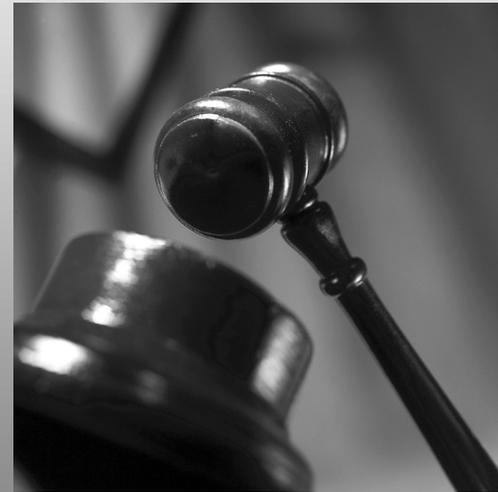


# Code of Meeting Procedure



Ordinance Review  
Advisory Board



---



**NOTES**

## Table of Contents

<b>Sections</b>	
Definitions.....	1-4
Meetings.....	5-9
Agenda .....	10-15
Motions .....	16-25
Voting .....	26-35

---

### **APPLICATION & AMENDMENT**

For those matters not covered by these rules, the procedure shall be as decided by a majority vote of the Board. Adopted rules may be amended by a majority vote of the Board members. The rules may not be suspended by the Board during any meeting.

---

Adopted by the Board on April 17, 2007.

---

**NOTES**

## DEFINITIONS

- Section 1.** **Board.** The term “Board” includes the Chairperson and Board members.
- Section 2.** **Motion.** A course of action proposed to the Board by one of its members, expressing the opinion or mind of the Board.
- Section 3.** **Quorum.** A majority of the members of the Board.
- Section 4.** **Staff Liaison.** The staff member of the City of Derby designated to support and facilitate the Board.

## MEETINGS

- Section 5.** **Regular Meetings.** Regular meetings of the Board will be held on the third Tuesday of every month unless changed by the Board. All meetings of the Board are open to the public.
- Section 6.** **Special Meetings.** Special meetings will be held only for a specific purpose. Special meetings of the Board may be called at any time by the Chairperson or in his/her absence any Board member. Notice of all special meetings of the Board shall be given to each Board member by two days’ service of the same by e-mail, letter, facsimile or personal delivery. The date, time, and purpose of the special meeting must be specified. Public notification of the date, time, and purpose of special meetings is given in the same manner as it is done for regular meetings.

## Ethics

---

### Conflict of Interest

If a Board member has a conflict of interest on a matter before the Board, right after the Secretary reads the title of the agenda item in question, that person should publicly announce the conflict and excuse himself/herself from the chamber until the matter has been addressed by the remaining Board members.

If there is a question of real or perceived conflict of interest, the affected Board member should contact the CEO and Vice-President for an interpretation of the situation prior to the meeting.

### Keeping Out of Trouble

The following are some common areas where you can get in trouble by violating the public meeting policy:

- Two or more Board members meeting in person or in an internet chat room.
- Conducting a “serial meeting” via email chain.
- Not disclosing a conflict of interest during Board deliberation or not abstaining from voting on something with which you have a conflict of interest.
- Not disclosing *ex parte* conversations with parties to an action before the Board.
- Using your position for personal gain or profit.

*If you're not sure what to do, ask:*

*Is it legal?*

*Is it ethical?*

*Is it the right thing to do?*

## How to Aid Discussion by Asking the Right Questions

---

Questions are one of the most important tools you can use to obtain information, focus the group and facilitate decision making. Here are some samples:

### Asking of Colleagues

- What do you think about this item?
- What do you think the proposed action will accomplish?
- Would you please elaborate on your position?
- What results are we looking for?
- How does this fit into our priorities?

### Asking Staff

- What alternatives did you consider?
- What are we trying to accomplish with this?
- What are the benefits and drawbacks?
- Would you please explain the process?

### Asking of the Public

- How will this proposal affect you?
- What are your concerns?
- What other ways can you suggest for solving the issue?

**Section 7. Workshop.** An informal meeting of the Board. No agenda is required and no binding action may be taken. The Chairperson chairs the workshop.

**Section 8. Quorum.** A quorum is required for the Board to take action. A majority of the whole Board shall be necessary at all meetings to constitute a quorum for the transaction of business; but less than a quorum may adjourn any meeting, which may be held on a subsequent date without further notice; provided, that a quorum be present at such deferred meeting.

**Section 9. Public Forum.** If public comment is allowed during the meeting, the person desiring to comment shall provide his or her name and address for inclusion in the minutes of the meeting. No individual or group presentation shall exceed five (5) minutes in length. If additional presentation time is requested by the individual or group addressing the Board, additional time up to three (3) minutes may be granted only by motion, second, and majority vote of the Board members.

## AGENDA

**Section 10. Agenda.** Prior to each regular and special meeting, an agenda will be released to each Board member. The agenda is usually available on Thursday afternoon for the meeting the following Tuesday but may on occasion be delayed due to unforeseen events.

- Section 11. Setting Agenda.** The staff liaison is charged with setting the agenda.
- Section 12. Order and Content of Agenda Items.** Each agenda item shall be reviewed in the following order:  
Staff report;  
Applicant input (if applicable); and  
Public input (if applicable).  
Staff reports should include:  
Background information on the topic;  
Fiscal or budget impacts;  
Legal considerations;  
Policy considerations;  
Applicable reference material; and  
Action Options/Recommendation(s).  
Staff reports should be complete and accurate, identifying and analyzing all viable options, and advising on relevant courses of action.
- Section 13. Changes to Agenda.** Items may be added to or removed from the agenda at the beginning of a regular meeting by motion approved by a majority of Board members present and voting. No items may be added to the agenda of a special meeting. The Board will vote only on items contained in the agenda as printed, added by action of the Board, or deemed to be an emergency, and may otherwise express the will of the Board through informal and non-binding action.

- Section 33. Veto Power; Prohibited.** No member of the Board has veto power.
- Section 34. Same; Vacancies in Office.** Vacancies in any Board position arising from any cause shall be filled by mayoral appointment with the approval of the City Council.
- Section 35. Consensus Vote.** When a formal motion or action is not required, a consensus voice vote may be taken. The Chair will state the opinion or guidance and each Board member shall state his/her position by saying yes or no.

**VOTING**

- Section 26.** **Form of Vote.** All votes shall be by either a voice vote or, in the alternative, the chair may request that a vote be by “show of hands” or by a roll call vote performed by the Secretary.
- Section 27.** **Voting Order.** Each time a roll call vote is requested or required during a meeting, the Secretary will rotate the voting order until each voting member of the Board has had the opportunity to vote first.
- Section 28.** **Division.** The Chairperson or any Board member may request a formal division of vote. At the discretion of the Chairperson, division may be by either a poll of each member or a show of hands.
- Section 29.** **Duty to Vote.** Members of the Board have a duty to vote, but may abstain because of a conflict of interest or other circumstance that makes voting on an issue improper. Any member who abstains must state, for the purpose of its inclusion in the minutes, the reason for the abstention.
- Section 30.** **Recording.** Upon final passage of a matter, the vote shall be recorded in the minutes.
- Section 31.** **Votes; Prevailing Motion.** Unless otherwise specifically required by law, a motion shall prevail by a majority of those present.
- Section 32.** **Votes; Chairperson.** The Chairperson is considered a member of the Board and votes on all matters.

- Section 14.** **Order of Business.** At the hour appointed for the meeting, the Chair shall call the meeting to order. Upon determining that a quorum is present, the Board shall proceed to business, which shall be conducted in the following order:
  - Call to Order
  - Consideration of Minutes
  - Agenda Items
  - Board Member Comments
  - Adjournment
- Section 15.** **Order of Business, Suspended or Amended.** By a majority vote of the Board, the order of business may be amended to add or delete sections as appropriate, or may be suspended in its entirety to consider other matters.

**MOTIONS**

- Section 16.** **Second.** All motions require a second before being considered by the Board.
- Section 17.** **Debate.** All motions are debatable unless otherwise noted in the section governing that motion.
- Section 18.** **Substantive Motion.** Only one main substantive motion may be pending on the floor at any one time. A substantive motion must be withdrawn or advanced to vote before another substantive motion is introduced.

- Section 19. Substitute Motion; Prohibited.** Substitute motions are prohibited. Substantive motions must be withdrawn or advanced before another substantive motion is introduced.
- Section 20. Motion to Amend.** A motion to amend is in order when the proposal is to change, add, or delete words from the main substantive motion. If the motion is to amend a document before voting on its adoption, it is advisable to reduce the change to writing, but it is not required if all members of the Board understand the amendment. A vote on an amendment is not a final vote on the underlying substantive motion. A separate vote is required to pass the underlying substantive motion.
- Section 21. Motion to Refer or Table.** The Board may by motion refer a resolution, contract or other matter back to staff or to a committee, board or other appropriate body for further review and consideration or to table the matter. Such motion may or may not contain a time certain for the item to be returned to the Board. Motions to refer or table are not debatable.
- Section 22. Motion to Reconsider; Prohibited.** Motions to reconsider are prohibited. Any Board member may make a new substantive motion on a matter previously considered by the Board.

- Section 23. Motion to Call the Previous Question.** This motion is not debatable and, if passed by a majority of the Board, calls for an immediate vote on the substantive motion. This motion requires a vote.
- Section 24. Motion to Adjourn to a Later Date and Time.** If the Board is unable to complete its agenda during the time allotted for a regular or special meeting, the meeting may be adjourned to another time and date. The motion shall state the time, place and date for the meeting to reconvene. If the motion is adopted, the meeting is adjourned to the specified time, place and date.
- Section 25. Appeal from the Decision of the Chair.** When a Board member believes the decision of the chair is contrary to adopted procedure or law, he/she may appeal the decision of the chair to the Board at-large. The appealing member may state, "Honorable Chairperson, I appeal from the decision of the chair." The chair may then state, "The decision of the chair is appealed from." Following debate of the appeal, the question, when put, may be in the following form: "The question is, *shall the decision of the chair stand as the decision of the Board?* All in favor say aye. ... All opposed say no." A majority vote in the negative is required to overrule the decision of the chair. If the decision of the chair is sustained no further action is taken. If the decision of the chair is not sustained, the Board goes forward with a discussion of the motion or other matters pending before the body.