

Council Meeting of
March 27, 2012

Honorable Mayor and Members
of the City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: City Manager - Adopt a RESOLUTION revising the Civil Service Rules of Order

RECOMMENDATION

The City Manager and the Civil Service Commission recommend that the City Council adopt a **RESOLUTION** authorizing the revision of the Rules of Order used by the Civil Service Commission

Funding

Not applicable.

BACKGROUND

Torrance Municipal Code Section 14.1.9 requires that any change to the Civil Service Rules first be considered in a public hearing and then approved by the City Council.

Staff felt that it was necessary to revise the current rules of order (See Attachment A) as a result of a request for reconsideration at the Civil Service Commission Meeting held on September 26, 2011. At that time, counsel for the Commission noted several problems with Section 1.6 of the Civil Service Rules of Order, entitled "Motion to Reconsider," and further indicated that the rules of order were outdated and in need of revision.

On March 12, 2012, the Civil Service conducted a public hearing to discuss the proposed rules of order. At the conclusion of the hearing, the Civil Service Commission voted unanimously to adopt the proposed rules of order.

ANALYSIS

In the proposed rules of order (See Attachment B) the following revisions are incorporated to mirror the rules of order used by the Torrance City Council:

1. Article 1 – entitled, “Meetings,” has been added to the Civil Service Commission Rules of Order to detail the time, place, and procedures for adjournment, calling special meetings, and breaking for recesses.
2. Article 2 – entitled, “Business,” has been added to detail the order in which business is conducted as well procedures on how the agenda is prepared and the Chairperson’s responsibility for conducting the meeting.
3. Article 3 – entitled, “Motions,” changes the numbering of the subsections contained in Article 1 in the current rules. Revisions to this section include new language in subsection 1.6 entitled, “Motion to reconsider.” The subsection 1.7 entitled, “Generally” in the current rules of order has been moved to subsection 7.1 in Article 7, which is entitled, “Points of Order.” Also, pronoun references have been revised to be gender neutral.
4. Article 4 – entitled, “Voting,” changes the numbering of the subsections contained in Article 2 of the current rules of order. Pronoun references have been revised to be gender neutral as well as some other small revisions that mirror the language in the City Council rules of order.
5. Article 5 – entitled “Debate,” changes the numbering of the subsections contained in Article 3 of the current rules of order. Pronoun references have been revised to be gender neutral as well as some other small revisions that mirror the language in the City Council rules of order.
6. Article 6 – entitled, “Public Comment,” changes the number of the subsections contained in Article 4. Subsections 6.8 and 6.9 have been added to address enforcement of decorum and disorderly conduct. Pronoun references have been revised to be gender neutral as well as some other small revisions that mirror the language in the City Council rules of order.
7. Article 7 – entitled, “Points of Order,” has been added. This article contains subsection 1.7 in the current rules of order, entitled, “Generally,” which has been revised to reflect the Commission’s authority to request advice from the City Attorney’s office. In addition, this article includes a subsection entitled, “Suspension of Rules.”
8. Article 8 – entitled, “Committees,” has been added to describe how the Civil Service Commission can create ad-hoc committees.
9. Article 9 – entitled, “Chairperson and Vice Chairperson,” has been added to define the terms and appointment of the Chair and Vice Chairperson.

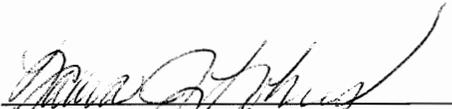
10. A table of contents and a detailed index has also been included in the proposed rules of order.

An annotated version of the proposed rules of order is included to assist the Commission in reviewing the exact changes between the two sets of rules. This annotated version of the proposed rules of order can be found in Attachment C.

Respectfully submitted,



CIVIL SERVICE COMMISSION
Jim Stadler, Chair



By Laura J. Lohnes
Civil Service Manager

NOTED:



LeRoy J. Jackson
City Manager

for

- Attachment A – Current Civil Service Rules of Order
- Attachment B – Proposed Civil Service Rules of Order
- Attachment C - Annotated version of the Proposed Civil Service Commission Rules of Order showing revisions
- Attachment D – Resolution authorizing the adoption of the Proposed Civil Service Rules of Order

CIVIL SERVICE COMMISSION – RULES OF ORDER**ARTICLE 1 – MOTIONS****SECTION 1.1 MAKING OF MOTIONS**

Except as hereinafter provided, when any subject is opened for consideration by the Civil Service Commission, whether before or after debate thereon, a motion shall be made by a member and seconded by a member. Where a motion is made and seconded, the Chairman may rule the motion out of order if in violation of the Rules of Order. The mover, with the consent of the second, may withdraw or amend the motion at any time before a decision or amendment.

SECTION 1.2 AMENDMENT

Any motion may be amended with the consent of the maker and second.

SECTION 1.3 SECONDING MOTIONS

The following motions do not require a second: Questions of order and division of the question.

SECTION 1.4 SUBSTITUTE MOTIONS

A substitute motion may be made to take the place of any motion on the floor. When a substitute motion has been made and seconded, it shall be voted on ahead of the main motion. Only one substitute motion may be on the floor at any time.

SECTION 1.5 IMPROPER MOTIONS

No dilatory, absurd or frivolous motion shall be considered. The Chairman shall decide which motions are improper, subject to the right to appeal to the Commission as a whole.

SECTION 1.6 MOTION TO RECONSIDER

- a) When a motion has been made and carried or lost, any member who voted with the prevailing side or who was absent when such motion was voted on may move for the reconsideration thereof, unless prohibited by law.
- b) The motion to reconsider can be made once at the same meeting as the motion being reconsidered. Said motion can be made only once in each succeeding meeting.

- c) Any member may second the motion to reconsider and thereupon the question of reconsideration, but not the merits of the question to be reconsidered, are open to debate.
- d) The effect of the adoption of a motion to reconsider is to place before the Commission the problem which gave rise to said motion, but not to rescind the motion which is to be reconsidered.

SECTION 1.7 GENERALLY

Any member may raise a point of order (procedure). The Chairman shall decide all questions of order; provided, however, that any two members shall have the right to appeal his decision, in which case the question shall be decided by a majority of the members present.

ARTICLE 2 – VOTING

SECTION 2.1 DISPOSITON BY CHAIRMAN

Except where a vote is otherwise required, the Chairman may order the disposition of matters coming before the Civil Service Commission; provided, however, that if a member objects, a vote shall be taken. Where a motion is made and seconded, unless a vote is required by law or desired by any member, the Chairman may order the disposition of the matter in accordance with the motion. Such decision of the Chairman shall be deemed to be the action of the Commission.

SECTION 2.2 RECORDING VOTES

All votes shall be oral votes except when a roll call vote is requested by a member of the Commission or is required by the Minute Secretary for clarification. The Chairman shall first ask for all in favor of the motion to signify by saying “yes”; then ask all opposed to signify by saying “no.” When a roll call vote is called for, the Minute Secretary shall call the roll, and each member who is present shall be recorded as voting YES, unless when his name is called he answers NO and except as provided in Section 2.3. On a tie vote, the motion is lost. The vote shall be taken in alphabetical order with the Chairman voting last. The Chairman shall announce the result of the vote and then announce the next order of business.

SECTION 2.3 ABSTAINING FROM VOTING

When a vote is being taken on a motion and a member declines to vote because of a disqualifying interest or for any other reason, his vote shall not be counted in determining passage of the motion and such member shall be recorded as having abstained from voting.

SECTION 2.4 EXPLANATION OF VOTE

Following the vote a member shall be allowed to briefly explain his vote if he so desires.

SECTION 2.5 CHANGE OF VOTE

A member shall be allowed to change his vote only until the next item of business is announced by the Chairman; provided, however, that this rule may be suspended by a vote of two-thirds of the members present or upon compliance with the provisions of Section 2.6 (motion to reconsider).

SECTION 2.6 ROLL CALL VOTE

Any member may demand that a roll call vote be taken on a motion.

SECTION 2.7 DIVISION OF A QUESTION

On the demand of any member before the question is put, a question shall be divided if it includes propositions so distinct in substance that one being taken away, a substantive proposition shall remain.

SECTION 2.8 MAJORITY VOTE

All motions will be carried by a majority vote. A majority of the members present, if a quorum, is a majority for the passage of motions.

ARTICLE 3 – DEBATE

SECTION 3.1 DEBATABLE MOTIONS

- a) When a matter is before the Civil Service Commission, the Chairman may call for debate or comment before or after a motion has been made and seconded.
- b) All motions and all amendments proposed to them may be debated or commented upon before action is taken on them, unless the Commission, by a two-thirds vote of the members present, decides to dispose of them without debate.
- c) The following motions are undebatable: Limit, close or extend debate, the previous question, objection to consideration of a question.

SECTION 3.2 RULES OF DEBATE

- a) Every member shall have the right to speak at least once on each item.
- b) Every member desiring to speak shall address the Chairman and, upon recognition, may speak.

- c) The speaker shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- d) A member, once recognized, shall not be interrupted when speaking unless called to order, in which case he shall cease speaking until the question of order is determined.
- e) A member may not make a second speech on the same question as long as any member who has not spoken desires the floor.

SECTION 3.3 LIMITING AND EXTENDING DEBATE

Subject to the provisions of subsection (a) of Section 3.2, debate and comment may be limited or extended upon the passage of a motion therefore by a vote of the Commission. A motion to limit or extend debate is undebatable.

SECTION 3.4 THE PREVIOUS QUESTION

Subject to the provisions of subsection (a) of Section 3.2, debate and comment may be closed and the Commission brought at once to a vote on the pending question by a vote on a motion for the previous question. The motion for the previous question is undebatable.

ARTICLE 4 – PUBLIC COMMENT

SECTION 4.1 RIGHT TO COMMENT

- a) The public shall be given an opportunity to speak on each item of business that appears on the agenda of the Commission for Commission action in open meeting, subject, however, to the other provisions of these Rules of Order.
- b) Under the agenda item designation of Oral Communications, any member of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission; provided, however, that no action shall be taken on any item not appearing on the agenda.

SECTION 4.2 ADDRESSING THE COMMISSION

- a) No person shall address the Commission without first securing the permission of the Chairman; provided, however, that permission shall not be refused except for good cause.

SECTION 4.3 MANNER OF ADDRESSING COMMISSION

- a) Each person addressing the Commission shall step up to the lectern, shall give his or her name and address or affiliation in an audible tone of voice for the record.

- b) All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than a member of the Commission and the person having the floor, shall be permitted to enter into the discussion without the permission of the Chairman. No question shall be asked of a member of the Commission except with the consent of and through the Chairman.

SECTION 4.4 ALLOTTED TIME

Unless otherwise ordered by the Commission, the Chairman may limit:

- a) The maximum time allotted to each speaker, except a member of the Commission, is ten (10) minutes, unless the Chairman shall extend the time.
- b) The number of speakers where, in his opinion, the facts or arguments advocated are cumulative in nature.
- c) The aggregate time of hearing or discussion.

SECTION 4.5 RELEVANCY

Speakers shall confine their remarks to those which are relevant to the subject of the hearing. Attacks against the character or motives of any person shall be out of order. The Chairman, subject to appeal of the Commission, shall be the judge of relevancy and whether character or motives are being impugned.

SECTION 4.6 INTERRUPTIONS

With the consent of the Chairman, commission members may interrupt a speaker at any time to ask questions or make comments in order to clarify the discussion.

SECTION 4.7 DECORUM

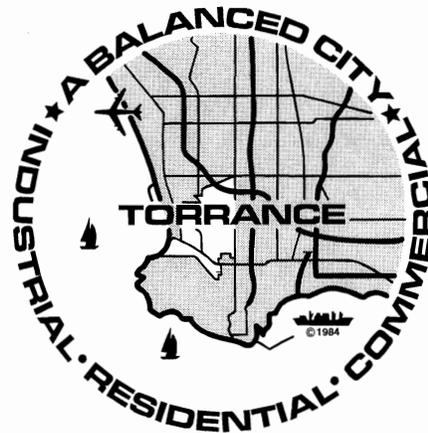
Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Commission shall be forthwith barred from further audience before the Commission, unless permission to continue be granted by the Chairman.

SECTION 4.8 ACTION BY THE COMMISSION

At the close of testimony and comment from the public the Commission may close the hearing, continue the hearing, refer the matter to a committee, or take other action it deems reasonable.

CITY OF TORRANCE

**CIVIL SERVICE
COMMISSION
RULES OF ORDER**



MARCH 27, 2012

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CIVIL SERVICE COMMISSION – RULES OF ORDER**ARTICLE 1 – MEETINGS****SECTION 1.1 TIME OF MEETINGS**

Unless otherwise directed by a majority of the entire membership of the Civil Service Commission, the Commission shall meet regularly on the second and fourth Mondays of each month with regular business commencing no earlier than 6:00 P.M. When the day for any regular meeting of the Civil Service Commission Meeting falls on a holiday, such meeting shall be cancelled or held on another day as determined by the Civil Service Commission.

SECTION 1.2 PLACE OF MEETINGS

All regular meetings of the Civil Service Commission shall be held in the City Council Chambers of City Hall, 3031 Torrance Boulevard.

SECTION 1.3 SPECIAL MEETINGS

Special meetings shall be called and held in accordance with the Ralph M. Brown Act (Section 54950 et seq. of the State Government Code).

SECTION 1.4 ADJOURNED MEETINGS

The Civil Service Commission may adjourn any meeting to a time and place specified in the order of adjournment in accordance with the Ralph M. Brown Act.

SECTION 1.5 OPEN MEETINGS

All meetings of the Civil Service Commission shall be open to the public.

SECTION 1.6 RECESSES

Once each two (2) hours, or as Commission business permits, the Commission shall recess for not more than fifteen (15) minutes.

ARTICLE 2 – BUSINESS**SECTION 2.1 COMMUNICATIONS FOR THE PUBLIC**

- a) All matters submitted by the public requesting action by the Civil Service Commission shall be delivered to the City Clerk and transmitted by the City Clerk to the City Manager.

- b) The City Manager will decide if any written matter requesting action by the Civil Service Commission will be submitted to the Civil Service Commission. The City Manager's staff will respond to such written matters within thirty (30) days after receipt by the Civil Service Commission, unless otherwise directed by the Commission.

SECTION 2.2 AGENDA

- a) All matters intended for action by the Civil Service Commission, whether originating with the public or City officials, shall be submitted to the Commission on an agenda prepared by the City Manager and prepared by the City Manager's staff in the form as determined by the Commission.
- b) The agenda shall contain a description of the business to be transacted at the Commission meeting sufficient to enable members of the general public to determine the general nature or subject matter of each agenda item.
- c) Each agenda for regular meetings shall provide under oral communication an opportunity for members of the public to directly address the Civil Service Commission on items of interest to the public that are within the jurisdiction of the Civil Service Commission.
- d) No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subsection (b) of Section 5954.2 of the California Government Code (emergency items of a critical nature and those where the need arose subsequent to the agenda being posted).
- e) The City Manager's staff may prepare a supplementary agenda for a regular meeting consisting of items on which Commission action is permissible by the provisions of said subsection (b) of Section 54954.2. The supplementary agenda shall be placed and posted in the same manner as the regular agenda as soon as practicable after being issued.

SECTION 2.3 AVAILABILITY OF AGENDA

- a) Not less than 72 hours preceding a regular meeting of the Civil Service Commission, the City Clerk shall post a copy of the agenda on the Public Notice Board on the exterior of City Hall at 3031 Torrance Boulevard. The City Manager's staff shall cause a copy of the agenda with supporting material to be delivered to each Member of the Civil Service Commission.
- b) In the case of a special meeting of the Civil Service Commission, the City Clerk shall post a copy of the call and notice of the meeting on the Public Notice Board at least 24 hours prior to the special meeting and otherwise comply with the provisions of Section 54956 of the Government Code.

- c) The City Manager's staff shall provide agendas and supporting materials to interested persons and groups in accordance with the rules to be determined from time to time by resolution of the Civil Service Commission.
- d) The City Clerk, or the Clerk's designee who actually posted the agenda, shall sign an affidavit of the time and place that the agenda was posted as required above. The City Manager's staff will report the posting of such affidavit to the Civil Service Commission at the following Commission meeting. Affidavits will be kept in the office of the City Clerk for public reference according to the Records Retention schedule.

SECTION 2.4 ACTION ONLY ON AGENDA ITEM - EXCEPTIONS

- a) Except as provided in subsection (b) below, no action or discussion shall be taken by the Civil Service Commission on any item not appearing on the posted agenda, except that members of the Civil Service Commission may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code Section 54954.3. In addition, on their own initiative, or in response to questions posed by the public, members of the Civil Service Commission may ask a question for clarification; provide a reference for staff or other resources for factual information, or request staff to report back to the Commission at a subsequent meeting concerning any matter. Furthermore, the Civil Service Commission may take action to direct staff to place a matter of business on a future agenda.
- b) The Civil Service Commission may take action on any item not appearing on the agenda upon a determination by a two-thirds vote, or if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted.

SECTION 2.5 THE CHAIRPERSON AS PRESIDING OFFICER

The Chairperson shall begin the meeting at the hour appointed and shall call the Civil Service Commission to order. In the absence of the Chairperson, the Vice Chairperson shall be the presiding officer of the Commission. Upon the arrival of the Chairperson, the Vice Chairperson shall stop presiding once the business immediately before the Commission is concluded.

SECTION 2.6 ORDER OF BUSINESS

At the time set for the commencement of the meeting, the members of the Commission and such staff members as designated by the City Manager shall take their stations and the business of the Commission shall be taken up for consideration and disposition in the following order, except as may otherwise be ordered by the Commission:

- Call to order by the Chairperson
- Roll Call of the members
- Report on posting of the agenda
- Oral Communications #1
- Consent Calendar
- Administrative Matters
- Hearings
- Oral Communications # 2
- Adjournment

SECTION 2.7 ROLL CALL

Before proceeding with the business of the Commission, the City Manager's staff member designated by the City Manager's office shall call the roll of the members. The names of those present shall be entered in the minutes.

SECTION 2.8 READING OF MINUTES

Unless a member requests a reading of the minutes of a Civil Service Commission meeting, such minutes may be approved without reading by a majority vote if the City Manager's designated staff has previously furnished each member with a copy thereof.

SECTION 2.9 SPEAKERS UNDER ORAL COMMUNICATIONS

- a) Speakers under Oral Communications shall be limited to three (3) minutes each unless otherwise permitted by the Chairperson.
- b) Under Oral Communications #1 a period of up to 30 minutes will be set aside for speakers.
- c) Speakers under Oral Communications #1 may not speak on any matter scheduled to be considered by the Commission as part of the meeting agenda.
- d) Those who wish to speak under Oral Communications #1 will be asked to complete an optional speaker card to ensure correct spellings for the record.
- e) Speakers will be taken in the order they arrived at the meeting. If the Commission is unable to determine who arrived first, speakers will be taken in alphabetical order by last name.
- f) To the extent all speakers have spoken and time remains within the 30 minute period, the Chairperson may open orals to members of the audience for the remainder of the period.

- g) Under Oral Communications #2, those not heard under Oral Communications #1 will be given priority by the Chairperson to speak.

ARTICLE 3 – MOTIONS

SECTION 3.1 MAKING OF MOTIONS

When any subject is opened for consideration by the Civil Service Commission, whether before or after debate thereon, a motion shall be made by a member and seconded by a member. Where a motion is made and seconded, the Chairman may rule the motion out of order if in violation of the rules of order. The mover, with the consent of the second, may withdraw or amend the motion at any time before a decision or amendment.

SECTION 3.2 AMENDMENT

Any motion may be amended with the consent of the maker and second.

SECTION 3.3 SECONDING MOTIONS

The following motions do not require a second: Questions of order and division of the question.

SECTION 3.4 SUBSTITUTE MOTIONS

A substitute motion may be made to take the place of any motion on the floor. When a substitute motion has been made and seconded, it shall be voted on ahead of the main motion. Only one substitute motion may be on the floor at any time.

SECTION 3.5 IMPROPER MOTIONS

No dilatory, absurd or frivolous motion shall be considered. The Chairman shall decide which motions are improper, subject to the right to appeal to the Commission as a whole.

SECTION 3.6 MOTION TO RECONSIDER

- a) A motion to reconsider any action taken by the Commission may only be made by one of the commission members who voted with the prevailing side or who was absent when such motion was voted on.

- b) Tie votes are considered failed motions and may be reconsidered. Any commission member may move to reconsider any action taken by the Commission that resulted in a tie vote.
- c) .A motion to reconsider any action taken by the Commission may be made once at the meeting at which the matter was first considered, and once within the succeeding two meetings.
- d) Any member may second the motion to reconsider.

SECTION 3.7 CONSENT CALENDAR

When several items of Commission business have been combined into a single agenda item, identified as a Consent Calendar, and a member of the public requests that any of the several items be considered separately, the Commission may, and if a member of the Commission makes such a request, shall hear and consider the item or items separately, thereby permitting public comment.

ARTICLE 4 – VOTING

SECTION 4.1 DISPOSITON BY CHAIRMAN

Except where a vote is otherwise required, the Chairman may order the disposition of matters coming before the Civil Service Commission; provided, however, that if a member objects, a vote shall be taken. Where a motion is made and seconded, unless a vote is required by law or desired by any member, the Chairman may order the disposition of the matter in accordance with the motion. Such decision of the Chairman shall be deemed to be the action of the Commission.

SECTION 4.2 RECORDING VOTES

All votes shall be a roll call vote. When a roll call vote is called for on any matter, the Secretary shall call the roll, and each member who is present shall be recorded as voting YES, unless when the member's name is called the answer is NO and except as provided in Section 4.3. On a tie vote, the motion is lost. The vote shall be taken in alphabetical order with the Chairman voting last. The Chairman shall announce the result of the vote and then announce the next order of business.

SECTION 4.3 ABSTAINING FROM VOTING

When a vote is being taken on a motion and a member declines to vote because of a disqualifying interest or for any other reason, the member's vote shall not be counted in determining passage of the motion and such member shall be recorded as having abstained from voting.

SECTION 4.4 EXPLANATION OF VOTE

A member is allowed to briefly explain a vote before, during, or after a vote.

SECTION 4.5 CHANGE OF VOTE

A member shall be allowed to change a vote only until the next item of business is announced by the Chairman. This rule may be suspended by a vote of two-thirds of the members present or upon compliance with the provisions of Section 3.6 (motion to reconsider).

SECTION 4.6 ROLL CALL VOTE

Any member may demand that a roll call vote be taken on a motion.

SECTION 4.7 DIVISION OF A QUESTION

On the demand of any member before the question is put, a question shall be divided if it includes propositions so distinct in substance that one being taken away, a substantive proposition shall remain.

SECTION 4.8 MAJORITY VOTE

All motions will be carried by a majority vote unless otherwise required by law. A majority of the members present, if a quorum, is a majority for the passage of motions.

ARTICLE 5 – DEBATE**SECTION 5.1 DEBATABLE MOTIONS**

- a) When a matter is before the Civil Service Commission, the Chairman may call for debate or comment before or after a motion has been made and seconded.
- b) All motions and all amendments proposed to them may be debated or commented upon before action is taken on them, unless the Commission, by a two-thirds vote of the members present, decides to dispose of them without debate.
- c) The following motions are undebatable: Limit, close or extend debate, the previous question, objection to consideration of a question.

SECTION 5.2 RULES OF DEBATE

- a) Every member shall have the right to speak at least once on each item.
- b) Every member desiring to speak shall address the Chairman and, upon recognition, may speak.

SECTION 6.3 MANNER OF ADDRESSING COMMISSION

All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than a member of the Commission and the person having the floor, shall be permitted to enter into the discussion without the permission of the Chairman. No question shall be asked of a member of the Commission except with the consent of and through the Chairman.

SECTION 6.4 ALLOTTED TIME

As a guideline, three minutes (3) shall be the maximum time allotted to each speaker, except a member of the Commission, unless the Chairman shall extend the time. Unless otherwise ordered by the Civil Service Commission, the Chairman may limit the number of speakers where, in his opinion, the facts or arguments advocated are cumulative in nature. Unless otherwise ordered by the Civil Service Commission, the Chairman may limit the aggregate time of hearing or discussion.

SECTION 6.5 RELEVANCY

Speakers shall confine their remarks to those which are relevant to the subject of the hearing. Attacks against the character or motives of any person shall be out of order. The Chairman, subject to appeal of the Commission, shall be the judge of relevancy and whether character or motives are being impugned.

SECTION 6.6 INTERRUPTIONS

With the consent of the Chairman, commission members may interrupt a speaker at any time to ask questions or make comments in order to clarify the discussion.

SECTION 6.7 DECORUM

Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Commission shall be forthwith barred from further audience before the Commission, unless permission to continue be granted by the Chairman.

SECTION 6.8 ENFORCEMENT OF DECORUM

The Police Chief, or such member or members of the police department as may be designated, shall be sergeant-at-arms of the Commission meetings. They shall carry out all orders and instructions given by the Chairman for the purpose of maintaining order and decorum at the Commission meetings. Upon instruction from the Chairman, it shall be the duty of the sergeant-at-arms to eject or place under arrest any person who violates the order and decorum of the meeting.

SECTION 6.9 DISORDERLY CONDUCT

In the event that any meeting is willfully interrupted so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Commission may order the meeting room cleared and continue in session in accordance with the provisions of the Government Code Section 54957.9 and any amendments thereto.

ARTICLE 7 – POINTS OF ORDER

SECTION 7.1 GENERALLY

Any member may raise a point of order (procedure). The Chairman shall decide all questions of order; provided, however, that any two members shall have the right to appeal his decision, in which case the question shall be decided by a majority of the members present. The Chairperson or any other member present may request advice of the City Attorney thereon.

SECTION 7.2 SUSPENSION OF RULES

Any provision of the Chapter, except the provisions of Section 1.1, and Articles 9 and 10, may be suspended by a two-thirds vote of the members present.

ARTICLE 8 – COMMITTEES

SECTION 8.1 AD HOC COMMITTEES

The chairperson may form ad hoc committees at his or her pleasure or at the pleasure of the Commission. The Chairman shall designate the Chairman of each ad hoc committee, unless otherwise ordered by the Commission.

ARTICLE 9 – CHAIRPERSON AND VICE CHAIRPERSON

SECTION 9.1 SELECTION

The Chairperson and Vice Chairperson shall be selected by a majority vote. No member shall so serve for a second term until every other member has served one term.

SECTION 9.2 TERM OF APPOINTMENT

The term of appointment of the Chairperson and Vice Chairperson shall be twelve (12) months commencing on July 1 after the first meeting of the Civil Service Commission after each Civil Service Commission reorganization and every twelve (12) months thereafter.

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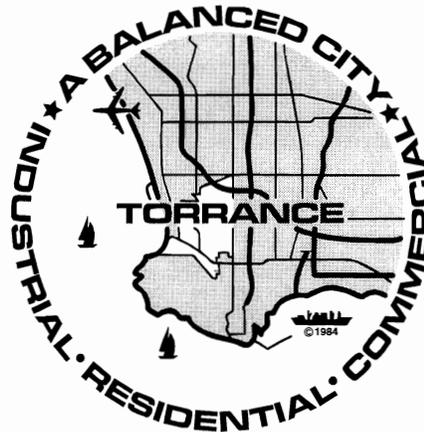
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CITY OF TORRANCE

CIVIL SERVICE COMMISSION RULES OF ORDER



MARCH 27, 2012

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CIVIL SERVICE COMMISSION – RULES OF ORDER

ARTICLE 1 – MEETINGS

SECTION 1.1 TIME OF MEETINGS

Unless otherwise directed by a majority of the entire membership of the Civil Service Commission, the Commission shall meet regularly on the second and fourth Mondays of each month with regular business commencing no earlier than 6:00 Pp.Mm. When the day for any regular meeting of the Civil Service Commission Meeting falls on a holiday, such meeting shall be cancelled or held on another day as determined by the Civil Service Commission.

SECTION 1.2 PLACE OF MEETINGS

All regular meetings of the Civil Service Commission shall be held in the City Council Chambers of City Hall, 3031 Torrance Boulevard.

SECTION 1.3 SPECIAL MEETINGS

Special meetings shall be called and held in accordance with the Ralph M. Brown Act (Section 54950 et seq. of the State Government Code).

SECTION 1.4 ADJOURNED MEETINGS

The Civil Service Commission may adjourn any meeting to a time and place specified in the order of adjournment in accordance with the Ralph M. Brown Act.

SECTION 1.5 OPEN MEETINGS

All meetings of the Civil Service Commission shall be open to the public.

SECTION 1.6 RECESSES

Once each two (2) hours, or as Commission business permits, the Commission shall recess for not more than fifteen (15) minutes.

ARTICLE 2 – BUSINESS

SECTION 2.1 COMMUNICATIONS FOR THE PUBLIC

- a) All matters submitted by the public requesting action by the Civil Service Commission shall be delivered to the City Clerk and transmitted by the City Clerk to the City Manager.
- b) The City Manager will decide if any written matter requesting action by the Civil Service Commission will be submitted to the Civil Service Commission. The City Manager's staff will respond to such written matters within thirty (30) days after receipt by the Civil Service Commission, unless otherwise directed by the Commission.

SECTION 2.2 **AGENDA**

- a) All matters intended for action by the Civil Service Commission, whether originating with the public or City officials, shall be submitted to the Commission on an agenda prepared by the City Manager and prepared by the City Manager's staff in the form ~~form~~ as determined by the Commission.
- b) The agenda shall contain a description of the business to be transacted at the Commission meeting sufficient to enable members of the general public to determine the general nature or subject matter of each agenda item.
- c) Each agenda for regular meetings shall provide under oral communication an opportunity for members of the public to directly address the Civil Service Commission on items of interest to the public that are within the jurisdiction of the Civil Service Commission.
- d) No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subsection (b) of Section 5954.2 of the California Government Code (emergency items of a critical nature and those where the need arose subsequent to the agenda being posted).
- e) The City Manager's staff may prepare a supplementary agenda for a regular meeting consisting of items on which Commission action is permissible by the provisions of said subsection (b) of Section 54954.2. The supplementary agenda shall be placed and posted in the same manner as the regular agenda as soon as practicable after being issued.

SECTION 2.3 **AVAILABILITY OF AGENDA**

- a) Not less than 72 hours preceding a regular meeting of the Civil Service Commission, the City Clerk shall post a copy of the agenda on the Public Notice Board on the exterior of City Hall at 3031 Torrance Boulevard. The City Manager's staff shall cause a copy of the agenda with supporting material to be delivered to each Member of the Civil Service Commission.

- b) In the case of a special meeting of the Civil Service Commission, the City Clerk shall post a copy of the call and notice of the meeting on the Public Notice Board at least 24 hours prior to the special meeting and otherwise comply with the provisions of Section 54956 of the Government Code.
- c) The City Manager's staff shall provide agendas and supporting materials to interested persons and groups in accordance with the rules to be determined from time to time by resolution of the Civil Service Commission.
- d) The City Clerk, or the Clerk's designee who actually posted the agenda, shall sign an affidavit of the time and place that the agenda was posted as required above. The City Manager's staff will report the posting of such affidavit to the Civil Service Commission at the following Commission meeting. Affidavits will be kept in the office of the City Clerk for public reference according to the Records Retention schedule.

SECTION 2.4 ACTION ONLY ON AGENDA ITEM— -
EXCEPTIONS

- a) Except as provided in subsection (b) below, no action or discussion shall be taken by the Civil Service Commission on any item not appearing on the posted agenda, except that members of the Civil Service Commission may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code Section 54954.3. In addition, on their own initiative, or in response to questions posed by the public, members of the Civil Service Commission may ask a question for clarification; provide a reference for staff or other resources for factual information, or request staff to report back to the Commission at a subsequent meeting concerning any matter. Furthermore, the Civil Service Commission may take action to direct staff to place a matter of business on a future agenda.
- b) The Civil Service Commission may take action on any item not appearing on the agenda upon a determination by a two-thirds vote, or if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted.

SECTION 2.5 THE CHAIRPERSON AS PRESIDING OFFICER

The Chairperson shall begin the meeting at the hour appointed and shall call the Civil Service Commission to order. In the absence of the Chairperson, the Vice Chairperson shall be the presiding officer of the Commission. Upon the arrival of the Chairperson, the Vice Chairperson shall stop presiding once the business immediately before the Commission is concluded.

SECTION 2.6 ORDER OF BUSINESS

At the time set for the commencement of the meeting, the members of the Commission and such staff members as designated by the City Manager shall take their stations and the business of the Commission shall be taken up for consideration and disposition in the following order, except as may otherwise be ordered by the Commission:

- Call to order by the Chairperson
- Roll Call of the members
- Report on posting of the agenda
- Oral Communications #1
- Consent Calendar
- Administrative Matters
- Hearings
- Oral Communications # 2
- Adjournment

SECTION 2.7 ROLL CALL

Before proceeding with the business of the Commission, the City Manager's staff member designated by the City Manager's office shall call the roll of the members. The names of those present shall be entered in the minutes.

SECTION 2.8 READING OF MINUTES

Unless a member requests a reading of the minutes of a Civil Service Commission meeting, such minutes may be approved without reading by a majority vote if the City Manager's designated staff has previously furnished each member with a copy thereof.

SECTION 2.9 SPEAKERS UNDER ORAL COMMUNICATIONS

- a) Speakers under Oral Communications shall be limited to three (3) minutes each unless otherwise permitted by the Chairperson.
- b) Under Oral Communications #1 a period of up to 30 minutes will be set aside for speakers.
- c) Speakers under Oral Communications #1 may not speak on any matter scheduled to be considered by the Commission as part of the meeting agenda.
- d) Those who wish to speak under Oral Communications #1 will be asked to complete an optional speaker card to ensure correct spellings for the record.
- e) Speakers will be taken in the order they arrived at the meeting. If the Commission is unable to determine who arrived first, speakers will be taken in alphabetical order by last name.

- f) To the extent all speakers have spoken and time remains within the 30 minute period, the Chairperson may open orals to members of the audience for the remainder of the period.
- g) Under Oral Communications #2, those not heard under Oral Communications #1 will be given priority by the Chairperson to speak.

ARTICLE 34 – MOTIONS

SECTION 34.1 MAKING OF MOTIONS

~~Except as hereinafter provided.~~ When any subject is opened for consideration by the Civil Service Commission, whether before or after debate thereon, a motion shall be made by a member and seconded by a member. Where a motion is made and seconded, the Chairman may rule the motion out of order if in violation of the Rules of Order. The mover, with the consent of the second, may withdraw or amend the motion at any time before a decision or amendment.

SECTION 34.2 AMENDMENT

Any motion may be amended with the consent of the maker and second.

SECTION 34.3 SECONDING MOTIONS

The following motions do not require a second: Questions of order and division of the question.

SECTION 34.4 SUBSTITUTE MOTIONS

A substitute motion may be made to take the place of any motion on the floor. When a substitute motion has been made and seconded, it shall be voted on ahead of the main motion. Only one substitute motion may be on the floor at any time.

SECTION 34.5 IMPROPER MOTIONS

No dilatory, absurd or frivolous motion shall be considered. The Chairman shall decide which motions are improper, subject to the right to appeal to the Commission as a whole.

SECTION 34.6 MOTION TO RECONSIDER

- ~~a) When a motion has been made and carried or lost, any member who voted with the prevailing side or who was absent when such motion was voted on may move for the reconsideration thereof, unless prohibited by law.~~
- a) A motion to reconsider any action taken by the Commission may only be made by one of the commission members who voted with the prevailing side or who was absent when such motion was voted on.
- ~~b) The motion to reconsider can be made once at the same meeting as the motion being reconsidered. Said motion can be made only once in each succeeding meeting.~~
- b) Tie votes are considered failed motions and may be reconsidered. Any commission member may move to reconsider any action taken by the Commission that resulted in a tie vote.
- ~~e) Any member may second the motion to reconsider, and thereupon the question of reconsideration, but not the merits of the question to be reconsidered, are open to debate~~
- c) A motion to reconsider any action taken by the Commission may be made once at the meeting at which the matter was first considered, and once within the succeeding two meetings.
- d) Any member may second the motion to reconsider. The effect of the adoption of a motion to reconsider is to place before the Commission the problem which gave rise to said motion, but not to reseed the motion which is to be reconsidered.

SECTION 3.7 **CONSENT CALENDAR**

When several items of Commission business have been combined into a single agenda item, identified as a Consent Calendar, and a member of the public requests that any of the several items be considered separately, the Commission may, and if a member of the Commission makes such a request, shall hear and consider the item or items separately, thereby permitting public cComment.

SECTION 1.7 **GENERALLY**

~~Any member may raise a point of order (procedure). The Chairman shall decide all questions of order; provided, however, that any two members shall have the right to appeal his decision, in which case the question shall be decided by a majority of the members present.~~

ARTICLE 42 – VOTING

SECTION 42.1

DISPOSITON BY CHAIRMAN

Except where a vote is otherwise required, the Chairman may order the disposition of matters coming before the Civil Service Commission; provided, however, that if a member objects, a vote shall be taken. Where a motion is made and seconded, unless a vote is required by law or desired by any member, the Chairman may order the disposition of the matter in accordance with the motion. Such decision of the Chairman shall be deemed to be the action of the Commission.

SECTION 42.2 RECORDING VOTES

All votes shall be oral votes except when a roll call vote is requested by a member of the Commission or is required by the Minute Secretary for clarification. The Chairman shall first ask for all in favor ~~_____ the motion to signify by saying "yes"; then ask all opposed to signify by saying "no."~~ When a roll call vote is called for on any matter, the Minute Secretary shall call the roll, and each member who is present shall be recorded as voting YES, unless when the member's his name is called the answer is NO and except as provided in Section 42.3. On a tie vote, the motion is lost. The vote shall be taken in alphabetical order with the Chairman voting last. The Chairman shall announce the result of the vote and then announce the next order of business.

SECTION 42.3 ABSTAINING FROM VOTING

When a vote is being taken on a motion and a member declines to vote because of a disqualifying interest or for any other reason, the member's his vote shall not be counted in determining passage of the motion and such member shall be recorded as having abstained from voting.

SECTION 42.4 EXPLANATION OF VOTE

~~Following the vote~~ A member is shall be allowed to briefly explain his his vote if he ~~so desires~~ before, during, or after a vote.

SECTION 42.5 CHANGE OF VOTE

A member shall be allowed to change his his vote only until the next item of business is announced by the Chairman; ~~provided, however, that~~ this rule may be suspended by a vote of two-thirds of the members present or upon compliance with the provisions of Section 32.6 (motion to reconsider).

SECTION 42.6 ROLL CALL VOTE

Any member may demand that a roll call vote be taken on a motion.

SECTION 42.7 DIVISION OF A QUESTION

On the demand of any member before the question is put, a question shall be divided if it includes propositions so distinct in substance that one being taken away, a substantive proposition shall remain.

SECTION 42.8 MAJORITY VOTE

All motions will be carried by a majority vote unless otherwise required by law. A majority of the members present, if a quorum, is a majority for the passage of motions.

ARTICLE 53 – DEBATE

SECTION 53.1 DEBATABLE MOTIONS

- a) When a matter is before the Civil Service Commission, the Chairman may call for debate or comment before or after a motion has been made and seconded.
- b) All motions and all amendments proposed to them may be debated or commented upon before action is taken on them, unless the Commission, by a two-thirds vote of the members present, decides to dispose of them without debate.
- c) The following motions are undebatable: Limit, close or extend debate, the previous question, objection to consideration of a question.

SECTION 53.2 RULES OF DEBATE

- a) Every member shall have the right to speak at least once on each item.
- b) Every member desiring to speak shall address the Chairman and, upon recognition, may speak.
- c) The speaker shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- d) A member, once recognized, shall not be interrupted when speaking unless called to order, in which case he shall cease speaking until the question of order is determined.
- e) A member may not make a second speech on the same question as long as any member who has not spoken desires the floor.

SECTION 53.3 LIMITING AND EXTENDING DEBATE

Subject to the provisions of subsection (a) of Section 53.2, debate and comment may be limited or extended upon the passage of a motion therefore by a vote of the Commission. A motion to limit or extend debate is undebatable.

SECTION 53.4 THE PREVIOUS QUESTION

Subject to the provisions of subsection (a) of Section 53.2, debate and comment may be closed and the Commission brought at once to a vote on the pending question by a vote on a motion for the previous question. The motion for the previous question is undebatable.

ARTICLE 64 – PUBLIC COMMENT

SECTION 64.1 RIGHT TO COMMENT

- a) The public shall be given an opportunity to speak on each item of business that appears on the agenda of the Commission for Commission action in open meeting subject, however, to the other provisions of these Rules of Order.
- b) Under the agenda item designation of Oral Communications, any member of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission; provided, however, that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by the California Government Code.

SECTION 64.2 ADDRESSING THE COMMISSION

a) No person shall address the Commission without first securing the permission of the Chairman; provided, however, that permission shall not be refused except for good cause.

SECTION 64.3 MANNER OF ADDRESSING COMMISSION

- a) ~~Each person addressing the Commission shall step up to the lectern, shall give his or her name and address or affiliation in an audible tone of voice for the record.~~
- b) All remarks shall be addressed to the Commission as a body and not to any member thereof. No person, other than a member of the Commission and the person having the floor, shall be permitted to enter into the discussion without the permission of the Chairman. No question shall be asked of a member of the Commission except with the consent of and through the Chairman.

SECTION 64.4 ALLOTTED TIME

- ~~Unless otherwise ordered by the Commission, the Chairman may limit:~~
- a) ~~As a guideline, three minutes (3) shall be t~~The maximum time allotted to each speaker, except a member of the Commission ~~is ten (10) minutes~~, unless the Chairman shall extend the time.
 - b) ~~Unless otherwise ordered by the Civil Service Commission, the Chairman may limit t~~The number of speakers where, in his opinion, the facts or arguments advocated are

cumulative in nature. Unless otherwise ordered by the Civil Service Commission, the Chairman may limit the aggregate time of hearing or discussion.

SECTION 64.5 RELEVANCY

Speakers shall confine their remarks to those which are relevant to the subject of the hearing. Attacks against the character or motives of any person shall be out of order. The Chairman, subject to appeal of the Commission, shall be the judge of relevancy and whether character or motives are being impugned.

SECTION 64.6 INTERRUPTIONS

With the consent of the Chairman, commission members may interrupt a speaker at any time to ask questions or make comments in order to clarify the discussion.

SECTION 64.7 DECORUM

Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the Commission shall be forthwith barred from further audience before the Commission, unless permission to continue be granted by the Chairman.

SECTION 6.8 ENFORCEMENT OF DECORUM

The Police Chief, or such member or members of the police department as may be designated, shall be sergeant-at-arms of the Commission meetings. They shall carry out all orders and instructions given by the Chairman for the purpose of maintaining order and decorum at the Commission meetings. Upon instruction from the Chairman, it shall be the duty of the sergeant-at-arms to eject or place under arrest any person who violates the order and decorum of the meeting.

SECTION 6.9 DISORDERLY CONDUCT

In the event that any meeting is willfully interrupted so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Commission may order the meeting room cleared and continue in session in accordance with the provisions of the Government Code Section 54957.9 and any amendments thereto.

ARTICLE 7 – POINTS OF ORDER

SECTION 4.8 ACTION BY THE COMMISSION

~~At the close of testimony and comment from the public, the Commission may close the hearing, continue the hearing, refer the matter to a committee, or take other action it deems reasonable.~~

SECTION 7.1 GENERALLY

~~Any member may raise a point of order (procedure). The Chairman shall decide all questions of order; provided, however, that any two members shall have the right to appeal his decision, in which case the question shall be decided by a majority of the members present. The Chairperson or any other member present may request advice of the City Attorney thereon.~~

SECTION 7.2 SUSPENSION OF RULES

~~Any provision of the Chapter, except the provisions of Section 1.1, and Articles 9 and 10, may be suspended by a two-thirds vote of the members present.~~

ARTICLE 8 – COMMITTEES

SECTION 8.1 -AD HOC COMMITTEES

~~The chairperson may form ad hoc committees at his or her pleasure or at the pleasure of the Commission. The Chairman shall designate the Chairman of each ad hoc committee, unless otherwise ordered by the Commission.~~

ARTICLE 9 – CHAIRPERSON AND VICE CHAIRPERSON

SECTION 9.1 SELECTION

~~The Chairperson and Vice Chairperson shall be selected by a majority vote. No member shall so serve for a second term until every other member has served one term.~~

SECTION 9.2 TERM OF APPOINTMENT

~~The term of appointment of the Chairperson and Vice Chairperson shall be twelve (12) months commencing on July 1 after the first meeting of the Civil Service Commission after each Civil Service Commission reorganization and every twelve (12) months thereafter.~~

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RESOLUTION NO.**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE, CALIFORNIA, APPROVING
THE ADOPTION OF A NEW SET OF RULES OF
ORDER TO BE USED BY THE CIVIL SERVICE
COMMISSION**

WHEREAS, the Torrance Municipal Code (TMC) Section 13.10.8 entitled, "Rules and Regulations" authorizes the Civil Service Commission to "establish such rules and regulations as it deems necessary for it government and for the faithful performance of its duties;" and

WHEREAS, the Civil Service Rules of Order currently in use by the Commission have not been reviewed recently and do not conform to the same rules in use by the City Council and other Commissions; and

WHEREAS, on September 26, 2011, it came to the attention of the Civil Service Commission that several sections of the current rules were outdated; and

WHEREAS, on September 26, 2011, the Commission was asked to reconsider a motion and found that Section 1.6, entitled "Motion to Reconsider" contained a subsection (b), which allowed for Reconsideration to be requested indefinitely; and

WHEREAS, on September 26, 2011, the Commission's legal advisor suggested that the current rules be updated to mirror the City Council's rules of order; and

WHEREAS, on February 27, 2012, the Civil Service Commission conducted a public hearing and invited comment on the proposed rules of order for use by the Civil Service Commission; and

WHEREAS, the Commission considered the proposed new rules of order for use by the Civil Service Commission and any and all comments received by the Public; and

WHEREAS, the Commission adopted a RESOLUTION 2012-01 of the Civil Service Commission approving the adoption of a new set of Rules of Order to be used by the Civil Service Commission;

NOW, THEREFORE, BE IT RESOLVED that the Rules of Order approved by the Civil Service Commission for its use are hereby **APPROVED,**

INTRODUCED, APPROVED AND ADOPTED this _____ day of March 2012.

Mayor Frank Scotto

ATTEST:

Sue Herbers, CMC
City Clerk

APPROVED AS TO FORM:
JOHN L. FELLOWS III, City Attorney

By Patrick Q. Sullivan, Assistant City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF TORRANCE)

I, LAURA LOHNES, Secretary to the Civil Service Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Civil Service Commission of the City of Torrance at a regular meeting of said Commission held on the _____ day of February 2012, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS: