



2013-14 Committee Orientation Rules of Procedure and Bagley-Keene Open Meeting Act

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Goals

- Review the MHSOAC Rules of Procedure that are applicable to Committee members
- Demystify the Bagley-Keene Open Meeting Act (aka Bagley-Keene Act)

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MHSOAC Rules of Procedure Rule 5.1

- Membership of each Committee is confirmed every other year by the MHSOAC.
- In the intervening time the Committee Chair has discretion to modify the Committee membership based upon the needs of the committee.

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MHSOAC Rules of Procedure Rule 5.1

Attendance

- Notify the Committee Chair and staff member if you cannot attend a Committee meeting.
- Committee Chair has the discretion to decide whether it is in the best interest of the Committee to have a Committee member replaced if the member misses:
 - More than one (1) meeting without notice or
 - Three (3) meetings in a calendar year with notice

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MHSOAC Rules of Procedure Rule 5.2

Compensation and Expenses

Committee members are reimbursed in accordance with the State of California per diem laws.

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MHSOAC Policy

Decision Making By Consensus

- Consensus is ...
 - When everyone can live with the decision
- Consensus is not ...
 - A unanimous vote
 - A majority vote
 - Everyone is totally satisfied

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MHSOAC Policy

Decision Making By Voting

- Committee member clearly states a motion
- Another Committee member seconds the motion
- Public comment
- Discussion by Committee member
- Committee members vote

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Bagley-Keene Open Meeting Act

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Applicability

To What Groups Does The Act Apply?

- Commission
- Committees
- Other:
 - Group created by formal action of the Committee **and**
 - Consists of 3 or more persons

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Public Policy Overview

Three Basic Duties

- Conduct meetings in open session
- Give adequate notice of meetings
- Provide an opportunity for public comment at meetings

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What is a Meeting?

Definition of Meeting

- Any gathering of a majority of the members of the Committee to hear, discuss, or deliberate any item that is within the scope of the Committee.
 - “Gathering” does not require a physical meeting – email and phone calls qualify.
 - Serial calls or emails prohibited

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Serial Calls or Emails

- Cannot have a series of one-to-one telephone calls or emails between Committee members to discuss, deliberate, or take action.

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Extra Requirements for Teleconference

Meeting by Teleconferencing

- Must comply with all requirements for in-person meetings (i.e. notice, public comment etc).
- Location of each Committee member must be identified in the notice and agenda and be open to the public.
- At least one Committee member must be physically present at the location specified in the notice.

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Meeting Notice

Notice Requirements

- Must give at least 10 day notice.
- Notice must include agenda including brief description of the items of business to be transacted or discussed.
 - Enough details to inform the public of the subject matter

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The Meeting

Items Not on The Agenda (Think of the 3 Basic Duties)

- Committee cannot take action on items that are not on the agenda.
- Committee cannot discuss items that are not on the agenda.

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Opportunity for Public Comment

- Must provide opportunity for the public to address each agenda item before or during Committee's discussion or consideration.
- Committee can limit the total time allocated on particular issues and for each speaker.

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Copies of Documents

- Documents given to all or a majority of the Committee members must be made available for public inspection at the meeting.
- No requirement to post documents in advance.

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