

Police Reform Implementation Team
Rules of Order and Procedures

1. AUTHORITY AND PURPOSE

1.1 Creation of Police Reform Implementation Team

The Fresno City Council formed the Police Reform Implementation Team (“Team”) by adopting Resolution No. 2020-305 on November 19, 2020. The Team consists of eight members, seven selected by the Council in consultation with the Mayor and one member selected by the Mayor. (Res. No. 2020-305.)

1.2 Purpose and Duties

The purpose of the Team will be to prioritize, develop, and identify the resources to implement the recommendations of the Fresno Commission on Police Reform (“Commission”) and the manner in which the recommendations may be implemented. The Team will identify and separate the recommendations based on policies, meet and confer requirements, and necessity to arrive at agreements with outside entities. In consultation with the Mayor and City Attorney, the Team will further analyze the recommendations to assess the labor, policy, budget, and City Charter considerations that need to be addressed to implement recommendations. (Res. No. 2020-305.)

1.3 Reports

The Team shall provide a progress report to the Council, Mayor and the public at least twice each year. (Res. No. 2020-305.)

2. GENERAL TEAM RULES

2.1 Members

The Team consists of eight members selected by the Council in consultation with the Mayor and one member selected by the Mayor. All members serve at the pleasure of the Council, in the case of Council appointees, and of the Mayor, in the case of the Mayoral appointee. (Res. No. 2020-305.)

2.2 Conflicts of Interest.

All Team Members are subject to the provisions of The Political Reform Act (Government Code section 87100 *et seq.*) and applicable regulations relative to conflicts of interest. Each member must file a Statement of Economic Interests (Form 700). Any Team Member prevented from voting because of a conflict of interest or a declared financial interest shall refrain from debate and voting on the included matter. Such Team Member must identify the conflict of interest, and leave the Meeting during debate and voting on the issue. (Res. No. 2020-305.)

2.3 Presiding Officer.

The Chair shall serve as the presiding officer of the Team and have the additional duties specified in these Rules. In the event of the Chair’s absence, the members shall select a member to serve as the presiding officer until the Chair returns.

2.4 Committees

The Team may establish committees, if necessary, to carry out its duties as specified in Rules 1.2 and 1.3. Any standing committee with continuing subject matter jurisdiction or a fixed meeting schedule fixed is a legislative body subject to the provisions of the Brown Act. (Govt. Code § 54952(b).) The Chair

may establish *ad hoc* working groups, which are not covered by the Brown Act. Such working groups shall consist solely of less than a quorum of the Team, be composed solely of members of the Team, have limited subject matter jurisdiction, not have a meeting schedule fixed by formal action of the Team and be dissolved once their task is complete.

2.5 Appointments to Subcommittees.

The Chair shall appoint the members of any subcommittee or working group.

3. MEETINGS AND ACTIONS, GENERALLY

3.1 Meetings to Be Public.

All meetings of the Team shall be open to the public.

3.2 Regular Meetings.

The Team's regular meeting time and location shall be . The meeting site may be changed for convenience, to accommodate larger attendance, and for other reasons, provided that the alternate location is within the City's jurisdiction, permitted by law, accessible as required pursuant to the Americans with Disabilities Act, and the alternate location is posted at the Council's offices and on its website. (Govt. Code § 54954.)

3.3 Special Meetings.

A special meeting is a meeting held at a time or place that is different from the regular time or place of regular meetings. The Chair or the Team, by motion, may call for a special meeting. The notice and agenda for a special meeting shall specify the day, the hour, and the location of the special meeting and shall include an agenda of the items to be considered. Notice shall be provided to any local newspaper and radio or television station that has requested in writing to receive notice and shall be posted on the City's website. No special meeting shall be held unless it complies with the twenty-four (24) hour minimum notice requirements set forth in the Brown Act. (Govt. Code § 54956.)

3.4 Team Action.

The Team may act only by motion.

3.5 Quorum and Vote.

A majority of the Team, five members, shall constitute a quorum for the transaction of business. (Govt. Code § 54952.) For a motion to be approved, a majority of the members of the Team must approve the motion.

3.6. Record of Proceedings.

The Team shall keep a written account ("minutes") of all action taken by the Team. The minutes shall record the vote of each member on each item of business.

3.7 Rules of Order.

Meetings shall be governed by Roberts Rules of Order, as such rules may be revised from time to time, insofar as such rules are not inconsistent with or in conflict with these Rules or with provisions of law.

4. AGENDAS AND ORDER OF BUSINESS

4.1 Agenda.

The Chair, in consultation with the Team Attorney, shall set the agenda. The agenda shall list all items to be considered at the meeting, in the order stated in section 4.3 below. The agenda shall contain a brief general discussion of each item of business to be transacted or discussed at the meeting. Each agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting. (Govt. Code §§ 54954, 54954.2.)

4.2 Agenda Posting.

The agenda and any supporting documents shall be provided to Team members and posted at Fresno City Hall and on the City's website at least 72 hours before a regular meeting and at least 24 hours before a special meeting. The agenda and supporting documents shall be mailed to anyone who has requested, in writing, to receive copies of the agenda. (Govt. Code §§ 54954, 54954.1, 54956.)

4.3 Order of Business.

In order to facilitate the orderly conduct of the business of the Team, the agenda shall be prepared in accordance with the following Conduct of Business:

1. CALL TO ORDER and ROLL CALL
2. GENERAL PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA
3. BUSINESS ITEMS
4. REPORTS OF COMMITTEES AND TEAM MEMBERS
5. REQUESTS FOR ITEMS ON FUTURE AGENDAS
6. ADJORNMENT

4.4 Change to the Order of Business.

The presiding officer or the Team, upon a vote of the majority of members, may change the order of business to facilitate the conduct of the meeting.

4.5 Discussion of Items Not on the Agenda Prohibited.

The Team may not take action or discuss any item not appearing on the agenda. A Team member or staff may briefly respond to statements made or questions posed by members of the public during public comment. A Team member or staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. A Team member may provide a reference to staff or other resources for factual information, request staff to report back to the Team at a subsequent meeting concerning any matter, or take action to place a matter of business on a future agenda. (Government Code § 54954.2(a)(3).)

4.6 Procedures for Team Action on Agenda Items

1. The presiding officer shall call the item.
2. The staff, invited expert, or Team member shall provide a report on the item.
3. The presiding officer shall take entertain questions from Team members to the items' presenter.

4. The presiding officer shall then take public comment.
5. If the item is an action item, the presiding officer shall take a motion and a second on the item.
6. The Team deliberates and votes on the motion.

7. PUBLIC PARTICIPATION.

7.1 Conditions of Attendance Prohibited.

The Team may not require a member of the public to provide his or her name, other information or complete a questionnaire as a condition for attending a meeting. Any attendance list, questionnaire, or other document circulated at a meeting must state clearly that signing or completing the document is optional. (Govt. Code § 54953.3.)

7.2 General Public Comment at Regular Meetings.

Each agenda for a regular meeting shall provide for public comment on any item within the subject matter jurisdiction of the Team. (Govt. Code § 54954.3.)

7.3 Public Comment on Each Agenda Item at Regular and Special Meetings.

At every regular and special meeting, the agenda shall provide an opportunity for members of the public to directly address the Team on each item on the agenda, before or during the Team's consideration of the item. (Govt. Code § 54954.3.)

7.4 Manner of Addressing the Team.

A member of the public wishing to address the Team shall wait to be recognized by the presiding officer. Once recognized, the person shall direct remarks to the Chair and not to any individual Team member, employee, or other person.

7.4 Public's Right to Criticize.

The Team shall not prohibit public criticism of the policies, procedures, programs, or services of the City, or of the acts or omissions of the Team. (Govt. Code § 54954.3(c).) If a member of the public is engaging in hate speech or speech that constitutes harassment of an employee, Team member or member of the public, or profanity, the presiding officer may caution the speaker to cease that speech. If the speaker fails to do so, the presiding officer may cut off the speakers' access to the microphone, and if necessary to retain decorum, order the sergeant-at-arms to remove the speaker.

7.5 Limitations on Public Comment.

In the absence of a specific vote by the Team, each speaker may have no more than three minutes to comment on each item. The presiding officer or the Team, upon majority vote, may reasonably limit the total amount of time allocated for public comment on particular items and may limit each individual speaker to no more than three minutes of public comment. The Team shall allot at least twice the allotted time per speaker to a member of the public who utilizes a translator when making public comment. (Govt. Code § 54954.3(b).)

7.6 Disorderly Conduct of Public During a Meeting.

If a meeting is willfully interrupted by a group of people, the presiding officer shall first attempt to maintain order. If unsuccessful, the presiding officer may call a recess, adjourn the meeting to another date, or remove the individuals interrupting the meeting. If the Team opts to continue the meeting and order is not restored by removing the individuals willfully interrupting the meeting, the Team may order

the meeting room cleared and continue holding the meeting. Representatives of the media, except those participating in the disturbance, shall be allowed to continue attending the meeting. (Govt. Code § 54957.5.)

8. VOTING PROCEDURE.

8.1 Voting Procedure.

When meetings are held by teleconference, the presiding officer shall call for a roll call vote on each action. (Govt. Code § 54953(b)(2).) When meetings occur in person, vote may be taken by roll call vote or other method, provided that each Team member casts a vote. A Team member must vote for, against or abstain on each item.

8.2. Announce Vote.

The Team shall publicly report any action taken and the vote or abstention on that action of each member present for the action. (Govt. Code § 54953.)

8.3 Reconsideration.

Any Team member who voted with the majority may move a reconsideration of any action at the same meeting or the next meeting of the Team. After a motion for reconsideration has been acted upon, no other motion for reconsiderations thereof shall be made without unanimous consent of the Team. If the motion for reconsideration is to be considered at the meeting after the action is taken, it will only be entertained if it is listed on the agenda.