

City of Torrance
Cable Television Advisory Board
MEETING PROCEDURAL GUIDE



Approved October 14, 2014

Cable Television Advisory Board
MEETING PROCEDURAL GUIDE

The purpose of this document is to provide reference information relative to the procedures of the Cable Television Advisory Board (CTAB). CTAB has not adopted formal rules of order, and this document has no binding authority; it is provided as a reference for new members and as a guide for chairpersons dealing with less-frequently encountered situations. As a relatively small deliberative body (7 members), CTAB rarely finds it necessary to enforce debate rules, and most discussion is conducted in an ordered, but informal, way.

PREFACE

❖ GOVERNING LAW

In general, CTAB is governed by and operates according to (in order of precedence):

- 1) Torrance Municipal Code Section 13.17 and all applicable laws including Section 713 of the City Charter and the Ralph M. Brown Act. (Section 54950 et seq. of the State Government Code.)

A working knowledge of the Brown Act is key to understanding many of the procedural concerns that affect CTAB and the other boards and commissions. In particular, the requirement that all discussions of Board business be publicly noticed and agendized impacts the ability of the Board to act within a given time frame, the composition and operation of its Committees, and members' ability to communicate outside meetings or share materials. The substance of this law and its impact is outside the scope of this Guide but relevant information is provided as part of the Commissioner training.

- 2) The Torrance **City Council Rules of Order** (revised August 2010.)
There's no formal requirement that CTAB operate according to City Council Rules, but they are relied upon in the established practice of CTAB and other Torrance Boards and Commissions.
- 3) Established CTAB practice. (Contained in this document to some extent).
- 4) Robert's Rules of Order (which have not been formally adopted as binding on CTAB, but are the most authoritative rules of order in widespread use in the United States. Note that the City Council Rules depart from Robert's Rules in certain areas pertaining to debate; in such cases the City Council Rules take precedence.)

Cable Television Advisory Board
MEETING PROCEDURAL GUIDE

❖ **POWERS AND DUTIES**

The Powers and Duties of CTAB are provided in Torrance Municipal Code Sec.13.17.7:

- 1) The Board shall make recommendations to the City Council acting as the City of Torrance Cable Television Public Access Foundation (Foundation) on matters concerning public, educational and governmental access and local programming for cable television.
- 2) The Board shall advise the City Council acting as such Foundation on any such matters when so requested by the City Council-Foundation.
- 3) The Board shall act on any such matters delegated to it by the City Council-Foundation, subject to the appeal of its decision to the City Council-Foundation.
- 4) The Board shall make an annual report to the City Council-Foundation of its activities for the previous year and shall make such other reports as it shall deem necessary or proper.

What follows are some specifics of CTAB procedures. These Guidelines are organized in a manner mirroring the **City Council Rules of Order**, including the corresponding SECTION numbers. (Any non-sequential numbering of Sections below is due to Sections that are deemed irrelevant to CTAB and are therefore not included.)

❖ **ARTICLE 1 – MEETINGS**

➤ SECTION 1.1 TIME OF MEETINGS

Meetings occur the second Wednesday of each month at 7pm. The Board is generally dark during months in which there is another activity Commissioners are expected to attend, namely the Producer BBQ in August and the annual awards ceremony.

If a meeting extends beyond 8pm, some business may be continued to the next scheduled meeting.

➤ SECTION 1.2 PLACE OF MEETINGS

Meetings are held at in the Stanley E. Remelmeyer Telecommunications Center, Multipurpose Room, 3350 Civic Center Drive, Torrance, California. If it becomes necessary to move a meeting to a different location for some reason, Brown Act requirements must be followed including adequate public notice and opportunity for public participation.

➤ SECTION 1.3 SPECIAL MEETINGS

If necessary, special meetings can be scheduled subject to Brown Act requirements.

➤ SECTION 1.5 OPEN MEETINGS

Meetings are open to the public. If a need were to arise for a closed meeting, considerations including Brown Act would need to be incorporated.

➤ SECTION 1.6 RECESSES

Torrance City Council observes 15-minute recesses every two (2) hours. Although CTAB rarely runs long than an hour, the same rule can be followed.

Cable Television Advisory Board
MEETING PROCEDURAL GUIDE

❖ **ARTICLE 2 – BUSINESS**

➤ **SECTION 2.1 COMMUNICATIONS FROM THE PUBLIC**

Unless present in person at a CTAB meeting, all communications from the public shall be delivered to the Cable & Community Relations Manager.

➤ **SECTION 2.2 COMPLAINTS**

Torrance Community Television (TCtv) Operating Policies & Procedures Manual Section X provides for appeals to CTAB (and ultimately to the Foundation) as part of the disciplinary and user complaint process.

➤ **SECTION 2.3 AGENDA**

No action can be taken on any item not appearing on the agenda, pursuant to the Brown Act. The agenda is produced by staff and the Cable & Community Relations Manager, as the Staff Liaison, takes responsibility for ensuring the agenda includes all of CTAB's required business. The Board can request during a meeting that items be placed on the next agenda. (The most common way of doing this, informally, is to ask the Chair to propose that, without objection, the specified item be included on the next agenda. If there is no objection, this procedure works just as if the Commission formally voted out a motion to make the same request.)

➤ **SECTION 2.4 AVAILABILITY OF AGENDA**

Staff handles the posting of the agenda, in compliance with the Brown Act.

➤ **SECTION 2.6 PRESIDING OFFICER**

The Chairperson presides over CTAB meetings, or the Vice Chair if Chairperson is absent. Unlike the City Council Rules which provide special powers for the Mayor, (who is elected by Torrance voters), CTAB does not observe any special powers for the chair. In Robert's Rules, the Chairman has the responsibility of leading the meeting and making procedural rulings, yet all decisions of the Chair can be appealed to the full body. In addition to these duties, the CTAB Chair signs workshop or any other achievement certificates for TCtv, and serves as a spokesperson at awards ceremonies.

➤ **SECTION 2.7 ORDER OF BUSINESS**

- Call to order
- Roll call
- Flag salute
- Motion to accept and file Report on Posting of Agenda
- Announcement of withdrawn or deferred items
- Approval of minutes of previous meetings
- Scheduled business
 - Community matters
 - Committee reports
 - Report of Community Television Center
 - Report of legislative and cable-related activities

Cable Television Advisory Board
MEETING PROCEDURAL GUIDE

- Old Business
- New Business
- Addendum matters
- Oral Communications
- Adjournment

➤ SECTION 2.12 SPEAKERS UNDER ORAL COMMUNICATIONS

- a) Members of the public are free to observe CTAB meetings. If they elect to speak, which is not required, they should be asked their name and address. However, they need not be addressed by the Chair until the designated point on the agenda for Oral Communications, at which time they are invited to speak.
- b) Members of the public are limited to three minutes, and should be informed of this limit at the outset of their speaking opportunity. CTAB may waive (or, informally, simply not enforce) this limit, but only in a nondiscriminatory way.
- c) Speakers should be reminded that CTAB will take no action on items not on the agenda. Board Members should be reminded that discussion of non-agendized items must be limited to clarifying questions, or briefly providing information, in compliance with the Brown Act.

❖ **ARTICLE 3 – MOTIONS**

The following provisions paraphrasing the **City Council Rules of Order** concerning Motions depart from, and tend to simplify the procedures in Robert's Rules:

➤ SECTION 3.1 MAKING OF MOTIONS

When any subject is opened for consideration, 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 chair 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, division of the question, and nominations.

SECTION 3.4 SUBSTITUTE MOTIONS

A substitute motion may be made to take the place of any motion on the floor.

➤ SECTION 3.5 IMPROPER MOTIONS

No dilatory, absurd or frivolous motion shall be considered. The chair shall decide which motions are improper, subject to the right to appeal to the Board.

Cable Television Advisory Board
MEETING PROCEDURAL GUIDE

➤ SECTION 3.6 MOTION TO RECONSIDER

- a) A motion to reconsider any action taken by CTAB may only be made by one of the Board members who voted with the prevailing side or who was absent when the motion was voted on.
- b) Tie votes are considered failed motions and may be reconsidered. Any Board member may move to reconsider any action taken by the Board that resulted in a tie vote.
- c) A motion to reconsider any action taken by the Board may only be made once at the meeting at which the matter was first considered, and once at the next meeting.
- d) Any Board member may second a motion to reconsider.

❖ **ARTICLE 4 – VOTING**

➤ SECTION 4.0 VOTES BY COMMISSIONERS

All votes must be conducted by a roll-call vote consistent with changes to Brown Act Effective January 1, 2014.

➤ SECTION 4.1 MOTIONS WITHOUT OBJECTION

For non-controversial (procedural) items, the Chair may propose (including at the suggestion of a Board Member) that an action be taken “without objection.” If there is no objection, this achieves the same result as unanimously passing a motion.

➤ SECTION 4.4 EXPLANATION OF VOTE

Members are free to provide an explanation of their votes, which will be summarized in the minutes.

➤ SECTION 4.7 DIVISION OF A QUESTION

Unrelated items combined within a single motion must be divided upon the request of any member, if the items are unrelated. If the items are related, this action is subject to a vote.

❖ **ARTICLE 5 – DEBATE**

Although debate in CTAB can become contentious, the small size of the Board usually allows it to remain orderly even in such cases. To the extent some formality is needed in order to maintain order, Robert’s Rules of Order provide that in debate:

- Time for each member to speak can be limited.
- Each member who wants to speak on an issue should be allowed to speak once, before any member is allowed to speak a second time.
- The chair should make an effort to alternate recognition of members on one side of an issue vs. the other.

Cable Television Advisory Board
MEETING PROCEDURAL GUIDE

CTAB observes standard rules of decorum: comments should be addressed to “The Chair” rather than directed at any member. Personal remarks and ad hominem arguments are out of order.

❖ **ARTICLE 6 – PUBLIC COMMENT**

➤ **SECTION 6.1 RIGHT TO COMMENT**

- a) The public shall be given an opportunity to speak on each item of business that appears on the agenda for action.
- b) Under the agenda item designation of Oral Communications, any member of the public may address items of interest to the public that are within the subject matter jurisdiction of the Board; 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 6.4 ALLOTTED TIME**

As a guideline, three (3) minutes shall be the maximum time that is allotted to each speaker, unless extended by the Board. The Board may limit the number of speakers where the facts or arguments advocated are deemed cumulative in nature. The Board may limit the aggregate time of hearing or discussion.

➤ **SECTION 6.5 RELEVANCY**

Speakers shall confine their remarks to those that are relevant to the subject of the discussion. Attacks against the character or motives of any person shall be out of order. The Board shall be the judge of relevancy and whether character or motives are being impugned.

➤ **SECTION 6.6 INTERRUPTIONS**

Board 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 Board shall be forthwith barred from further audience before the Board, unless permission to continue is granted by the Board.

➤ **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, CTAB may order the meeting room cleared and continue in session in accordance with the provisions of Government Code Section 54957.9 and any amendments thereto.

Cable Television Advisory Board
MEETING PROCEDURAL GUIDE

❖ **ARTICLE 8 – POINTS OF ORDER**

➤ **SECTION 8.1 GENERALLY**

Any member may raise a point of order (procedure). The chair shall decide all questions of order, subject to appeal to the Board. The chair or any other member may request parliamentary advice of staff.

➤ **SECTION 8.2 SUSPENSION OF RULES**

Any rule that can be changed by the Board can also be suspended relative to a specific action or business.

➤ **SECTION 8.3 ORDER OF SPEAKING UNDER ORAL COMMUNICATIONS**

Subject to appeal to the Board, the chair may propose any order of speaking, or may adopt alphabetical rotation among Board members each meeting.

❖ **ARTICLE 9 – COMMITTEES**

➤ **NOTE: MEMBERSHIP**

In order to avoid constituting a quorum of the full Board, Committees have no more than three (3) members each. The Board chair is considered an ex officio member of each standing committee, but does not attend meetings unless there is an absence, in order to avoid creating a Board quorum.

➤ **SECTION 9.1 STANDING COMMITTEES**

The standing committees of CTAB are as follows:

- a) Producer Incentive Committee
- b) TCtv Video Programming Awards Committee
- c) Operating Policies and Procedures Committee

➤ **SECTION 9.2 SELECTION OF COMMITTEE CHAIRS AND MEMBERS**

The Board has the authority to select Committee chairs and members at its pleasure through the ordinary nomination process. It is an established practice of CTAB that the Board Chair appoints all Committee members and chairs, subject to the approval of the Board.

➤ **SECTION 9.3 AD HOC COMMITTEES**

The Board may form ad hoc committees at the pleasure of the Board, and may designate the members, chairs, and business assigned to such committees.

➤ **SECTION 9.5 COMMITTEE MEETINGS**

- a) Committee members must agree on meeting times that can be accommodated by facilities and staff.
- b) All Committee meetings must be posted 72 hours prior to the meeting to comply with the Brown Act.
- c) Procedurally, Committee meetings mirror the meetings of the full Board.

Cable Television Advisory Board
MEETING PROCEDURAL GUIDE

❖ **ARTICLE 10 – BOARD CHAIRPERSON AND VICE CHAIR**

➤ SECTION 10.1 SELECTION

- a) By law (Torrance Municipal Code sec. 13.17.5) the Chair is selected at the first meeting of the fiscal year, which is the first meeting after July 1.
- b) Established practice of CTAB provides that a Vice Chair, who assumes the duties of the Chair in the absence of the Chair, is selected at the same meeting.

➤ SECTION 10.2 TERM OF APPOINTMENT

TMC 13.17.5 sets the term of appointment to one year and until a successor is appointed.

➤ SECTION 10.3 PROCEDURE

- a) The Chair is selected before the Vice Chair.
- b) Nominations need not be seconded.
- c) Nominations may occur at any time during discussion.
- d) Members may not nominate themselves (but may vote for themselves).
- e) Members may decline a nomination.
- f) Discussion is cut off before voting begins.
- g) First round votes may be cast for any nominated candidate.
- h) If no candidate achieves a majority of all votes, subsequent rounds are conducted with the nominee receiving the fewest votes being eliminated from the next round until one nominee receives a majority of votes.

➤ **NOTE: DUTIES**

The law that requires appointment of a Chair does not provide particular powers or duties. CTAB relies on the Chair to operate meetings, writes annual report, and to serve as the public face of CTAB, e.g. signing certificates of course completion and speaking at the Awards ceremony.

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