



BOARD OF TRUSTEES
RULES OF DECORUM & BROWN ACT COMPLIANCE
POLICY

PURPOSE

The Palm Springs Cemetery District (“District”) hereby adopts this Rules of Decorum Policy (“Policy”) to insure that the District’s Board of Trustees (“Board”) meetings are conducted in strict conformance with the Ralph M. Brown Act (Govt C §54950 et seq.) and in an orderly, fair and open manner, and that the rights of the people to speak and be heard on matters of public interest are protected.

The District is also committed to complying with any state-mandated Brown Act provisions which may have been suspended by the State Legislature or Governor.

APPLICABILITY

This Policy shall be applicable to the public and to all individuals acting for or on behalf of the District, including all trustees, officers, employees and agents of the District.

ADOPTION OF ROSENBERG’S RULES

The District hereby adopts Rosenberg’s Rules of Decorum (“Rosenberg’s Rules”), in its most current version as amended from time to time. Rosenberg’s Rules are hereby incorporated into this Policy as if set forth fully herein. This Policy is intended to be observed and adhered to in addition to Rosenberg’s Rules. To the extent an issue arises that is not addressed herein, such issue shall be resolved by reference to Rosenberg’s Rules. To the extent an express provision of this Policy conflicts with a provision of Rosenberg’s Rules, the provision set forth in this Policy shall govern.

ROLE OF THE CHAIR

The Chair is the presiding officer at all Board Meetings. The Chair shall require that all comments be directed to the Chair and cross talk between Trustees or with the public shall be ruled out of order. In the Chair’s absence, the Vice Chair shall be the presiding officer at Board Meetings.

I. RULES OF DECORUM FOR TRUSTEES

- A. While the Board is in session, all Trustees shall preserve order and decorum. No Trustee shall delay or interrupt the proceedings of the Board or disturb any other Trustee while he or she is speaking.

- B. Discussion by Trustees must relate to the subject matter at hand and shall be relevant and pertinent to allow for the expeditious disposition and resolution of the business before the Board.
- C. Trustees shall not engage in any indecorous, abusive or vulgar language and shall avoid personal attacks on any other member of the Board, staff or the public; nor shall they publicly impugn the integrity, honesty or motives of such individuals.
- D. Once recognized by the Chair, a Trustee shall not be interrupted when speaking unless: (1) called to order by the Chair; (2) a point of order or personal privilege is raised by another Trustee; or (3) the speaker chooses to yield to a question by another member of the Board. If a Trustee is called to order, that Trustee shall cease speaking immediately until the question of order is determined; and, if determined to be in order, he or she shall proceed.
- E. Any Trustee may move to require the Chair to enforce this Policy, and the affirmative vote of a majority of the Board shall require the Chair to do so.

II. RULES OF DECORUM FOR THE PUBLIC

A. Members of the Audience:

Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, clapping, whistling, stomping of feet, or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the Board meeting infeasible. A member of the audience engaging in any such conduct shall, at the discretion of the presiding officer or a majority of the Board, be subject to ejection from that meeting.

B. Persons Addressing the Board:

1. Members of the public may address the Board during the Public Comment Period and prior to the consideration of any agenda item by the Board. Any person wishing to speak, whether during the Public Comment Period or on an agenda item should complete and submit a "Request to Speak" form to the Board Secretary prior to the calling of that item on the agenda by the Chair.
2. No person shall address the Board without first being recognized by the Chair. Impromptu personal points of order, comments or questions shall not be recognized. If they persist, after the presiding officer has warned of the offense, a member of the public engaging in said conduct shall be subject to ejection from the meeting.
3. The purpose of addressing the Board is to formally communicate to the Trustees about matters relating to District business or citizen concerns. Persons addressing the Board on an agenda item shall confine the subject matter of their remarks to the particular matter before the Board.

4. Each person addressing the Board shall do so in an orderly manner and shall not engage in any conduct that disrupts, disturbs or otherwise impedes the orderly conduct of the Board meeting. Any person who so disrupts the meeting shall be subject to ejection from that meeting by the Chair or a majority of the members of the Board.
5. Persons addressing the Board shall address the Board as a whole and shall not engage in a dialogue with individual Trustees, District staff or members of the audience.
6. Trustee participation during the presentation of public testimony shall be limited to questions asked at the conclusion of the testimony. Trustee comment not relevant to the motion should be reserved for the Board Member Comment portion of the agenda. Comments inconsistent with this sub-section should be ruled out of order by the Chair.

III. RULES OF ORDER FOR BOARD MEETINGS

The Board shall conduct business by motion in accordance with the following rules of order.

- A. **Obtaining the Floor:** Any Trustee wishing to speak must first obtain the floor by being recognized by the Chair. The Chair must recognize any Trustee who seeks the floor when appropriately entitled to do so. Trustees shall confine remarks to the question under debate.
- B. **Time Limits:** Time limits on motions, agenda items and items added on a subsequent need basis are as follows: Any member of the public who wishes to address the Board and has submitted a "Request to Speak" form to the Chair before that item is called by the Chair shall be given five (5) minutes to speak. The Chair, without objection from the Board, may extend the five (5) minute time limit at his or her discretion.

Members of the Board shall be given ten (10) minutes to speak on any item. The Chair, without objection from the Board, may extend this limit at his or her discretion.

- C. **Motions:** The Chair or any member of the Board may commence an action on any matter before the Board by making a motion. Before the motion can be considered or debated, it must be seconded. Once the motion has been properly made and seconded, the Chair shall open the matter for debate offering the first opportunity to debate to the moving party and, thereafter, to any Trustee properly recognized by the Chair. Once the motion has been fully debated and the Chair calls for a vote, no further debate will be allowed. Trustees may be allowed to briefly explain their vote, either just prior to or after the vote.
- D. **Voting.** All Trustees present at a meeting when a motion comes up for a vote shall vote for or against the motion or abstain. The results of all "aye" and "no" votes must be clearly set forth for the record. No Trustee can be compelled to vote on any matter, but, if a Trustee abstains for any reason, that Trustee shall give a short explanation for the abstention.

- E. Reconsideration of Items Acted Upon at a Prior Meeting. Items on which the Board has taken action shall not be agendized for at least twelve (12) months, unless:
1. Additional action is required to support the established Board position; or
 2. The General Manager and/or General Counsel determine that the facts or legality of the issue(s) has changed to the extent that reconsideration is warranted; or
 3. A member of the voting majority at the time the action was taken requests reconsideration.
- F. Procedural Rules of Order. Once the main motion is properly placed on the floor, several related motions may be employed in addressing the main motion and, if properly made and seconded, must be disposed of before the main motion can be acted upon. The following motions are appropriate and may be made by the Chair or any Trustee at any appropriate time during the discussion of the main action. They are listed in order of precedence. The first three subsidiary motions are not debatable; the last three are debatable.

1. Subsidiary Motions

- a. Motion to Table. Any Trustee may move to table a matter, which shall have the effect of placing the item on “hold” as set forth in Rosenberg’s Rules. In order to bring the matter back before the Board, a motion must be adopted that the matter be taken from the table at the same meeting at which it was placed on the table. Otherwise the motion that was tabled dies, although it can be raised later as a new motion, if the matter is properly noticed on the agenda.
- b. Motion on Previous Question. Any Trustee may move to immediately bring the question being debated by the Board to a vote, suspending any further debate.
- c. Motion to Limit or Extend Debate. Any Trustee may move to put limits on the length of debate as set forth in Rosenberg’s Rules.
- d. Motion to Continue (or Postpone) to a Time Certain. Any Trustee may move to continue debate and action on the motion to a date and time certain.
- e. Motion to Refer. Any Trustee may move that the matter being discussed be referred to staff, or a committee for further study. The motion may contain directions for the staff or committee, as well as a date upon which the matter will be returned to the Board's agenda. If no date is set for returning the item to the Board agenda, it may be agendized by the General Manager or any

Trustee may move at any time to require that the item be returned to the agenda.

- f. Motion to Amend. Any Trustee may amend the main motion or any amendment made to the main motion as set forth in Rosenberg's Rules. Before the main motion may be acted upon, all amendments and amendments to the amendments must first be acted upon. An amendment must be related to the main motion or amendment to which it is directed. An amendment may substitute a new motion for the existing motion.
2. Motions of Privilege, Order and Convenience. The following actions by the Board are to ensure orderly conduct of meetings and for the convenience of the Chair and Trustees. These motions take precedence over any pending main or subsidiary motion and may be debated except as noted.
 - a. Call for Orders of the Day. Any Trustee may demand that the agenda be followed in the order stated therein. No vote is required and the Chair must comply unless the Board, by majority vote, sets aside the agenda order of the day. This motion is not debatable.
 - b. Question of Personal Privilege. The right of a Trustee to address the Board on a question of personal privilege shall be limited to cases in which that Trustee's integrity, character or motives are questioned, or where the welfare of the Board is concerned. Any Trustee raising a point of personal privilege may interrupt another Trustee who has the floor only if the Chair recognizes the privilege. The validity of a specific question of privilege is ruled on by the Chair.
 - c. Recess. Any Trustee may move for a recess in accordance with the requirements of Rosenberg's Rules.
 - d. Adjourn. Any Trustee may move to adjourn at any time, even if there is a motion pending, in accordance with the requirements of Rosenberg's Rules. The motion is not debatable.
 - e. Point of Order. Any Trustee may raise a point of order, in accordance with the requirements of Rosenberg's Rules.
 - f. Appeal. Appeals may be made in accordance with the requirements of Rosenberg's Rules.
 - g. Suspend the Rules. Any Trustee may move to suspend the rules, in accordance with the requirements of Rosenberg's Rules.
 - h. Division of the Question. Any Trustee may move to divide the subject matter of a motion that is made up of several parts in order

to vote separately on each part. The motion requires a second and a majority vote of the quorum present to pass. This motion may also be applied to complex actions or resolutions.

- i. Reconsider. Motions to reconsider may be made in accordance with the requirements of Rosenberg's Rules.
- j. Rescind, Repeal or Annul. The Board may rescind, repeal or annul any prior action taken with reference to any legislative matter so long as the action to rescind, repeal or annul complies with all the rules applicable to the initial adoption, including any special voting or notice requirements or unless otherwise specified by law.
- k. Point of Clarification. Any Trustee may request clarification of the action taken or to be taken on a matter.

IV. POSTING OF AGENDAS

Agendas for meetings shall be posted in accordance with the applicable provisions of the Brown Act, including California Government Code Section 54954.2 and 54956.

V. SPECIAL MEETINGS

Special meetings may be called in accordance with the applicable provisions of the Brown Act, including California Government Code Section 54956.

I. ENFORCEMENT

A. Upon a violation of this Policy, the following procedure shall apply:

1. Warning. The Chair shall first request that a person who is violating this Policy cease such conduct. If, after receiving a request from the Chair, the person persists in violating this Policy, the Chair shall have the authority to order the person ejected from the meeting and/or cited in violation of Penal Code Section 403.
2. Clearing the Room. If any meeting is willfully interrupted by a group or groups of persons so that orderly conduct of such meeting is unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, the meeting room may be ordered cleared by the Chair or a majority of the members of the Board, and the meeting shall continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend.

VII. BOARD AUTHORITY

The Board shall have the authority to waive provisions of the procedures established by this Policy unless the procedure is otherwise required by laws, statutes, ordinances or resolutions. Failure of the Board to follow the procedures established by this Policy shall not invalidate or otherwise affect any action of the Board that is otherwise in conformance with the law.