



County of Santa Cruz

DEPARTMENT OF PARKS, OPEN SPACE & CULTURAL SERVICES

979 17TH AVENUE, SANTA CRUZ, CA 95062

(831) 454-7901 FAX: (831) 454-7940 TDD/TTY: call 711

JEFF GAFFNEY
DIRECTOR

PARKS AND RECREATION COMMISSION AGENDA

Monday, August 1, 2022
7:00pm – 9:00pm
Regular Meeting (virtual)
Meeting Link <https://us06web.zoom.us/j/3689630872?pwd=aGR4eEFySDNtMkFnbkE0aUx5OXhEQT09>

Zoom Meeting
Meeting ID: 368 963 0872
Passcode: 790501

I. CALL TO ORDER / ROLL CALL

II. AGENDA MODIFICATIONS

III. ORAL COMMUNICATIONS

Opportunity for persons to address the Commission on matters which are within the scope of responsibility of the Commission or on today's Agenda. Presentations must not exceed three (3) minutes in length, and individuals may speak only once during Oral Communications. Commissioners will not take actions or respond immediately to any public communications presented regarding topics not on the agenda but may choose to follow up later, either later, or on a subsequent Commission Agenda.

IV. CONSENT AGENDA

- a. Approve minutes from June 6, 2022.....Page 3-4
- b. Consider Reports:
 - 1. Aquatics Section ReportPage 5
 - 2. Maintenance Section Report.....Page 6
 - 3. Planning Section Report.....Page 7-8
 - 4. Recreation Section Report.....Page 9-10
 - 5. Reservations Section ReportPage 11
 - 4. Volunteer Section Report.....Page 12-16

V. COMMISSIONER REPORTS

VI. DIRECTOR'S REPORT

VII. REGULAR AGENDA – Action Items

- a. Chair and vice-chair elections
- b. Discuss and adopt resolution approving the commission's findings under AB 361 – When to have "in person" meetings, what format, days and times.

VIII. REGULAR AGENDA – Information Items

- a. Presentation of 2022 Recreation and Cultural Opportunities Grant Program Awards
- b. Discussion on cup tax revenue and its potential impact on County Parks
- c. County Park Friends Update
- d. Discussion on creating a county park naming policy
- e. Discuss by-laws update sub-committee
- f. Rosenberg's Rules of Order – review

- IX. NEXT MEETING:** Monday, October 3, 2022, 7:00-9:00 p.m. - Virtual Meeting via Zoom if determined by the commission
- X. WRITTEN CORRESPONDENCE LISTING**
- XI. ADJOURNMENT**



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JEFF GAFFNEY
DIRECTOR

PARKS & RECREATION COMMISSION Minutes of June 6, 2022, 7:00 p.m. Regular Meeting Virtual via Zoom

I. ROLL CALL

Present: Vivian Fenner-Evans, Kate Minott, Monica Martinez
Staff: Jeff Gaffney, Kim Namba, Noah Ross

II. AGENDA MODIFICATIONS

- a. Moving move information item d, County Parks budget discuss discussion, to regular agenda. (Minott/Fenner-Evans, 2/1)
- b. Accept agenda as presented (Martinez/Fenner-Evans, 3/0)

III. ORAL COMMUNICATIONS

1. Jean Brocklebank Subject: Pleased with Deputy Director's report to the Board of Supervisors. Questioned wording of report and when commission will review supplemental information.
2. Mike Guth Subject: Would like to appeal to chair and allow public comments on agenda items to be three minutes

IV. CONSENT AGENDA

Motion: Approve Minutes of February 7, 2022 & May 5, 2022 (Martinez/Minott 3/0)

V. COMMISSIONER REPORTS

Fenner-Evans 1st District: Happy to hear about funding for Brommer restroom. Praised maintenance staff for their hard work in all our parks.

VI. DIRECTOR'S REPORT

- Sergeant Damon Gutzwiller memorial renaming dedication was today at Willowbrook County Park.
- County Park Friends was successful in receiving a 660,000 grant for under severed youth in outdoor and environmental programming. Great partnership opportunity.
- Welcome to new Park Planner Rob Tidmore who will be heading the Parks Planning Department starting June 27th.

VII. REGULAR AGENDA – Action Items

- a. Motion: Adopt resolution approving the commission's findings under AB 361 (Martinez/Minott, 3/0)

VIII. REGULAR AGENDA – Info Items

- a. Michael Hettenhausen gave presentation on Moran Lake Restoration and Public Access Plan
- b. Kriss Neuman from Point Blue gave presentation on Dune restoration, coastal ecology, and Snowy Plover habitats at Scott Creek Beach
- c. Robert Tidmore gave presentation on Rail Trail segments 10 & 11
- d. Deputy Director Kim Namba gave overview on new County Budget website and Parks specific budget information
- e. Commissioner Minott suggested creating a committee to create a Commission information packet
- f. Discussion on ordinance 10.04.150 tabled to next meeting

IX. NEXT MEETING: Monday, April 4, 2022, 7:00-9:00 p.m.
Virtual Meeting via Zoom

X. WRITTEN CORRESPONDENCE LISTING

XI. ADJOURNMENT – Meeting adjourned at 9:51 p.m. (Minott/Martinez 3/0)



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JEFF GAFFNEY
DIRECTOR

Date: July 26th, 2022
To: Parks and Recreation Commission
From: Max Friedmann, Aquatics Supervisor
Subject: Aquatics Section Report

Simpkins Summer Programing

- Simpkins Family Swim Center reopened for public use on Monday, June 13th.
- Once Simpkins reopened all normal programming at the swim center resumed.
- This includes lap swim, recreation swim, adult fitness, water aerobics, swim lessons, and Junior Guards.
- The Swim Center offered “Low Stimulation” hours every Wednesday from 3-5pm this summer for folks that would benefit from a quieter environment for use of the pools. This program was made with guidance from the County Commission on Disabilities.

Simpkins August/Fall Programing

- The Swim Center will move to its “Fall” schedule starting August 8th.
- The Swim Center will continue to offer lap swim and recreation swim daily in the Fall and limited swim lessons.
- Additionally, the Swim Center will host local youth club swim teams Monday through Friday as well Dominican Hospital’s rehabilitation classes every Monday, Wednesday, and Friday.
- Low Stimulation hours will continue every Wednesday from 3-5pm.



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JEFF GAFFNEY
DIRECTOR

Date: August 1, 2022
To: Parks and Recreation Commission
From: Jesse Williams, Parks Superintendent
Subject: Maintenance Section Report

County Wide

- Jesse Williams, former North County Maintenance Supervisor, is our new Parks Superintendent overseeing Maintenance and Operations
- Training and planning for the implementation of the Lucity digital work order system is still underway
- Recruitment underway for a new Park Maintenance Supervisor

South County

- New commemorative bench has been installed at Seacliff Village Park
- Irrigation repairs have been conducted at Seascape County Park
- An all-crew maintenance day was held at Pinto Lake for trail work

Simpkins Family Swim Center

- Swim center is fully operational
- During the Swim Center's closure:
 - The 50M and splash down pools were replastered and retiled
 - Pool deck stairs were rebuilt
 - Exterior walls were repainted
 - Landscaping was conducted around the facility
- Construction on the Live Oak Library Annex is well underway. Disruptions to the Swim Center have been minimal.

North County

- Tree work was performed at Quail Hollow Ranch County Park and the Emeline County Offices
- New signage and trash receptacles were installed on North Coast beaches as a part of the Keep America Beautiful Grant
- New signs were installed on the Jose Avenue Park Bridge
- Hazardous trees were removed at the Probation Center
- Upgrades were made to the horse barns at Quail Hollow Ranch



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JEFF GAFFNEY
DIRECTOR

Date: May 25, 2022
To: Parks and Recreation Commission
From: Michael Hettenhausen and Mike Pruitt, Park Planners
Subject: Planning Section Status Report

Anna Jean Cummings Mitigation Plantings

Parks staff is coordinating with the County's General Services Department to formally bid the installation and maintenance of the plantings.

Hidden Beach

Parks staff is collecting Letters of Support from local elected officials, which will be forwarded to the State Coastal Conservancy for their Board of Directors' consideration of funding for purchase and installation of the permanent restroom.

Moran Lake

Parks staff and consultants are continuing to model and monitor the lagoon monthly and are preparing and reviewing the various technical reports associated with the Moran Lake Restoration and Public Access Plan and Monarch Management Plan Update.

North Coast Facilities and Management Plan

Parks staff and our consultant held an in-person Working Group meeting on June 30th to review the project's goals and objectives. The consultant is currently drafting the community engagement plan.

Willowbrook

The design consultant is preparing the bid package to be submitted to County Planning for the required permits. Parks staff is communicating with volunteers about offering in-kind services for the installation of various features associated with the park rededication project.

188 Whiting Road

Staff has received and reviewed the agricultural viability study to assist in the evaluation to move forward with the proposed development of the site. Additionally, the team has received and reviewed the Biotic Report outlining the specific environmental features and wildlife present on site. Parks staff is awaiting the draft environmental assessment to understand the soil and water quality of the site an existing well(s).

Soquel Lions Park

Parks' design consultant had completed the 90% plans and specifications and submitted them for review by County staff. Environmental approvals and exemptions for construction are in discussion with County Planning.

Floral Park

The Mission of the Santa Cruz County Department of Parks, Open Space and Cultural Services is to provide safe, well designed and maintained parks and a wide variety of recreational and cultural opportunities for our diverse community

Staff is the process of preparing conceptual designs to present to the community for feedback.

Felton Covered Bridge Park Pump Track

Staff met with project stakeholders on site to review the proposed project, current status, and future steps. Two concepts have been prepared by the local designer and Santa Cruz Mountains Trail Stewards. Parks staff will be meeting with the external team to discuss the designs prior to meeting with the community.

Boulder Creek Park

Staff was approached by a volunteer organization to explore the possibilities of developing a new park in downtown Boulder Creek. Park staff performed a preliminary site walk and assessment of the site for a potential park. A meeting was scheduled with stakeholders for June 2022 to discuss project goals, objectives, opportunities, and constraints based on the site analysis and preliminary community desires. This information will assist in formulating a design program which we can use to begin the conversation with the community. Parks staff is awaiting the information from this meeting and are moving forward with a property appraisal of the site.



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JEFF GAFFNEY
DIRECTOR

Date: July 26, 2022
To: Parks and Recreation Commission
From: Jaime Jimenez, Recreation Supervisor
Subject: Recreation Section Report

Summer Camps

- During the summer months, the County Parks Department has offered seasonal summer camps at Aptos Village Park, Quail Hollow Ranch and La Selva Beach Clubhouse. The camps at Aptos Village Park are offered from 7:30am-6pm or 9am-4pm, while the Camps at Quail Hollow Ranch operate from 9am-3pm.
- The camps are broken down into four themed sessions. Each session runs for two weeks and includes a local field trip in the Santa Cruz County area and an extended field trip out of the county. The sessions, Recreation Staff provide active games, arts and crafts, STEM education components, outdoor nature, and other science enrichment activities for youth ages 6-12.

Partnerships with Local Recreation Departments

- The Santa Cruz County Parks meets on Fridays with Recreation professional from the City of Watsonville, Capitola and Santa Cruz to discuss offerings and trends in the area. These meetings help collaborate and join forces between the nearby recreation agencies. This Saturday, July 30th we will be at the City of Watsonville – Ramsay Park celebrating Family Fun Day from 10am-2pm.
- July is Recreation Month – County Parks Friends participated in several fun activities for the community such as “Beach Bluff stROLL” for community members in wheelchairs at Seascapes County Park, Redwood Hike at Highland County Park, “Rock ‘n’ Roll” at Heart of Soquel and several others.
- The Santa Cruz Astronomy Club hosted a “Star Gazing” event at Quail Hollow Ranch along with Parks Department staff.
- Full Moon Hike was held at Quail Hollow Ranch with the Friends of Quail Hollow on Friday, July 15th from 9pm-12am.
- Movie Nights were held at Mesa Village Park and Anna Jean Cummings. The Parks Department partners with the Animal Shelter for many of the movie “Doggie Date Nights”.
- With the assistance of the Parks Department, Community Action Board of Santa Cruz County, Inc. had a movie night in their Davenport Resource Service Center and watched Disney’s “Encanto” family movie.

Recreation Programs & Contractual Agreements

- The Parks Department recreation team offered Jr. Academy sports camps through the National Academy of Athletics and the Santa Cruz Baseball School contracts.
- The recreation team is working on securing a contract for salsa dance classes for active adults and is currently renewing its sports program contracts to continue offering high quality youth sports camps throughout the Fall.

- The Santa Cruz Public Library and Parks Department are working together in providing a fun “Bridge” card game program and space for active adults at the Capitola branch as well as weekly Minecraft sessions with the La Selva Beach branch and our youth summer camp.

Marketing Efforts

- The Department marketing efforts this month consist of working on updating the website with current summer activities and is working on the Fall activity guide to inform the community of upcoming recreational opportunities and to help navigate their interest in our reservations and registrations system and opportunities on the Web.
- Summer camp banners 4’x8’ were used in the North, Mid and South County to promote summer camps.
- Agents of Discovery has been another way to promote our department by joining up with the Bay Area Explorers group in which outdoor space is promoted through a free software application on your mobile device as you explore the great outdoors and the County Park system through a variety of challenges and missions through Eventbrite and Facebook Live.
- Plastic A frames were placed out to promote the movie nights the night of the event. Banners will be produced for future movies nights at the park in both Spanish/English.
- The Department has continued to create our marketing flyers in both Spanish/English.



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JEFF GAFFNEY
DIRECTOR

Date: August 1, 2022
To: Parks and Recreation Commission
From: Sarah Shea, Recreation Supervisor
Subject: Reservations Section Report

Reservations have been working on ensuring a complete, accurate calendar that reflects availability for ease of use internally and for the community. With the constant weekend reservations at most picnic areas, we look forward to discussing new opportunities to grow the reservable spaces within the parks.

Horse Stables at Quail Hollow Ranch: All horse boarding stalls have been leased. The new tack room was completed by maintenance and continued improvements continue at the barns.

Venue Rentals: The Department has hosted 40 staffed events in the past two months including weddings, retirement parties, memorials, birthday parties, and appreciation events. The evolution of the Watsonville Vets Hall into a community resource and recreational space continues.

Special Events:

The following special events were permitted between June-July:

- Lifecycle Ride @Greyhound Rock
- Deputy Sherriff's Association Event @Aptos Village Park
- Arukah Project's Fundraiser @Aptos Village Park
- Aptos Chamber's 4th of July Festival @Aptos Village Park
- Walk Hawk Dancers Event @Pinto Lake County Park
- True Love Music Festival @Aptos Village Park

Commemorative Program: The program continues to expand, with the addition of new features as requested and possible throughout our non Oceanview parks. Also, we recently have been able to offer 5 non-renewed Oceanview features to those on our extensive waitlist.

Unique reservation requests including film permits, usage of parking lots, outdoor ceremonies, court rentals, 5k races and more continue to keep our team on our toes serving the community.



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JEFF GAFFNEY
DIRECTOR

Date: August 1, 2022
To: Parks and Recreation Commission
From: Margaret Ingraham, Volunteer Program Coordinator
Subject: Volunteer Program Report

Felton Discovery Park

We have monthly community volunteer days that are held the first Saturday of the month where volunteers help to keep the park weeded and pruned. We also have a few independent volunteers who help in the park on a regular basis. Volunteers purchased a shade structure and set it up over the gravel play area for the children.



Quail Hollow Ranch

The Trail Crew continues to meet weekly keeping the trails in great shape. The Bird Nest Box volunteers are wrapping up for the year and logged over 200 hours this season. The Habitat Restoration (French Broom removal) volunteers are done for the season and logged over 550 hours this season. . Monthly star gazing is offered by the SC Astronomy Club for free to the public; the next two are scheduled for July 29th and August 19th. Come join the star gazing from sunset till 11pm. ,

Our awesome docents open the Visitor Center during busy times at the park for community members to enjoy. Docent, Richard James will be giving a history talk at the house on Wednesday, September 14th from 4:30 – 6:00 pm. This history talk is offered free to the community.

East Cliff Parkway

Pictured below are volunteers from a May volunteer event. Brittany Newton from the Nature Lodge, organized volunteers to paint the 'Keep Right' signs along the path, and the red curbs, they also picked up litter.



Before



After



Little Nature Lodge volunteers!

Keep America Beautiful Grant

Pictured below are some of the new cans and signs as part of the funds provided by the Keep America Beautiful grant. Maintenance staff installed signs and placed cans along the North Coast. Also pictured are volunteers from the office staff of the Santa Cruz Warriors and some of their season ticket holders. This awesome group volunteered at the Davenport Main Beach location and removed approximately 200 pounds of litter off the trails, roads, and beaches.





Thank you Santa Cruz Warriors office staff and season ticket holders

Upcoming volunteer days are listed below come join us!

Saturday, July 30th, 10am-12pm will be at Davenport Landing Beach

Saturday, August 6th, 10am-12pm will be at Scotts Creek

Saturday, August 20th, 10am-12pm will be at Greyhound Rock Beach

Saturday, September 10th, 10am-12pm will be at Davenport Main Beach

We also added an additional day for staff from the Campbell, Santa Cruz, and Capitola Whole Foods stores.

Pinto Lake County Park

Disc Golf volunteers regularly help with the disc golf course maintenance. They do a lot of weed whacking and pruning to keep the course groomed and playable. They have over 400 hours to date in volunteer hours.

Highlands Park

Thank you to Volunteer, Linda Skeff. Linda organized and funded a new educational and informational kiosk at Highlands County Park. Linda worked with maintenance staff and a local Eagle Scout to complete the project. The Eagle Scout built the kiosk as his Eagle Scout project.



BEFORE THE PARKS AND RECREATION COMMISSION OF THE COUNTY OF SANTA CRUZ

RESOLUTION NO. 22-1

**SANTA CRUZ COUNTY PARKS AND RECREATION COMMISSION'S
FINDINGS PURSUANT TO ASSEMBLY BILL 361 AUTHORIZING TELECONFERENCE
MEETINGS AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF
EMERGENCY AND HEALTH OFFICER RECOMMENDATION FOR SOCIAL DISTANCING**

WHEREAS, the Parks and Recreation Commission is a legislative body under the Brown Act as defined under Cal. Gov. Code section 54952(b) and Santa Cruz County Code Section 2.38.110; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 ("AB 361"), urgency legislation effective immediately, that amended Government Code section 54953 to permit legislative bodies subject to the Brown Act to continue to meet under modified teleconferencing rules provided that they comply with specific requirements set forth in the statute; and,

WHEREAS, pursuant to AB 361 and Cal. Gov. Code section 54953(e)(1)(A), a legislative body may meet under the modified teleconferencing rules during a proclaimed state of emergency, and where local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic, and which remains in effect; and

WHEREAS, on September 30, 2021, Santa Cruz County Public Health Officer Dr. Gail Newel strongly recommended that legislative bodies in Santa Cruz County continue to engage in physical/social distancing by meeting via teleconference as allowed by AB 361 and confirmed that she will regularly review and reconsider this recommendation and notify the public when it is no longer recommended; and

WHEREAS, pursuant to AB 361 and Cal. Gov. Code section 54953(e)(3), within 30 days of the date the legislative body first holding a teleconferenced meeting under the modified rules, and every 30 days thereafter, a legislative body can continue to hold such teleconference meetings provided it has reconsidered the circumstances of the state of emergency and determined either that the state of emergency continues to directly impact the ability of the members to meet safely in person or that local officials continue to recommend measures to promote social distancing; and

WHEREAS, on February 7, 2022, the Parks and Recreation Commission held initial teleconference meeting under AB 361; and

WHEREAS, this Commission has reconsidered the circumstances of the current state of emergency and finds that the COVID-19 pandemic continues to directly impact the ability of members of the public to participate safely in person and further finds that the Santa Cruz County Public Health Officer continues to recommend measures to promote social distancing; and

WHEREAS, in the interest of public health and safety, and due to the emergency caused by the spread of COVID-19, the Parks and Recreation Commission deems it necessary to utilize the modified teleconferencing rules set forth in AB 361;

NOW, THEREFORE, the Parks and Recreation Commission makings the following findings by a majority vote:

Section 1. The foregoing recitals are true and correct, and adopted as findings of the Parks and Recreation Commission.

Section 2. Effective immediately, and for the next 30 days, the Parks and Recreation Commission will meet via teleconference as authorized under AB 361 and Government Code section 54953(e)(3).

Section 3. No later than thirty (30) days from making today’s findings, or at the next scheduled meeting, the Commission will reconsider the circumstances of the COVID-19 state of emergency and, if necessary, adopt subsequent findings to continue holding teleconference meetings in accordance with Government Code section 54953(e)(3).

PASSED AND ADOPTED by the Parks and Recreation Commission in Santa Cruz, State of California, this 7th day of February, 2022, by the following vote:

AYES: 4
NOES: 0
ABSENT: 0
ABSTAIN: 0

ATTEST:

DocuSigned by:
Nash Ross
0545F803BFDB4E6...
Department Staff

DocuSigned by:
Katharine Minott
29B7661D024F471...
Commissioner, Parks and Recreation Commission

Approved as to Form:
DocuSigned by:
John Nguyen
13427C3A76E8404...
Office of the County Counsel

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. 39-2022

On the motion of Supervisor Friend
Duly seconded by Supervisor McPherson
The following resolution is adopted:

**RESOLUTION CALLING FOR AN ELECTION FOR THE PURPOSE OF
SUBMITTING TO THE QUALIFIED ELECTORS OF THE COUNTY OF SANTA
CRUZ A COUNTYWIDE MEASURE TO TAX SINGLE-USE DISPOSABLE CUPS;
DIRECTING THE COUNTY ELECTIONS OFFICIAL TO CONDUCT THE
ELECTION; AND DIRECTING CONSOLIDATION OF THE ELECTION WITH THE
REGULAR ELECTION OF JUNE 7, 2022**

WHEREAS, Santa Cruz County has determined that it is imperative to protect the health, safety, and welfare of the public and protect the environment by reducing waste, litter, and pollution; and

WHEREAS, in order to achieve its official Zero Waste goal, reduce litter, preserve diminishing landfill space, and motivate consumers to use reusable cups where possible, the Board of Supervisors enacted Santa Cruz County Code Chapter 5.47, which imposes a mandatory charge of \$0.25 (twenty-five cents) when a beverage is sold to a consumer in a single-use disposable cup; and

WHEREAS, currently the full amount of the mandatory charge is kept by the seller, with none of the money going towards the provision of public services; and

WHEREAS, the Board of Supervisors has determined that it is appropriate and desirable for \$0.125 (twelve and a half cents) of the mandatory charge to be designated as a tax such that it can be spent on actions to reduce pollution, trash, and plastics entering local waters and beaches; protect water quality, public health and marine life; address illegal dumping; help prevent wildfires; clean/maintain parks and public areas; and provide environmental education and other general services; and

WHEREAS, subdivision (b) of section 2 of Article XIII C of the California Constitution and section 53723 of the California Government Code require that before the County may impose a general tax, the tax must be submitted to the voters and approved by a majority vote of the voters; and

WHEREAS, subdivision (b) of section 2 of Article XIII C of the California Constitution mandates that an election required by that subdivision be consolidated with a regularly scheduled general election for members of the governing body of the local government, subject to specific exceptions not relevant here; and

WHEREAS, if approved by a majority of voters, the proposed tax would be codified by amending Section 5.47.050 of the Santa Cruz County Code as reflected in the draft Ordinance attached hereto as Exhibit 1; and

WHEREAS, pursuant to California Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county, or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, pursuant to California Elections Code Section 1000 *et seq.*, various district, county, state, and other political subdivision elections shall be held on June 7, 2022, an established regular election date;

NOW THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Board of Supervisors as follows:

1) A County election is hereby called to be held throughout the County at the regular election date of June 7, 2022, for the purpose of submitting to the qualified electors of the County of Santa Cruz the following measure:

Measure - _____

SANTA CRUZ COUNTY CLEAN WATER/BEACHES, PUBLIC HEALTH, ENVIRONMENTAL PROTECTION MEASURE. To reduce pollution, trash and plastics entering local waters and beaches; protect water quality, public health and marine life; address illegal dumping; help prevent wildfires; clean/maintain parks and public areas; and provide environmental education and other general services, shall 12.5 cents of Santa Cruz County’s existing single-use cup charge be collected as a tax until ended by voters, raising approximately \$700,000 annually and requiring public spending reports?

YES _____ NO _____

2) Said County election shall be held and conducted, the votes received and canvassed, the returns thereof made, and the result thereof ascertained and determined in accordance with the law, including but not limited to the provisions of Section 10418 of the Elections Code.

3) Said special County election hereby called shall be and hereby is consolidated with any and all elections also called to be held throughout the County on June 7, 2022, in all respects as required by and pursuant to law, including but not limited to the provisions of Section 10418 of the Elections Code.

4) In accordance with the provisions of Section 9160 of the Elections Code, the County Counsel is hereby directed to prepare an impartial analysis of this measure.

5) In accordance with the provisions of Section 9160 of the Elections Code, the County Auditor-Controller-Treasurer-Tax Collector is hereby directed to prepare a fiscal impact statement of this measure.

6) Arguments for and against this measure may be submitted in conformance with Elections Code Section 9161, *et seq.*

7) The Clerk of the Board of Supervisors shall file a copy of this Resolution with the County Clerk.

BE IT FURTHER RESOLVED AND ORDERED THAT the Santa Cruz County Elections Department is requested to print the proposed ordinance attached hereto as Exhibit 1 in the County Voter Information Guide for the June 7, 2022, election date.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 15th day of February 2022, by the following vote:

AYES: Supervisors: Friend, Coonerty, Caput, McPherson, and Koenig
NOES: None
ABSENT: None

DocuSigned by:
Manu Koenig
43369812764640D...

Manu Koenig, Chairperson
Board of Supervisors

ATTEST: DocuSigned by:
Stephanie Cabrera
2F79EA01AD52447...
Stephanie Cabrera
Clerk of said Board

Approved as to form:

DocuSigned by:
Jason M. Heath
AF757CF913B5419...

Jason M. Heath 1/31/22 (AMS 12133)
Office of the County Counsel

EXHIBIT 1

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 5.47.050 OF THE SANTA CRUZ COUNTY CODE TO ALLOW THE COUNTY TO COLLECT 12.5 CENTS OF THE MANDATORY CHARGE FOR DISPOSABLE SINGLE-USE CUPS AS A TAX

The Board of Supervisors of Santa Cruz County ordains as follows:

SECTION I

Section 5.47.050 of the Santa Cruz County Code is hereby amended to read as follows:

5.47.050 Mandatory charge for disposable cups; portion of charge collected as a tax.

- (A) Any person, business, event, food truck, or other entity, including both permanent and temporary facilities, which sells or provides hot or cold beverages in a single-use disposable cup must charge an additional \$0.25 for each cup. Sellers may not waive or absorb such charges.
- (B) Charges for disposable cups shall be identified separately on any post-sale receipt provided and, pre-sale, shall be clearly identified for the customer on media such as menus, ordering platforms, and/or menu boards. Customers placing orders online or by telephone shall be informed of disposable cup charges at the time the order is placed.
- (C) Businesses may not charge for use of a reusable cup provided by the customer.
- (D) Twelve and a half cents (\$0.125) of each mandatory cup charge shall be collected and distributed by the seller to the County of Santa Cruz as a tax. The remainder of the charge shall be retained by the seller.

SECTION II

This ordinance shall take effect on January 1, 2023.

PASSED AND ADOPTED this ____ day of _____, 2022, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS
NOES:	SUPERVISORS
ABSENT:	SUPERVISORS
ABSTAIN:	SUPERVISORS

Chairperson of the Board of Supervisors

EXHIBIT 1

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:

Office of the County Counsel



**County of Santa Cruz Board of Supervisors
Agenda Item Submittal**

From: Zach Friend, Second District Supervisor
(831) 454-2200

Subject: Renaming Willowbrook Park in Honor of Sergeant Damon Gutzwiller

Meeting Date: May 24, 2022

Recommended Action(s):

1. Approve the renaming of Willowbrook County Park to Willowbrook County Park in Honor of Sergeant Damon Gutzwiller; and
2. Direct the Parks Department to return to the Board within six months with an official park and park elements renaming policy and seek input from the Parks Commission on the proposed policy before returning to the Board.

Executive Summary

The item before the Board seeks approval to rename Willowbrook County Park to Willowbrook County Park in Honor of Sergeant Damon Gutzwiller. Our office is currently working with the Deputy Sheriffs Association, the County Parks Department, County Park Friends and the broader community on raising needed funds to make significant improvements to the park in honor of Sgt. Gutzwiller, who was killed in the line of duty on June 6, 2020.

Background

Sergeant Damon Gutzwiller, a 14-year veteran of the Santa Cruz County Sheriff's Office, was killed in the line of duty on June 6, 2020, while serving his community. To honor Sgt. Gutzwiller's service and sacrifice, our office worked with the Sheriff's Office and Sgt. Gutzwiller's family to identify an area in the county that could serve as a memorial space for Sergeant Gutzwiller in perpetuity. As Damon owned a home near Willowbrook County Park and frequented it with his family, the park was chosen for its connection and significance.

Over the last year, our office has partnered with the Deputy Sheriff's Association, the Santa Cruz County Parks Department, County Park Friends and the broader community to raise the needed funds for this project. The goal is to reimagine Willowbrook Park in a way that honors Sgt. Gutzwiller and provides our community with a place of reflection and pride through significant park improvements and a new memorial for Sgt. Gutzwiller. These partnering agencies have made significant strides thus far, raising over \$250,000 in donations for the project.

The first phase of the park project has been completed, which included resurfacing and improvements to the tennis, pickleball and basketball courts. Continued improvements will include a memorial area for Sgt. Gutzwiller, a new playground with accessible

features for children of all abilities, and a new flag monument area at the entrance.

Analysis

By renaming Willowbrook County Park in Honor of Sergeant Damon Gutzwiller, his legacy will be imprinted on the park, to be honored and enjoyed by future generations.

There is precedent for the County renaming a park or park facility in similar circumstances. Deputy Michael Gray, who was killed in the line of duty on January 13, 1983, was honored by the Santa Cruz County Deputy Sheriff's Association and County Parks Department with the dedication of new fields named the "Michael Gray Memorial Fields" at the Juvenile Probation complex on Graham Hill Road.

However, moving forward it's important that the Parks Department develop an official policy for renaming parks or park elements (such as playgrounds, ball fields or other elements). There is significant community interest in helping protect and preserve our parks for future generations and having a policy on how to best harness this engagement is important moving forward. This item requests the Board rename Willowbrook Park in honor of Sgt. Gutzwiller and have the Parks Department come back with a more formal policy for such requests moving forward.

Financial Impact

None

Strategic Plan Element(s)

4.A Sustainable Environment: Outdoor Experience

6.C Operational Excellence: County Infrastructure

Submitted by:

Zach Friend, Second District Supervisor

**SANTA CRUZ COUNTY
PARKS AND RECREATION COMMISSION
BY-LAWS**

Sections:

- 1) **Established--Statutory Authority.**
- 2) **Membership.**
- 3) **Term of Office.**
- 4) **Officers.**
- 5) **Organization and Procedures.**
- 6) **Powers and Duties.**
- 7) **Meetings.**
- 8) **Minutes of Meetings.**
- 9) **Quorum for Meetings.**
- 10) **Notice of Meetings.**
- 11) **Public Participation.**
- 12) **Action of Commission.**
- 13) **Vacancies.**
- 14) **Biennial Report.**

1) Established--Statutory Authority.

- A. The Santa Cruz County Parks and Recreation Commission is established under the authority of Government Code Section 25208.5 and the County Board of Supervisors, in compliance with Chapter 2.38 and Chapter 2.70 of the Santa Cruz County Code.
- B. The Commission shall advise the County Board of Supervisors and the Department of Parks, Open Space and Cultural Services on recreational programs, facilities, and parklands within the unincorporated area and outside the boundaries of the four special recreational districts of the County of Santa Cruz.

2) Membership.

The Commission shall consist of five members, residents of the County, appointed by the County Board of Supervisors. Each Supervisor shall nominate one member.

3) Term of Office.

Each member shall serve for a term of four years, commencing on April 1st of the year in which the member's nominating Supervisor begins a full term.

4) Officers.

The Commission shall elect a Chairperson and Vice-Chairperson. Officers shall be elected during the first meeting in April of each year.

5) Organization and Procedures.

- A. **General Organization.** The Commission shall comply in all respects with Sections 2.38.110 through 2.38.250 and 2/38.270 of the Santa Cruz County Code unless otherwise provided herein.
- B. **County Staff Support.** The County Department of Parks, Open Space and Cultural Services shall

provide staff support for the Commission. The Director of the department, or the Director's designee, shall serve as administrative secretary to the Commission, and shall prepare and receive copies of all minutes, reports and recommendations submitted to the Board of Supervisors by the Commission. The staff of the Department of Parks, Open Space and Cultural Services shall assist the Commission in discharging its duties.

6) **Powers and Duties.**

The Commission shall be responsible for performing the following duties:

- A. Assess the needs and resources of the County for parks, open space, and cultural services, and recommend programs to satisfy those needs.
- B. Advise the Board of Supervisors and the Department of Parks, Open Space and Cultural Services on the formulation, implementation, review and updating of the County Master Plan for parks, recreation, and open space.
- C. Advise the Board of Supervisors and the Department of Parks, Open Space and Cultural Services on the administration of a program of acquisition, development, maintenance and operation of parks and recreational resources, as reflected in the Master Plan for parks, recreation, and open space.
- D. Advise the Board of Supervisors and the Department of Parks, Open Space and Cultural Services on the preservation of the historic, cultural, and natural resources of the County and how best to promote and foster an awareness of this heritage.
- E. Cooperate with public, private, and quasi-private agencies and organizations involved in parks, open space, and cultural services in or affecting the County.
- F. Advise the Department of Parks, Open Space and Cultural Services on the preparation, justification, and administration of an annual budget for parks, open space, and cultural services.
- G. Evaluate all applications for County funds or services for the support of County-sponsored or County-assisted programs in recreation, arts, and other cultural services, and make recommendations to the Board of Supervisors on such applications; and
- H. Communicate and cooperate with the arts and other commissions and boards to ensure coordination of cultural and social activities.

7) **Meetings.**

- A. All business shall be conducted at regular public meetings scheduled at least quarterly on a Monday at 7:00 p.m. at the Simpkins Family Swim Center/Parks Department Offices, located at 979 17th Avenue, Santa Cruz, California, or, from time to time, at an alternate location specified in the public notice. The Commission may call for special public meetings in order to timely conduct Commission business.
- B. Any subcommittee meetings comprised of less than a quorum of the members of the Commission and, which are not standing subcommittees of the Commission, shall meet at a time and place convenient for the members of the subcommittee and may be open to the public. Proceedings of any subcommittee meetings shall be presented to the Commission in written form at the Commission's regular meeting.

8) **Minutes of Meetings.**

Official minutes recording the motions entertained and actions taken at each Commission meeting shall be prepared and submitted by the Commission to the Board of Supervisors, the Clerk of the Board, and the County Administrative Office.

9) **Quorum for Meetings.**

A quorum shall consist of three (3) Commissioners for regular and special meetings. If a quorum is not present within fifteen minutes of the scheduled meeting time for any regular or special meeting, then such meeting shall be adjourned for lack of a quorum. A notice indicating such an adjournment shall accompany the agenda for the Commission's next meeting.

10) **Notice of Meetings.**

- A. At least seventy-two (72) hours prior to each regular meeting, an agenda for the regular meeting shall be electronically sent to each Commission member, to each representative of the news media and to each person who has submitted a written request to the Commission for notification of meetings.
- B. The agenda shall be posted at least seventy-two (72) hours prior to the regular meeting at a location that is freely accessible to the public. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting.
- C. No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that member of the Commission may briefly respond to statements made or questions posed by persons exercising their public testimony rights or ask a question for clarification, refer the matter to staff or to other resources for factual information, or request staff to report back at a subsequent meeting concerning any matter.
- D. Notwithstanding the foregoing, action may be taken on an item of business not appearing on the posted agenda upon following a determination by a four-fifths vote by the Commissioners present.
- E. If less than four-fifths of the Commission is present, action may be taken on an item of business not appearing on the posted agenda if, by an unanimous vote of the Commissioners present, the Commissioners determine there is a need to take immediate action and that the need for action came to the attention of the County subsequent to the agenda being posted.
- F. At least twenty-four (24) hours prior to each special meeting, an agenda for the special meeting shall be electronically sent to each Commissioner, to each representative of the news media and to each person who has submitted a written request to the Commission for notification of meetings; and shall be posted at least twenty-four (24) hours prior to the special meeting at a location that is freely accessible to members of the public. No business other than that listed on the agenda shall be considered at a special meeting.
- G. All subcommittees shall comply with the notice and agenda requirements otherwise applicable to the Commission in these By-laws, except for subcommittees composed solely of less than a quorum of the members of the Commission which are not standing subcommittees of the Commission with either a continuing subject matter jurisdiction or a meeting schedule fixed by resolution or other formal action of the Commission.

11) **Public Participation.**

Public participation in Commission meeting shall be allowed as follows:

- A. An opportunity for members of the public to directly address the Commission on any item on the agenda that is of interest to the public shall be provided before or during the Commission's consideration of the item.
- B. In addition, the agenda will provide for oral communications on items not on the agenda which are within the subject matter jurisdiction of the Commission near the beginning of each regular meeting agenda.
- C. The Commission may establish reasonable limits on the amount of time allotted to each speaker on a particular item, and the Commission may establish reasonable limits on the total amount of time allotted for public testimony on a particular item or the total amount of time allotted for

community oral communications. Unless otherwise determined by the Commission, the time limit will be 3 minutes. When further discussion is required, the Commission may vote to allot time in the agenda of the following meeting.

12) **Action of the Commission.**

Every act of decision taken or made by an affirmative vote of at least three of the Commissioners present at the meeting is the act of the Commission. All such actions of the Commission shall be governed by Roberts Rules of Order.

13) **Vacancies.**

Vacancies on the Commission shall exist: (1) on the death, resignation or removal of any Commissioner; and (2) any Commissioner who misses three consecutive meetings, without good cause entered into the Commission's minutes; or, any Commissioners who misses half of the meetings in a calendar year, of the Commission shall be deemed as resigned from the Commission. Parks Department staff shall notify the Clerk of the Board of any vacancies on the Commission.

14) **Biennial Report.**

A. A biennial report shall be submitted by the Commission to the Board of Supervisors and to the County Administrative Office on or before January 31st and subsequently filed with the Clerk of the Board of Supervisors. The report shall highlight the activities, accomplishments and goals of the Commission and shall utilize the following report format:

1. Role(s) of the Commission;
2. Meeting dates, time and location;
3. Commission structure;
4. Commission staff (designated staff or staff assigned through department);
5. Attendance;
6. Annual goals and accomplishments (reporting year goals and attainment of those goals; summary of reporting year activities including special projects, workshops or seminars that Commissioners have attended, if applicable);
7. Future goals; and
8. Recommendations may include (public and/or private sector actions that advance the goals of the Commission).

B. In addition to the Biennial Report, the Commission may submit progress reports and recommendations to the Board of Supervisors and to the County Administrative Office at any time.



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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