

March 8, 2021

MEMO TO: GREAT -6(1)

F R O M: Michael J. Molina, Chair 
Government Relations, Ethics and Transparency Committee

SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO
AMENDMENTS TO THE RULES OF THE COUNCIL** (GREAT 6(1))

The attached legislative proposal pertains to Item GREAT – 6(1) on the Committee's agenda.

Attachment

cc:

Government Relations, Ethics, and Transparency Committee
Amendment Summary Form

Legislation: Proposed Resolution Adopting the Rules of the Council.

Proposer: Michael J. Molina, Chair 
Government Relations, Ethics, and Transparency Committee

Description: Proposed revision to Rule 7, Subsection G establishing guidelines for the Council to waive referral of an item to a Council Standing Committee.

a. Motion: Move to amend the proposed resolution by inserting the following language at the end of Rule 7G, to read as follows:

- a. “provided that the Council may waive this requirement by the affirmative vote of two-thirds of the entire membership of the Council[.] “, provided that the matter meets one of the following:
 - i. There must be an urgency relating to a required timeline that if the matter is sent to Committee it cannot meet.
 - ii. It is a matter relating to a county, state or federal emergency.
 - iii. Action is required to preserve the health, safety and well-being of the residents of the County.”

Reasons:


1. Rule 7 G provides for the Council to waive referral to a Council Committee “by affirmative vote of two-thirds of the entire membership of the Council.”
2. Last term we had a significant amount of legislation where referral was waived and subsequently heard on the Council floor.
3. The unintended consequence of this action resulted in:
 - a. very long-drawn-out Council meetings.
 - b. performing Committee work on the Council floor; and
 - c. providing the public adequate notice that the matter will be decided on the Council floor.
4. Therefore, in order to prevent items that have no urgency being heard outside of committee, I would request we establish

standards and guidelines that an item meet in order to receive a waiver of referral.

CM: MHP:rule_7G_amend_ASF:grs

Government Relations, Ethics, and Transparency Committee
Amendment Summary Form

Legislation: Proposed Resolution Adopting the Rules of the Council.

Proposer: Michael J. Molina, Chair 
Government Relations, Ethics, and Transparency Committee

Description: Proposed new Rule 29 to the Rules of the Council that will limit clarifying questions of testifiers.


- a. Motion: Move to amend the proposed resolution to create Rule 29, to read as follows:
 - i. “Councilmembers shall be allowed two clarifying questions per testifier. However, if the member has more than two clarifying questions, the member can request that the testifier be employed as a resource during Council deliberations.”

REASON-

1. This new rule will limit cross examination of testifiers by the Council.
2. In relation to the length of Council meeting and to prevent extensive cross examination of testifiers I am asking that we limit clarifying questions of a testifier to two.
3. However, if a member has more than two clarifying questions, the member should ask that the testifier be utilized as a resource during Council deliberations.
4. There have been many instances where members ask numerous questions of a testifier.
5. The unintended consequences are that it extends the length of the meeting and delays other testifiers from providing their thoughts.
6. The delay associated with numerous clarifying questions may be problematic if the following testifiers have time constraints, which may prevent them from testifying.
7. Therefore, out of respect to other testifiers and to our members that have questions, I would request your consideration of this amendment. CM:MHP:rules_29_Council_ASF:grs

Government Relations, Ethics, and Transparency Committee
Amendment Summary Form

Legislation: Proposed Resolution Adopting the Rules of the Council.

Proposer: Michael J. Molina, Chair 
Government Relations, Ethics, and Transparency Committee

Description: Proposed revision will add Rule 31 to the Rules of the Council that sets forth breaks for staff to rest.

a. Motion: Move to amend the proposed resolution to create Rule 31, to read as follows:

- a. “During each Council meeting the Chair shall provide a rest period of a minimum of 10 minutes during each half of the workday and at least a 45-minute lunch period.”

Reasons:

- Our County Clerk legislative staff are union employees.
- Per ARTICLE 21 - REST PERIODS AND LUNCH PERIOD of union bargaining handbook it requires “All Employees shall be allowed rest periods of ten (10) minutes during each half of the workday.”
- Furthermore, they are also allowed at least a 45-minute lunch.
- During this last meeting we went 5 hours without a break and only a 30 minute lunch.
- We have had other meetings where breaks have been few and far between. We need to move away from this.
- We don’t want to violate union requirements of our employee.
- Additionally, we don’t want our employees to burn out, so we need to give them time to rest during what appears to be a trend for very long Council meetings.