City of Kenmore

City of Kenmore - 18120 68th Avenue NE - Kenmore, WA 98028
Phone: 425-398-8900 - E-mail: cityhall@kenmorewa.gov

City Council Joint Special Meeting with Planning Commission

ON-SITE

Tuesday, January 16, 2024 - 5:30 PM

In addition, we try to provide access to the meeting virtually:
ZOOM LINK: https://kenmorewa-gov.zoom.us/j/81749467139
ZOOM PASSWORD: Motions
Or One tap Mobile: US: 12532158782
Or Telephone Dial US:+1 253 215 8782
Callers please dial *9 to raise and lower hand
Webinar ID:817 4946 7139
ZOOM PASSWORD: Motions
SIGN UP FOR VIRTUAL PUBLIC COMMENT HERE: www.kenmorewa.gov/virtualpubliccomment

Technical Difficulties - If the virtual component of the meeting disconnects, and we cannot resolve technical difficulties to reconnect the virtual component, the in-person meeting will continue at City Hall if there is a quorum of the body to conduct business.

Land Acknowledgement to Honor First Peoples

We acknowledge that the City of Kenmore is situated upon the ancestral lands of the Snohomish, Snoqualmie, Sauk-Suiattle, Duwamish, Stillaguamish, Tulalip, Suquamish, Muckleshoot, and other tribes who are part of the Coast Salish Peoples. We recognize and express our deepest respect for their enduring stewardship and profound relationship with this land, which they have cherished and protected since time immemorial. We honor the First Peoples, acknowledge their vibrant cultures, and commit ourselves to learning from their wisdom in our journey to promote justice, equity, and mutual understanding. We pledge to stand alongside these communities in acknowledging past injustices and working towards a future that respects and celebrates the diverse heritage of this land.

I. CALL SPECIAL MEETING TO ORDER - 5:30 PM

II. ROLL CALL

III. MEET & GREET

A. Councilmembers meet Planning Commissioners
Light meal to be provided

IV. PRESENTATION WORKSHOP - 6:00 PM

A. Jurassic Parliament workshop titled "Great City Meetings", training on Parliamentary Procedure, presented by Parliamentarian Ann Macfarlane
Presentation Handout (updated 01/16/2024)

V. ADJOURN SPECIAL MEETING

UPCOMING MEETINGS:

A. Thursday, January 18, 2024 at 6:00 PM - City Council Special Meeting
Monday, January 22, 2024 at 6:00 PM - City Council Special Meeting

NOTICES OF POTENTIAL QUORUMS:
Click here for information about Potential Quorums of the City Council. Now found on the City website under City Council Meetings.

Jurassic Parliament

Mastering meetings using Robert's Rules

Great City Meetings

Ann G. Macfarlane, Professional Registered Parliamentarian
Jurassic Parliament

City of Kenmore, Washington

Tuesday, January 16, 2024

Our topics

I. Introduction
II. Who's in charge?
III. Meeting discussion, Point of Order, Appeal
IV. Motions and Amendments
V. Citizen advisory committee pitfalls
VI. Public comment
VII. Conclusion

I. Introduction

Why are we here?

To invigorate you to run effective meetings to serve your community

After taking this training you will be able to:

1. Understand and apply the authority of the chair, the group, and the staff.
2. Follow best practices for fair and inclusive discussion.
3. Respond to disorder and difficult people.
4. Make Motions and Amendments.
5. Run effective public comment sessions.
6. Make better decisions for your community.

Disclaimer

The material contained in this presentation is based upon the principles and practices of parliamentary procedure. I am not an attorney and nothing in this presentation constitutes legal advice.

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II. Who's in charge?

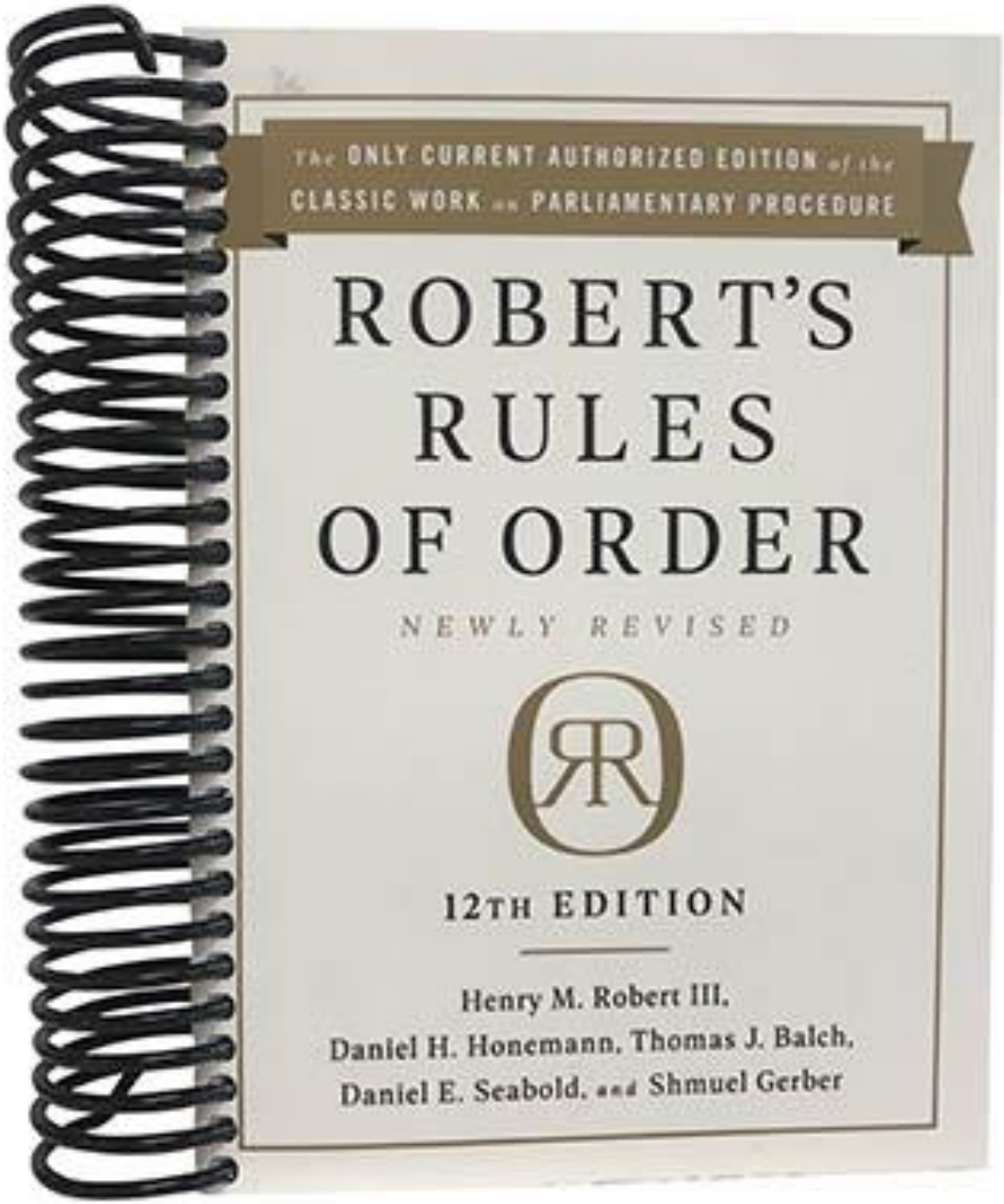
IV. A. Jurassic Parliament workshop titled "Great City Meetings" traini...

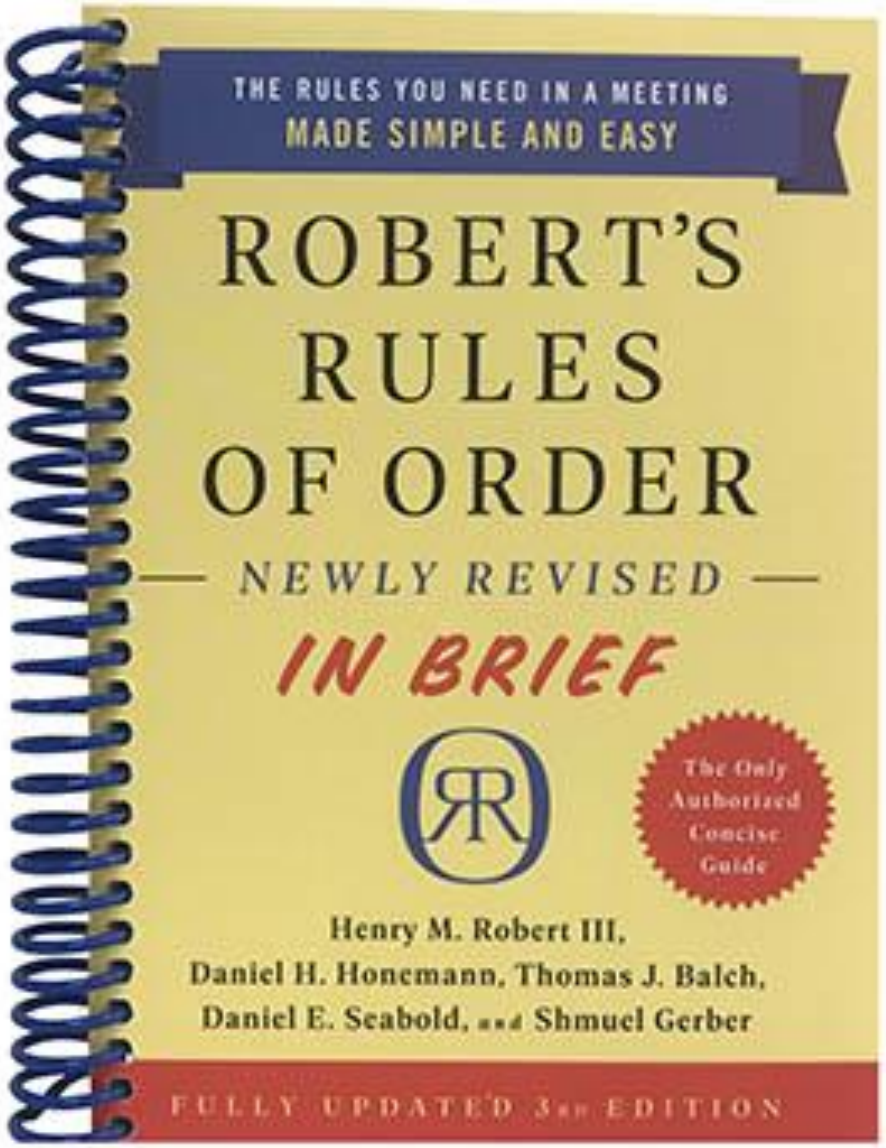
IV. A. Jurassic Parliament workshop titled "Great City Meetings", traini...

Robert's Rules of Order Newly Revised, 12th edition

Abbreviated RONR

"Rules of Order Newly Revised"


THE ONLY CURRENT AUTHORIZED EDITION of the
CLASSIC WORK on PARLIAMENTARY PROCEDURE
ROBERT'S
RULES
OF ORDER
NEWLY REVISED
12TH EDITION
Henry M. Robert III,
Daniel H. Honemann, Thomas J. Balch,
Daniel E. Seabold, and Shmuel Gerber


THE RULES YOU NEED IN A MEETING
MADE SIMPLE AND EASY
ROBERT'S
RULES
OF ORDER
NEWLY REVISED
IN BRIEF
The Only Authorized Concise Guide
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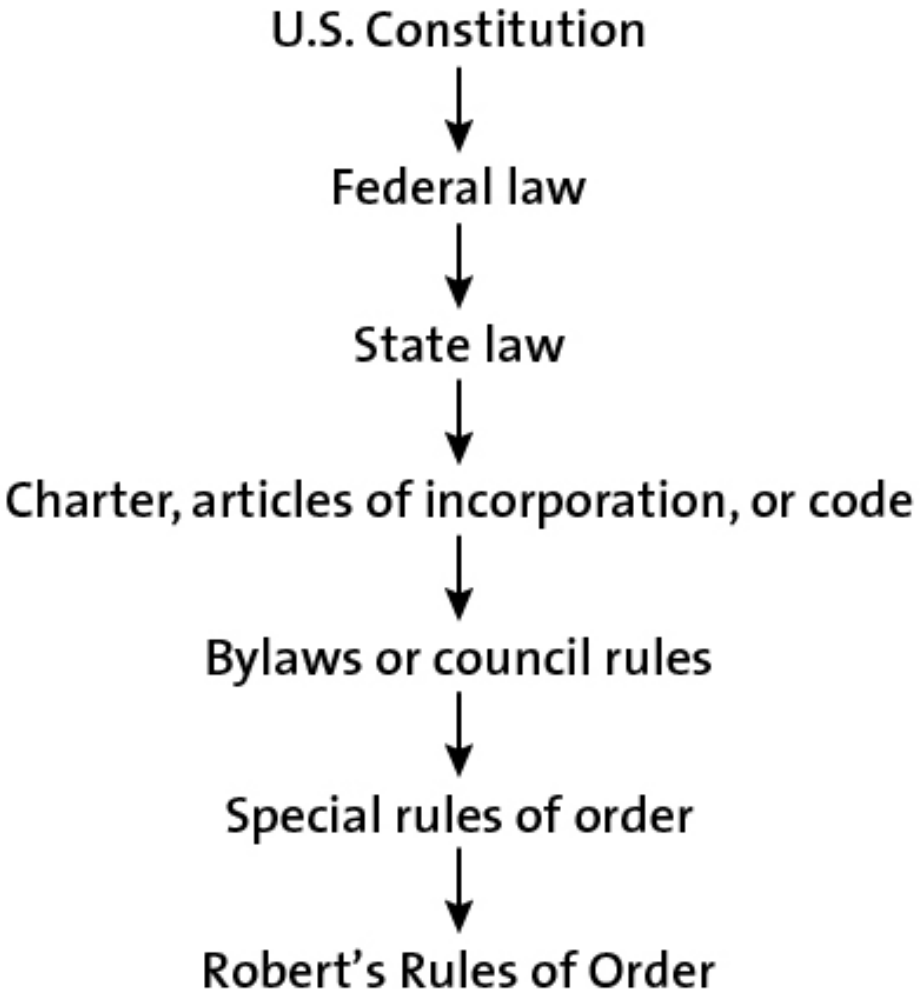
FULLY UPDATED 3rd EDITION


U.S. Constitution
Federal law
State law
Charter, articles of incorporation, or code
Bylaws or council rules
Special rules of order
Robert's Rules of Order

Your rules have higher authority

- You may choose the rules that suit the council best, and they have higher authority than Robert's Rules.
- Citizen committees must follow the rules established by the council.

Note on role of chair

- Robert has different rules for small boards (up to about 12 people).
- In a small board, chair may make motions, discuss, and vote, unless law, regulations or bylaws say otherwise.

Role of mayor in discussion?

- In a council-manager city, the mayor is chosen from among the elected members of the council.
- The mayor has the right to speak in discussion, to make and second motions, and to vote.
- However, we recommend that the mayor, and the chair of advisory committees, not make motions.
- Instead, the mayor can say, "*Would any member care to make a motion?*"

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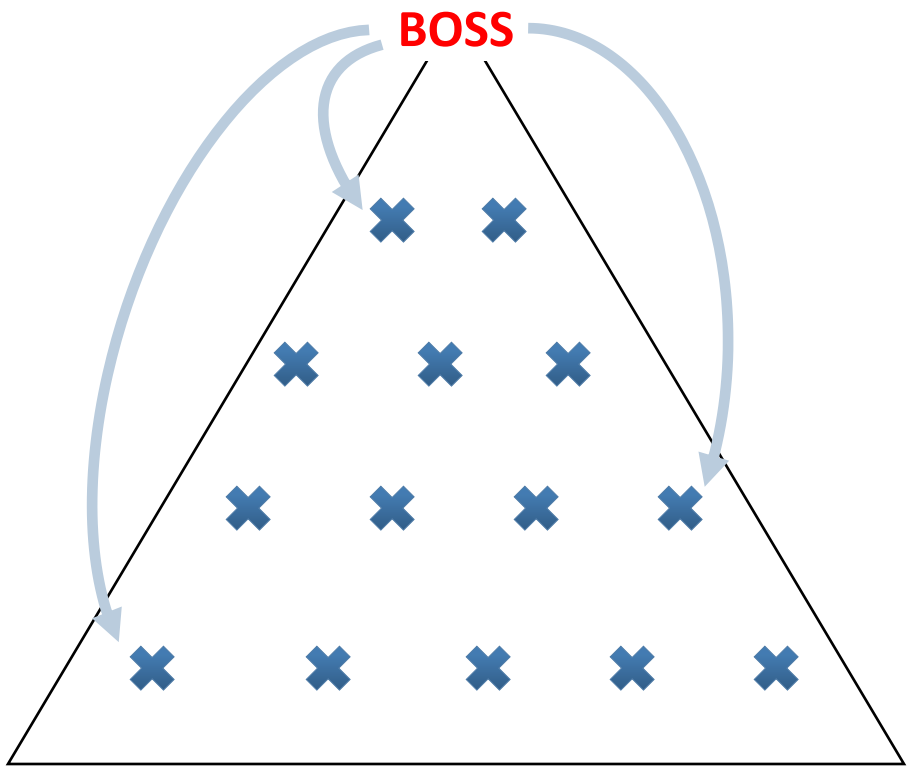
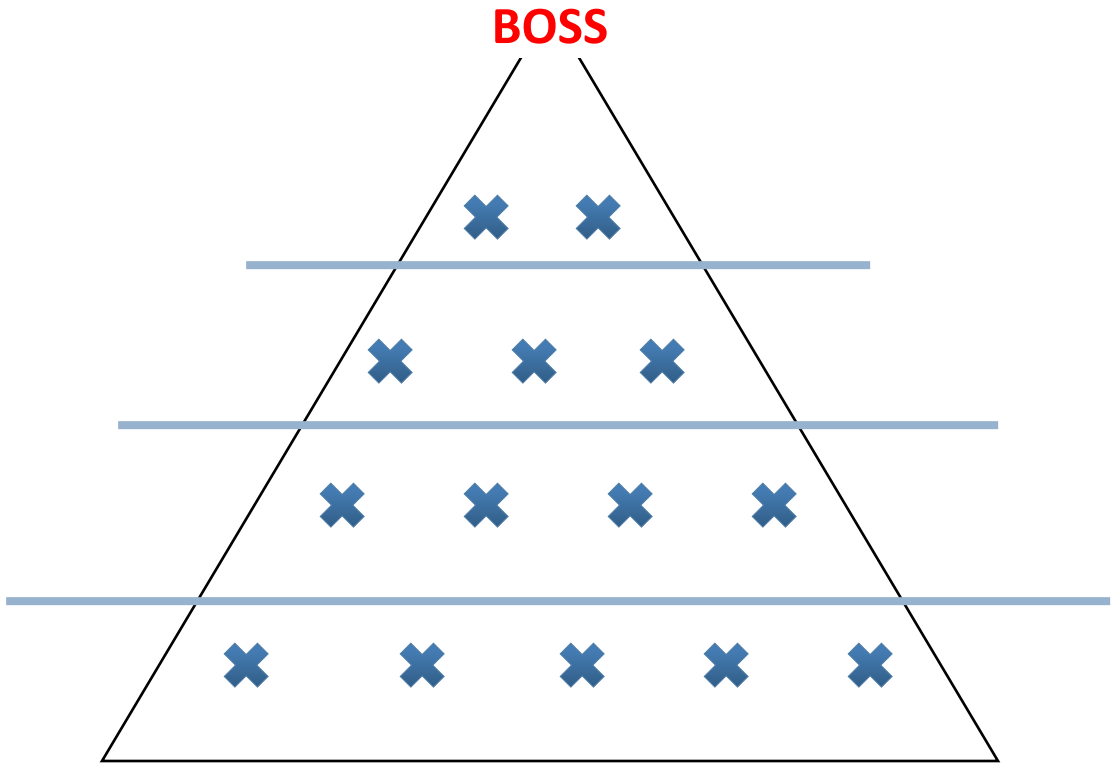
Accountability Hierarchy



Accountability Hierarchy



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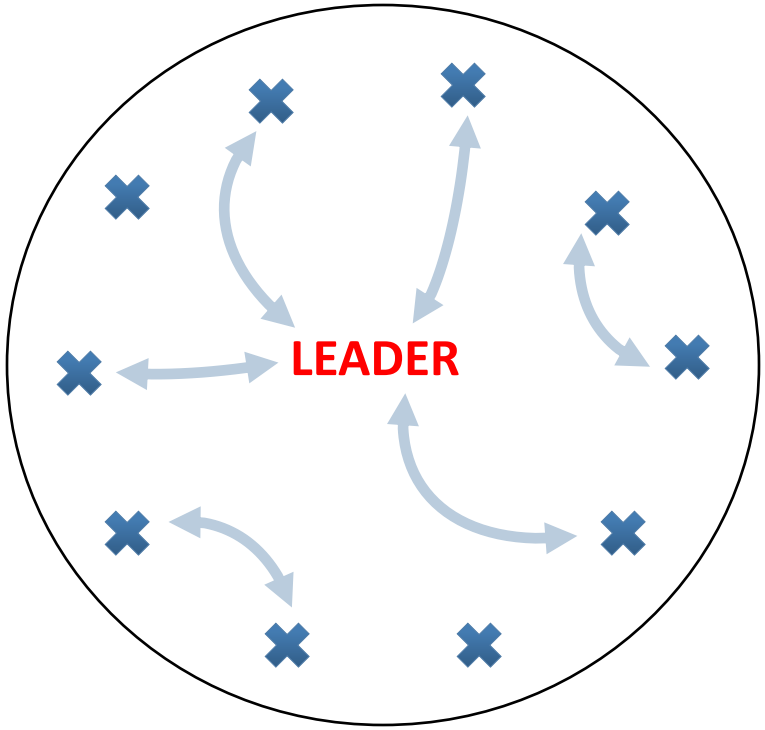
Voluntary Association



Key Point

Each member has an equal right to speak and to try to persuade others to accept their view.

Key Point

During meetings,
the chair controls the process
so the group can make the decisions.

Fundamental guideline

During meetings,
the chair is the servant of the group,
and the group is the final authority.

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Fundamental guideline

During meetings,
the chair is the servant of the group,
and the group is the final authority.

You have both types of structure

- The council or committee forms a voluntary association.
- The city manager and staff form an accountability hierarchy.

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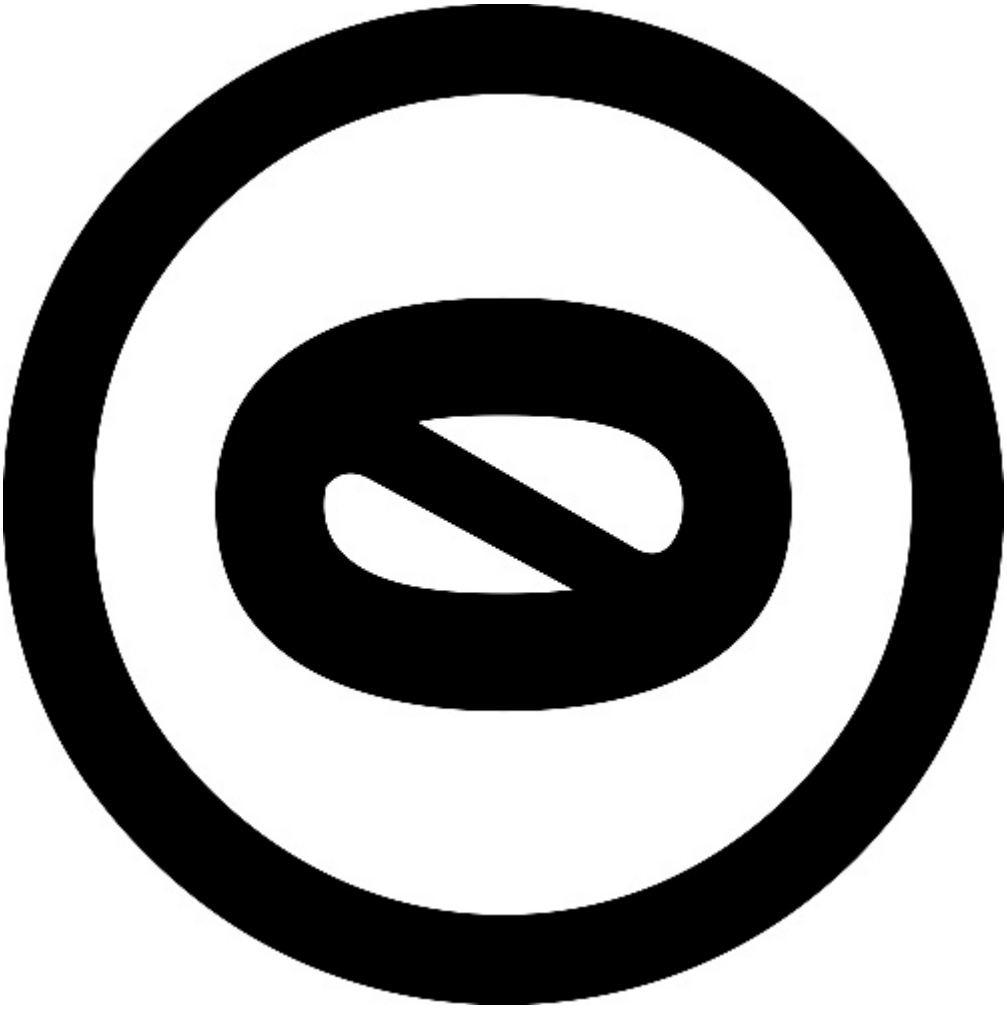
What is each person's individual authority?



ZERO
Nothing
Nada
Zip
0

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All members of a governing board share in a joint and collective authority which exists and can be exercised only when the group is in session.

The Standard Code of Parliamentary Procedure

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Rights and Responsibilities of the Member

Weldon L. Merritt, PRP, CPP, has graciously authorized Jurassic Parliament to publish this listing of the rights and responsibilities of ordinary members of an organization.

Please note that neither the list of member rights nor the list of member responsibilities is intended to be exhaustive. In addition, neither the rights nor the responsibilities are necessarily absolute in every instance. For example, the right to debate may be cut off or limited by motions for the Previous Question or to Limit Debate. And, while a member should not vote on a matter of direct personal interest, under Robert's

Vigorous discussion

- Discussion on motions can and should be vigorous!
- Express your views freely and don't hold back.
- Once the vote has been taken, however, things change.

It's OK to disagree

- The fact that people have different opinions is a strength. It's a good thing!
- BUT we tend to identify with our own position.
- When we are defeated, we sometimes take it personally.
- This is a mistake.

At the end of the day, the body must unite behind its decision.

- It is a basic democratic principle that the decision of the majority, voting at a properly called meeting, is the decision of the body as a whole.
- The minority must make it their decision as well.

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Democracy is the worst system of government in all the world, with the exception of those others that have been tried from time to time.

Winston Churchill

Members have a duty

- When serving on a public body, members have a duty to uphold the decision of that body, even if they disagree with it.

Disagreement

- Members may express their disagreement in public, but may not attempt to UNDERMINE the decision.
- They are free to try to persuade their colleagues, during the meeting, to change the decision (within limits).

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Lost the vote? Don't sabotage the council's action

We've had inquiries recently about elected officials who lost a vote, and then actively worked against the outcome. This amounts to trying to sabotage the council. It is wrong, wrong, wrong.

THE MAJORITY RULES

General Henry Martyn Robert, the original author of *Robert's Rules of Order*, expresses it this way:

What is the alternative?

The ballot box is sacred
because the alternative is blood.

Elias Canetti

Chair must control who speaks when

- The chair serves as a BENEVOLENT DICTATOR, enforcing the rules the group has chosen.
- Individual members must SEEK RECOGNITION before speaking.

Chair controls who speaks when

- If someone speaks up without being recognized, STOP THEM.
- If someone speaks out of turn, INTERRUPT THEM.
- If someone makes insulting remarks, CUT THEM OFF.

Duty to obey the chair

- Members have a duty to obey the chair's directions.
- If they disagree, they can't argue back.
- What can they do?

HOW to control?

Don't be intimidated by anger

- Evolutionary psychologists tell us that anger evolved "in the service of bargaining, to resolve conflicts of interest in favor of the angry individual."

Leonard Mlodinow, *Emotion: How Feelings Shape Our Thinking*

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Firm but not harsh.

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CHEAT SHEET

LANGUAGE TIPS FOR MEETING MANAGEMENT

SITUATION	CHAIR CAN SAY
Call to order	*This meeting of the [name of organization] is called to order.*
Unanimous consent	*Without objection... If there is no objection...*
To begin discussion	*It has been moved and seconded that... Is there any discussion?*
If there is no second	*Since there is no second, the motion will not be considered.*
To end discussion	*Is there any further discussion?* or *Are you ready to vote?*
Process Point of Order	1. Member says, *"Point of Order."* 2. Chair says, *"State your point."* 3. Member explains issue. 4. Chair says, *"The point is well taken,"* or *"The point is not well taken."*
When someone says "Point of Order" but can't explain what they mean	*What rule has been broken?*
Process Point of Information	1. Member says, *"Point of Information."* 2. Chair replies, *"State your question."*

When in doubt, ask the group!

- Chair can always ask the group to decide a question.

City manager and staff

- Confusion about staff roles takes many forms.
- Staff are advisers to the body, not members.
- Council and committee members must leave all matters of administration to the staff.
- They may provide information, but they may not attempt to do the work of the city.

Confusion about staff role

- Staff are employees of the city.
- A commission or committee may not direct them independently of their assigned tasks.
- Staff have a duty to remind citizen volunteers of the laws, regulations, and fiscal constraints that apply.
- This is not "sticking an oar in," it is doing their job.

Courtesy

- Councilmembers and commissioners must treat the staff with courtesy.
- If they have personnel complaints, they bring them to the city manager privately.
- This is an unequal relationship, so it is particularly important for elected or appointed officials not to bully the staff.

Confusion about clerk's role

- The chief job of the clerk is to create the historical record of the actions taken during meetings.
- Nowadays, clerks are often asked to perform additional tasks, such as IT, or recognizing speakers during public comment.
- This must not detract from their main job.
- Additional staff may be appropriate.

Maintaining order

- Clerks have nothing to say about the behavior of individuals during the meeting, enforcing order, etc.
- That is the responsibility of the presider (mayor or chair).
- The MEMBERS are also responsible for maintaining decorum and, when necessary, raising a Point of Order.

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Successful staff interaction in local government meetings

© City of Shoreline WA 2018.

Staff interaction in local government meetings can be effective or disastrous. Here are a few suggestions on how to structure successful staff interaction.

NOT ENOUGH STAFF INTERACTION

Sometimes we have observed staff who are too cautious at their council or committee meetings. They see themselves in a subordinate position and feel that their comments are welcome only when requested.

III. Meeting discussion, Point of Order, and Appeal

Principle of Equality

All members have equal rights, privileges and obligations.

Key Point

Discussion in council and committee meetings is NOT A CONVERSATION.
It is DEBATE and has its own rules.

Fundamental guideline

- No one may speak a second time until everyone who wishes to do so has spoken once.

Fundamental guideline

- No one may speak a second time until everyone who wishes to do so has spoken once.

Why don't we follow this?

- Councils and committees tend to discuss their affairs in conversational mode.
- In conversations, dominant people tend to dominate.
- Agreeable people tend to let them.
- Must have a structure to make sure that everyone has an equal chance to speak.
- This is both fair and efficient.

Equity and inclusion

- This rule is also the best way to ensure that each person has an equal voice.
- The system is formal but inclusive.
- It will make for robust discussion and advance your equity goals.

How to do this?

- Everyone—members and staff—must seek recognition before speaking.
- Raise your hand and wait to speak until you are acknowledged by the presider.

SPEAKING CHART

Name	1	2	3	4	5	6	etc.
Andre							
Conner							
Ellen							
Jasmine							
Keiko							
Kim							
Maria							
Omar							
Pat							

Fundamental guideline

Courtesy and respect towards everyone are required.

These remarks are inappropriate

1. Personal remarks about other members (except for conflict of interest)
2. Discourteous remarks – insulting language, attacks
3. Inflammatory language
4. Criticizing past actions of the group (unless subject is under discussion, or member is about to propose to amend or rescind the action at the end of their speech)
5. Remarks that are not germane (relevant) to the discussion

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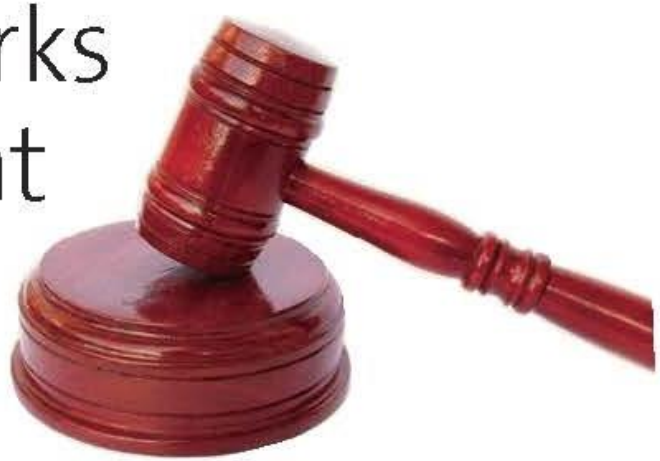
Inappropriate Remarks on Local Government Councils



If you serve as an elected official on a local government council or board, you should know the types of remarks that are inappropriate during discussion at a meeting. Robert's Rules of Order and the common parliamentary law it is based on require that:

- Members of a council or board must be courteous to one another.

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Personal remarks

The measure, not the member, is the subject of debate…The moment the chair hears such words as "fraud," "liar," or "lie" used about a member in debate, he must act immediately and decisively to correct the matter and prevent its repetition.

Robert's Rules of Order Newly Revised, 12th edition, Section 43:2

Body language and gestures

- No rolling your eyes, shrugging, sighing, making faces…
- A member can raise a Point of Order that "my colleague is failing to display courtesy in body language and expression."

PHOTO: BRYAN ALLE

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CHEAT SHEET

WAIT! WAIT! WHAT SHOULD I SAY?

	If you are the chair, say...	If you are a member speaking about another member, say...	If you are a member speaking about the chair, say...
BIG MISTAKES			
speaking twice in a row	Members are reminded that no one may speak a second time until everyone who wishes to do so has spoken once.	Point of order...The member has spoken twice while others are waiting to speak.	Point of order...The chair does not have the right to dominate the discussion, but must speak in turn.
not seeking recognition	Members will kindly seek recognition before speaking.	Point of order...Members must seek recognition before speaking.	[not applicable]
speaking directly to another member	Members will kindly address all remarks to the chair.	Point of order...Members are supposed to speak to the chair.	[not applicable]
interrupting another person	Members will kindly refrain from interrupting one another.	Point of order...Interrupting is not allowed.	Point of order...The chair does not have the right to interrupt a member.
INAPPROPRIATE REMARKS			
personal remarks	Members will refrain from making personal remarks.	Point of order...Personal remarks are not allowed.	Point of order...Personal remarks are not allowed.
insulting language, vulgarity, attacks	Insulting or vulgar language is not allowed at our meetings.	Point of order...The language used by the member is insulting/vulgar.	Point of order...The chair is using insulting/ vulgar language.
inflammatory language	Inflammatory language is not allowed.	Point of order...That remark is inflammatory.	Point of order...That remark is inflammatory.
criticizing past actions	Members may not criticize a past action of the group during a meeting, with two exceptions.*	Point of order...Members may not criticize a past action of the group during a meeting, with two exceptions.*	Point of order...The chair may not criticize a past action of the group during a meeting, with two exceptions.*
remarks that are not germane	Members will keep all remarks strictly to the	Point of order...In my view, that topic is not	Point of order...In my view, that topic is not

Note that this is proprietary information. Do not duplicate.

Important note

- We are speaking here about discussion within council and committee meetings.
- These prohibitions DO NOT APPLY to the public when they are giving public comment.

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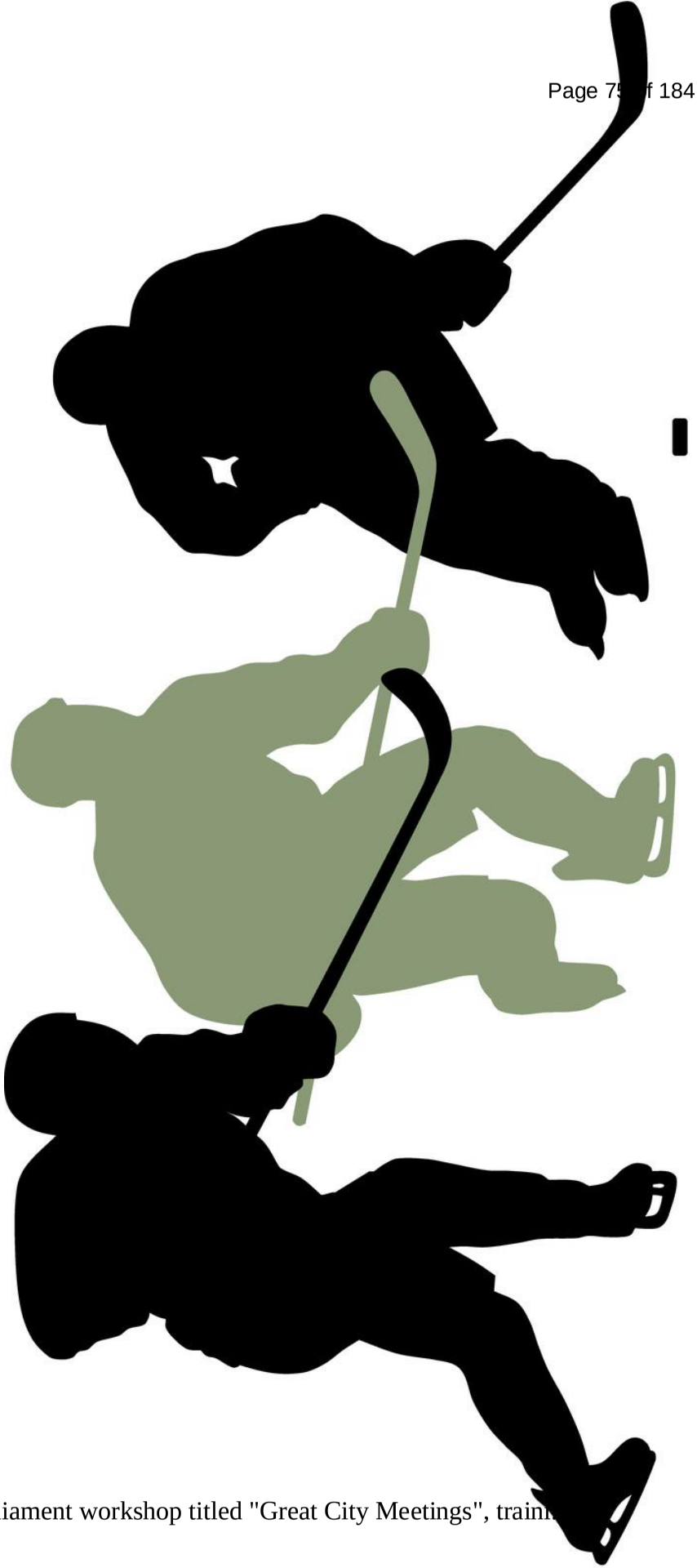
NO CROSS TALK BETWEEN MEMBERS!



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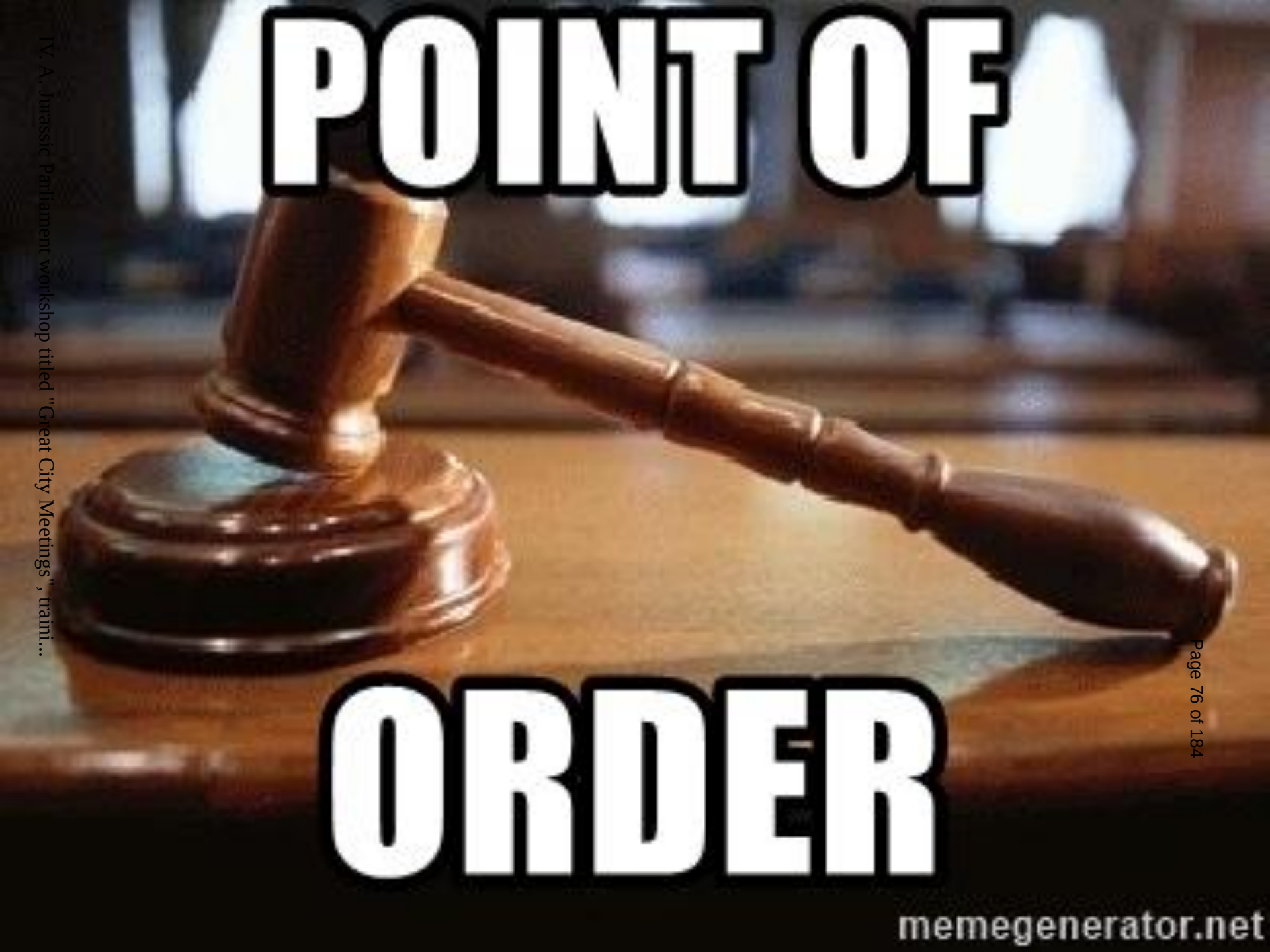
POINT OF
ORDER
memegenerator.net

Point of Order
flying dinosaur

Point of Order

flying dinosaur

- When ANOTHER MEMBER breaks one of the rules, a member may make a POINT OF ORDER.
- Chair rules on the point.

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Process Point of Order

1. Member: *Point of Order!*
2. Chair: *State your point.*
3. Member: *That comment breaks our rules of decorum.*
4. Chair: *The point is well taken. Members may not use this term.*

Point of Order

- You can make this at any time, except during voting.
- Do not have to be recognized.
- May interrupt a speaker if necessary.
- Must be timely – made at the time of the offense.

The chair must issue a ruling

- It is the chair's responsibility to say, "The point is well taken," or "the point is not well taken."
- Be alert as to whether the member who says "Point of Order" is actually using the motion correctly.
- The ruling goes into the minutes, as a precedent for the future.

Language tip

- Use the “third person” to keep things neutral and lessen conflict.
- Note that the chair states the general rule.
- The chair is speaking on behalf of the rules of procedure.
- DO NOT SAY “You are out of order” or “You made a mistake.”

Use Point of Order correctly

- Make a Point of Order if a rule has been broken.
- DO NOT make a Point of Order to bring something to the chair's attention, or because you think someone has made a factual mistake, or because you disagree with what they said.
- Speak about that when it is your turn to discuss.

If someone is confused…

- If a councilmember has trouble explaining what the Point of Order is about, you can ask:

What rule has been broken?

When in doubt, ask the group!

- Chair can always ask the group to decide if a Point of Order is correct ("well-taken") or not.

- Member A: *That statement is just a bunch of baloney!*
- Member B: *Point of Order!*
- Chair: *State your point.*
- Member B: *The word "baloney" is insulting!*
- Chair: *The chair is in doubt and will ask the group to decide.*

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- Chair: *All those who believe that the word "baloney" is insulting, please say "aye."*
- Members in favor: *Aye!*
- Chair: *All those who believe it is not insulting, please say "no!"*
- Members opposed: *No!*
- Chair: *The ayes have it, the word baloney is insulting and may not be used,* OR *The noes have it, the word baloney is not insulting and may be used.*

No further discussion

- Once the chair has ruled on a Point of Order, the only allowable form of discussion is to appeal the ruling.

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Appeal

The most important motion in all of Robert's Rules –

and the least known!

Chair's rulings can be appealed

- The CHAIR enforces order and decorum.
- The GROUP is the final authority.
- Any TWO MEMBERS can appeal a ruling of the chair (one member appeals and one seconds the appeal).
- EXCEPTION: If the ruling is a matter on which there cannot be two reasonable interpretations, the ruling cannot be appealed.

Appealing a ruling of the chair

- Member A: *Chair, Point of Order.*
- Chair: *State your point.*
- Member A: *My esteemed colleague has used the term "cream-faced loon" in referring to the Secretary. According to Robert's Rules, insults are not allowed in debate.*
- Chair: *The point is well taken. Members will refrain from using improper language.*

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- Member B: *Chair, I appeal the Point of Order on the grounds that "cream-faced loon" is a literary reference and not an insult.*
- Member C: *Second!*
- Chair: *Very well, since the ruling of the chair has been appealed, the group will decide. Note that appeals pertaining to proper use of language and decorum may not be debated.*

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- Chair: *All those who believe that "cream-faced loon" is an insult, say "aye."*
- Members who agree: *Aye!*
- Chair: *All those who believe that this phrase is not an insult, say "no."*
- Members who believe it is not an insult: *No!*

- Chair: *The ayes have it, the ruling of the chair is sustained, and members may not use this term, OR The noes have it, the ruling of the chair is not sustained, and members may use this term.*
- *Clerk, please record this outcome in the minutes.*

Note that the vote was on WHETHER THE RULING OF THE CHAIR SHOULD BE SUSTAINED.

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- Appeals pertaining to decorum or the order of business cannot be debated.
- When an appeal can be debated, the process is different from anything else in Robert's Rules.
- Point of Order and Appeal are processed immediately. No other business can take place until they are dealt with.

Don't get into arguments!

- If you are a member, you may not argue with the chair.
- If you are the chair, don't argue with a difficult member.
- Simply state your ruling, and then say

Does the member wish to appeal this ruling to the body?

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Point of Order and Appeal are the heart of democracy

In our view, the motions Point of Order and Appeal are the heart of our democracy. They provide the mechanism to stop a dictatorial chair who is acting like a "boss." They are essential for every local

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IV. Motions and Amendments

Venue

- We are in the League of Northwest Dino Cities.
- This is not entirely realistic – it is a fantasy – but there is some overlap with real life!
- We use broad strokes to convey the big picture.
- You are going to be the members of the Dinopolis City Council.

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City of Dinopolis
Regular Council Meeting

Motto: *We do our best for all our residents, whether we like them or not!*

Main Motion

Tyrannosaurus rex

- A Main Motion is the usual and customary way to start the action of discussion and decision making.
- Staff presents the agenda item, which has been provided in writing, answers any questions, and then a member moves acceptance of the motion to begin the discussion, OR when the agenda topic is reached, a member makes a motion.

Main Motion

Tyrannosaurus rex

Main Motion

Tyrannosaurus rex

- It should be **in writing** if at all possible.
- It should be **clear** and unambiguous. Don't say, "I move what he just said!" or "So moved!"
- It should be phrased in the grammatical **positive.**
- It must comply with the **bylaws** and the **procedural** law of the land.
- You may only have **one main motion** at a time.

How do you introduce a Main Motion?

Three little words:

I move that…

Member must be clear

- The member has the responsibility of formulating the motion.
- Don't mix up your ideas about the subject with the motion itself. Save those for debate.

Our employees are really under a lot of stress right now, they're worried about an asteroid striking the earth and wiping us all out, and I think that giving them pharmaceutical help would be great, Valium would make a big difference, they deserve our assistance.

State the exact motion clearly

I move that all employees will be issued a monthly supply of Valium WITHOUT CHARGE.

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You can request a moment to write it down

- May I have a few minutes to write this motion down?
- Chair may also request that motion be written.

Second

Second the motion!

Second the motion

- You “second a motion” to show that you would like to talk about it.
- No need to be recognized. Just call out “second.”
- It is OK to second a motion you disagree with, if you want to explain why it’s a bad idea.

If no second…

- If there is no second, the chair says:

  There being no second, the motion will not be considered.

- Then moves immediately to next item of business.

Eight steps to process a motion

1. **Member makes motion.**
2. Another member seconds motion.
3. **Chair states motion.**
4. Members debate and/or amend motion.
5. **Chair restates motion and calls for vote.**
6. Members vote on motion.
7. Chair states results of vote, whether motion passes or fails, and what happens next as a result of the vote.
8. Chair states next item of business.

Amendment

Dimetrodon

- You amend a motion to improve it.
- The amendment applies to the main motion.
- The amendment must be germane (relevant).
- Anyone may move to amend, even the person who made the motion.

Amendment
Dimetrodon

IV. A. Jurassic Parliament workshop titled "Great City Meetings", traini...

Psychiatrist

I move that we amend the motion by adding the words "after receiving a psychiatric evaluation."

If adopted, motion will read:

All employees will be issued a monthly supply of Valium WITHOUT CHARGE, after receiving a psychiatric evaluation.

Four ways to amend

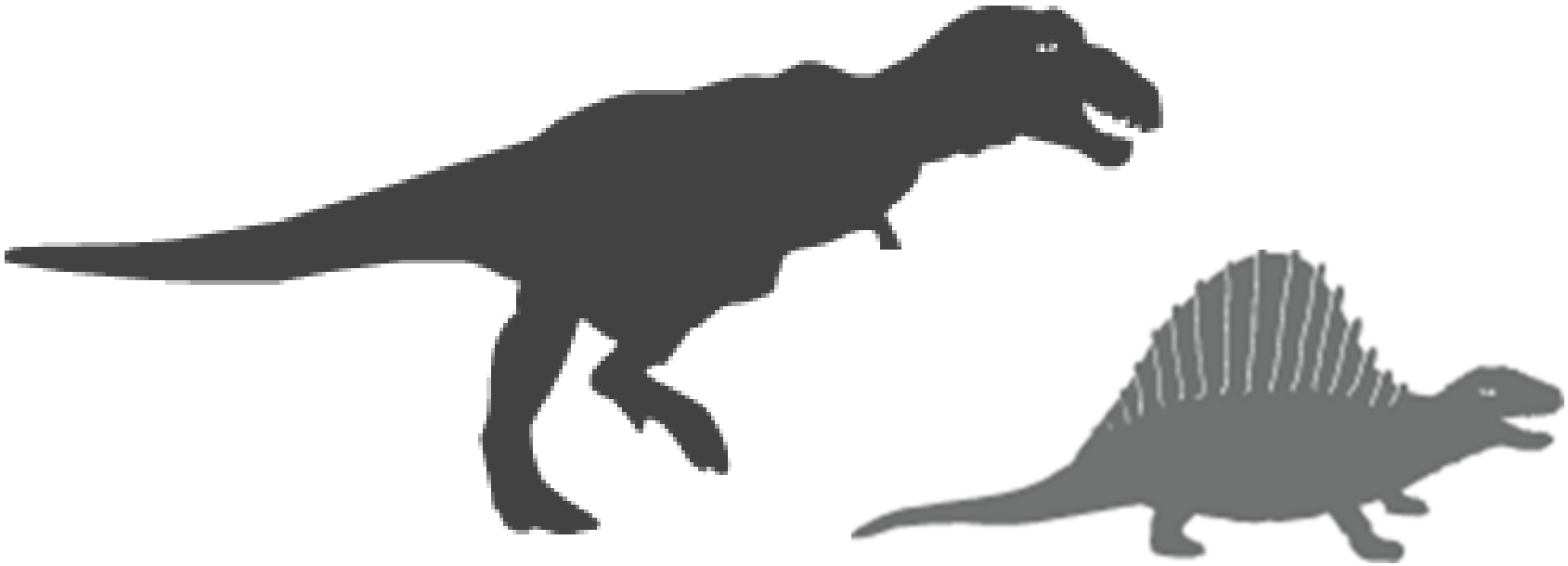
1. Add or insert words.
2. Strike out words.
3. Strike out words and insert words in their place.
4. Substitute (not recommended!).

Process Amendment

- The amendment is processed using the same eight steps that we just saw for a main motion.

The challenge is…

- We vote on amendments before we vote on the main motion, in order to make the main motion as good as possible - to **perfect** the motion.



Amendment blocks Main Motion

Fate of the Amendment

- Once the fate of the amendment has been decided, debate continues on the main motion.
- Don't forget to vote on the main motion "as amended."

More amendments are possible…

- Once you've dealt with one amendment, you may have others…
- provided that they apply to a *different aspect* of the main motion.
- It takes special actions ("reconsideration") to go back and change something we've already amended.

The process continues

- After all amendments have been processed, the body still must vote on the AMENDED MAIN MOTION.

"Friendly amendment"

- People often process "friendly amendment" the wrong way.
- DO NOT turn to maker and seconder to ask if they accept the amendment – this give them improper power.
- Handle this the same as any other amendment.
- Ask, "Is there a second?" etc.
- Once a motion has been stated by the chair, the maker and seconder have same rights as any other member.

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EXERCISE
Motions practice

V. Citizen Advisory Committee Pitfalls

With thanks to Ric Stephens, Portland, Oregon

Another disclaimer

This material pertains to how citizen advisory boards do their work. It is not parliamentary advice, but is based on Jurassic Parliament's experience in 20 years of working with local governments.

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Confusion about your job

The work of the Planning Commission is to carry out the instructions of the Council.

City of Bellevue Planning Commissioner

What is a citizen advisory committee ?

- A citizen advisory committee is a body that has been established in order to do a job ASSIGNED BY SOMEONE ELSE.
- This can be a challenge!

Situation

The planning commission is considering a request to lower the setback from 50 feet to 20 feet.

Commissioner asks:

Isn't there a better place in the city to site this hotel?

Pitfall: Confusion about scope

You must answer the questions assigned to you by the Council, not propose unrelated alternatives.

Situation

The staff has carried out a survey.

Commissioner says:

Since I'm a professional surveyor, I can re-do the survey to verify it.

Pitfall: Confusion about your job

- A commissioner may have valuable particular expertise, but they are recruited to the commission as a citizen, not as a technical expert.
- Let staff be staff and citizens be citizens!

Situation

There has been a public outcry about changes to the irrigation district boundaries.

Commissioner says:

Six of my neighbors are very upset about this. They've taken the trouble to come to our meetings, so we should do what they want.

Pitfall: Deafened by decibels

Being swayed by the emotional power of a presentation is a common problem. Decisions should be rational, not determined by decibels.

Ric Stephens

Your responsibility?

- Listen to your constituents, while accepting your own responsibility.
- You must vote based on your own best judgment, not solely in response to crowd opinion.

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When public pressure is intense

At a recent workshop, a director from a school board split by pandemic-related decisions asked me what board members can do in the face of intense public pressure. These are tough times for local non-partisan government bodies, for sure. Here are some thoughts about what can be done.

Situation

The commission is discussing plans for a new hiking trail along the river.

Commissioner says:

I think we have to analyze what kind of paving stones are best, so teeny-tiny rocks don't get stuck in the paws of our dinosaur residents.

Pitfall: Lost in the weeds/ analysis paralysis

- We all have a human tendency to delve into the details.
- Sometimes this leads citizen commissions astray, as they spend too much time discussing details that are not relevant to their assignment.

V. Public comment

Another disclaimer

Robert's Rules of Order contains very little guidance on public comment. In general, this information comes from Jurassic Parliament's experience over 20 years of working with local governments.

Public hearing vs public comment

- A PUBLIC HEARING is an administrative procedure governed by state law and your city's rules.
- You must include testimony in the minutes.
- The PUBLIC COMMENT PERIOD is an agenda item governed by your own rules.
- We strongly recommend NOT including public comment in your meeting minutes.

Public hearing

- You can request people to sign in and give their name and, sometimes their address.
- Their testimony is recorded or summarized in the minutes.
- There are 2 major types of public hearings:
  - Quasi-judicial
  - Legislative

WHY public comment?

- A council meeting is NOT A MEETING OF THE PUBLIC.
- It is a MEETING OF THE COUNCIL that is held in public.
- The purpose of the "public comment" period is to allow the council members to become informed about the views of the public.
- It should be carefully structured.

Be consistent

- Best to announce rules at beginning of each session, and provide written handout.
- For the sake of fairness, rules for public comment MUST be enforced consistently.
- Public must address remarks to chair, not to individual council members or the audience.

Follow time limits

- Ask staff to time speakers so chair is not distracted.
- Some bodies have a visible timer so speakers know when their limit is approaching.
- Speakers may not donate their time to someone else.

Do not dialogue

- This is not a dialogue.
- Do not get into back-and-forth with the public. If chair starts dialoguing with the public, the situation can quickly become confusing.
- If you respond to some speakers but not to others, it can be interpreted as showing bias.

Differing expectations

- The public may have different expectations.
- They may come to the meeting looking for answers to specific questions.
- They may want to argue.
- They may want their remarks "on the record."
- They may want to raise a "Point of Order," which they cannot do.
- Education is critical!

Audience relations

- Only the chair may speak to the audience as a whole.
- Individual council members may not speak to the public or recognize people in the audience.
- Discourage demonstrations—clapping, booing, whistling, stamping of feet, etc. These can chill free speech, both for council members and public.

Time, place and manner

- The courts have found that local governments may limit the time, place and manner of public comment.
- All such restrictions must be viewpoint-neutral.
- We recommend setting a time period for public comment (for example, 30 minutes).
- We recommend setting a 3-minute limit for individual speakers, or a 5-minute limit if a speaker represents a group.

If a speaker runs over…

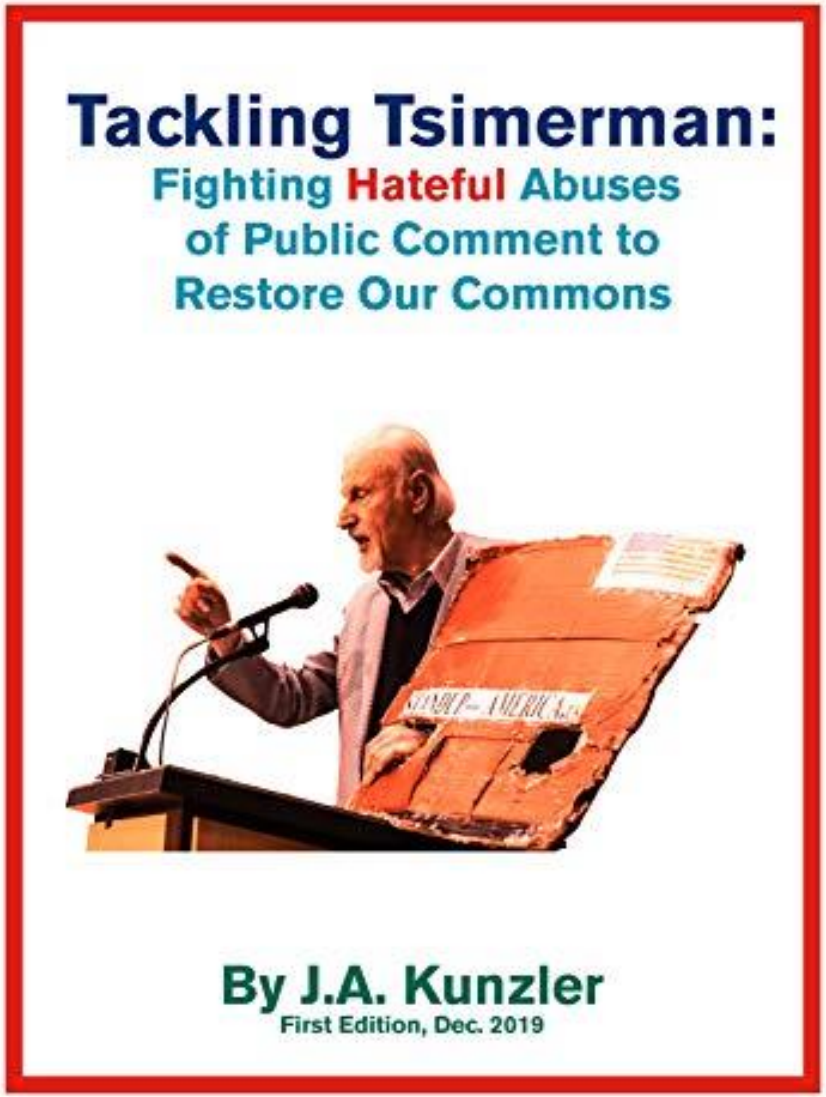
- If a speaker runs over the limit, interrupt and request that they conclude their remarks, or simply say, “Thank you, your time is up.”

Remember…

- The rules of civility pertaining to discussion BY COUNCIL MEMBERS do not apply to COMMENT BY THE PUBLIC.
- The council may encourage citizens to speak politely but cannot enforce a requirement to do this.
- Under the First Amendment to the Constitution citizens have the right to express their views, even if negative.

Comment vs. disruption

- Attendees do not have the right to DISRUPT the meeting.
- However, the courts have found that mere words do not usually constitute disruption.
- In general, residents can say whatever they like during public comment.


Tackling Tsimerman:
Fighting Hateful Abuses
of Public Comment to
Restore Our Commons
By J.A. Kunzler
First Edition, Dec. 2019

Online Zoom bombing

When Hate Comes to Town: Addressing Racist and Anti-Semitic Public Comment at Meetings

November 6, 2023

https://mrsc.org/stay-informed/mrsc-insight/november-2023/addressing-hate-speech-at-meetings

MRSC

- Formerly the Municipal Research and Services Center, MRSC is a private nonprofit organization in Washington State that provides advice to local government bodies.

How to act on dais?

- Chair and members convey interest and concern by their body language.
- They should listen to each person speaking as if there were no one else in the room (this is hard!).
- Keep a warm and pleasant expression, or a neutral face if speaker is not complimentary.

How to respond?

- Best approach is to thank each speaker, even if negative, and move on.
- Chair may provide brief factual information, if appropriate, which must not degenerate into lecturing or criticism.
- Don't put staff on the spot. Some bodies have a staff member off to the side, who can take the question and contact information to respond.

Conclude with thanks

- At the end of the public comment period, the chair should thank the public for attending.
- Explain again that while this is not a time for dialogue, all comments and questions are taken seriously by the body.
- Sincerity and warmth on the part of the chair will make a big difference to the experience the public has at your meeting.

Other channels

- It is essential for you to be in touch with your public, to be responsive, and to appear responsive.
- Given the limitations of the public comment period, we recommend maintaining other channels for dialogue with the public.
- Community forums, personal discussions, "coffee with the council" (always less than a quorum), a form on your website, surveys, etc.

Best practices for public comment

1. Set time limits for public comment and for individual speeches.
2. Have the public address the chair, and have the chair respond.
3. Don't engage in dialogue with the public, but have arrangements to answer their questions afterwards.
4. Speakers may not donate their time.
5. On the dais, make the effort to be, and to appear to be, listening intently to all speakers.

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50 Guidelines for Public Comment

INTRODUCTION

In recent years the climate for public comment at local government meetings—city councils, school boards, utility districts, etc.—has become much more challenging. People everywhere are feeling the stress brought on by the pandemic's suffering and loss, economic difficulties, greater hostility in the political sphere, and global concerns. This stress sometimes erupts in tense public meetings.

VI. Conclusion

WHY do we need rules?

Win/lose is the only game most of us understand. We have a constant unspoken need for domination and actually find no enjoyment in win/win situations.

Richard Rohr

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Keep in touch!

- **You are invited to subscribe to our monthly enewsletter.**
- **Subscribe to the blog on our website** for insight, tips and inspiration, including our advice column, "Dear Dinosaur."

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After taking this training you will be able to:

1. Understand and apply the authority of the chair, the group, and the staff.
2. Follow best practices for fair and inclusive discussion.
3. Respond to disorder and difficult people.
4. Make Motions and Amendments.
5. Run effective public comment sessions.
6. Make better decisions for your community.

Four fundamental guidelines

1. The chair is the servant of the group, and the group is the final authority.
2. All members have equal rights, privileges and obligations. To ensure this, no one may speak a second time until everyone who wishes to do so has spoken once.
3. Courtesy and respect are essential at all times.
4. One thing at a time.

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Follow four fundamental guidelines for successful meetings

Gig Harbor, Washington City Council. ©Jurassic Parliament 2018.

Robert's Rules of Order includes **four fundamental guidelines** that will create successful meetings. They are easy to say but take some effort to apply, since prevailing culture is often very different. Run your meetings according to these guidelines so your meetings—and your organization—will flourish.

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Quick Guide for City Councils

© City of Tukwila, WA 2021. All rights reserved.

Follow this quick guide to take the pain out of your meetings, hold productive discussions, and serve your community better.

BASICS

A quorum must be present for business to be done. Usually a quorum means a majority (more than half) of the voting members in office.

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Quick Guide for Planning Commissions

The work of the Planning Commission is to carry out the council's instructions. Follow this quick guide to parliamentary procedure to take the pain out of your meetings, hold productive discussions, and serve your community better.

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Quick Guide for Citizen Advisory Committees

The work of the Citizen Advisory Committee is to carry out the council's instructions. Follow this quick guide to parliamentary procedure to take the pain out of your meetings, hold productive discussions, and serve your community better.

These remarks are inappropriate

1. Personal remarks about other members (except for conflict of interest)
2. Discourteous remarks – insulting language, attacks
3. Inflammatory language
4. Criticizing past actions of the group (unless subject is under discussion, or member is about to propose to amend or rescind the action at the end of their speech)
5. Remarks that are not germane (relevant) to the discussion

Kindness is within our power.
Liking is not.

Samuel Johnson, British author

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Serving on a local government board is like being in a marriage arranged by the citizens.

Tami Tanoue, Colorado Intergovernmental Risk Sharing Agency

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Why are we here?

To invigorate you to run effective meetings to serve your community

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