|
| 5 Cities | Santa Ana | 4 Cities |



PROPOSED PROCESS/PRACTICE

Proposed Recommendations to Processes/Practices:

- Adopt a recognized parliamentary procedure of either Robert's Rules of Order or Rosenberg's Rules of Order to lean upon when the resolution is silent.
- Assist with meeting process consistency by identifying a Parliamentarian to provide guidance on parliamentary rules and procedures. The City Council may elect a member to serve as Parliamentarian or designate the City Attorney's Office or City Clerk's Office as the Parliamentarian.
- Update existing resolution language as it relates to "Motion to Reconsider" to comply with the provision of the Sunshine Ordinance.
- Require all Boards and Commissions use the selected parliamentary procedure.



ROBERT'S VS ROSENBERG'S

- Use of Rosenberg's "substitute motions" or "friendly amendment" could result in confusion rather than defeating a motion and then proposing a new one.
- Rosenberg allows members of the body to interrupt debate and withdraw a motion unilaterally, which could be disruptive and undemocratic.
- Rosenberg only allows three motions on the floor at the same time which may restrict the number of actions a body may take.
- Robert's provides information on many motions, situations, and issues but is a cumbersome 716 pages long, whereas Rosenberg is a concise ten page (Attachment A).
- Robert's sheer volume and complexity can actually contribute to meeting delays and confusion (Attachment B).



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RECOMMENDED LANGUAGE UPDATES

I. Authority

The Charter of the City of Riverside provides that the City Council shall determine its own rules and order of business. By virtue thereof, and when not in conflict with the Charter of the City of Riverside and the Constitution and laws of the State of California, the following set of rules shall be in effect upon adoption by the City Council and until such time as they are amended or new rules adopted in the manner hereinafter provided and shall prevail to govern the business of the City Council of the City of Riverside.

The business of the City Council and its standing committees shall be conducted, so far as it is practicable, in accordance with parliamentary rules as contained in Rosenberg's Rules of Order - Revised 2011, except as modified by these rules and is consistent with state open meeting laws and local Sunshine Ordinance. The presiding officer, with the approval of the City Council, shall designate an official parliamentarian for meetings of the City Council. The City Attorney shall act as a resource for the interpretation of such rules but not as a parliamentarian. All appointed Boards and Commissions shall amend their own rules and regulations to adopt Rosenberg's Rules of Order - Revised 2011, consistent with state open meeting laws, local Sunshine Ordinance and the City Charter.



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RECOMMENDED LANGUAGE UPDATES

XXI. Procedural Matters – Section D. Precedence of Motions

7. Motion To Reconsider.

A motion to reconsider any action taken by the City Council must be ~~based upon a different state of facts and must be~~ made not later than the ~~second~~ **third** succeeding official regular meeting of the City Council. Such a motion can only be made by a member who voted with the majority. The motion to reconsider must be specifically agendized as a motion for reconsideration and cannot be acted upon on under Future Agenda Items. However, if the motion to reconsider is made at the same Council meeting when the motion was originally adopted, it does not have to be included on the agenda. At the time such reconsideration is heard by the City Council, testimony shall be limited to ~~the alleged facts~~ **debate** in support of the motion. No question shall be twice reconsidered, except by unanimous consent of the City Council, except that action relating to any contract may be reconsidered at any time before the final execution thereof.

These motions shall have precedence in the order indicated. Any such motion, except to adjourn, amend, or substitute, shall be put to a vote without discussion.



STRATEGIC PLAN ALIGNMENT

Strategic Priority No. 5 – High Performing Government

Goal No. 5.2 – Utilize technology, data, and process improvement strategies to increase efficiencies, guide decision making, and ensure services are accessible and distributed equitably throughout all geographic areas of the City.

Cross-Cutting Threads



Community Trust



Fiscal Responsibility



Sustainability & Resiliency



Equity



Innovation



RECOMMENDATIONS

That the Inclusiveness, Community Engagement, and Governmental Processes Committee:

1. Provide any recommendations deemed necessary to the current and/or proposed City Council Rules of Procedure and Order of Business related to parliamentary procedure; and
2. Request staff bring forth any specific language recommendations along with a corresponding resolution to the full City Council for discussion.

