

Port Huron Charter Commission

Rules of Procedure

(as adopted March 24, 2009)

Rule 1 - Charter Commission

The commission shall operate in accordance with the state Open Meetings Act, the Home Rule City Act, State Constitution and all other pertinent laws. Meetings shall be conducted in accordance with the procedures established in these rules. On all matters of procedure not addressed in these rules, the commission shall refer to *Robert's Rules of Order, Newly Revised*, for guidance in developing procedures for the conduct of meetings.

Rule 2 - Chair, Vice Chair and Clerk

The commission shall elect a chair and a vice chair to serve for the term of the commission. The chair and vice chair shall retain all the rights and responsibilities held as a member of the commission, including the right to vote. The chair and vice chair shall not have the right to veto items or matters.

The chair, or in his/her absence the vice chair, shall be the presiding officer at meetings of the commission. In the absence of both the chair and vice chair, the clerk shall call the meeting to order, call for the roll and the commission shall then appoint an acting chair to preside over the meeting.

As required by law, the city clerk shall be the clerk of the commission and shall keep a summary of the proceedings setting forth the major decisions and actions.

Rule 3 - Presiding office

As the presiding officer, the chair shall decide all questions of order and interpretation of these rules, subject to an appeal by any commissioner present. When such appeal is made, a simple majority of those members in attendance may determine the interpretation.

Rule 4 - Meetings

The commission will generally meet at the Municipal Office Center at 7:00 p.m. on the second and fourth Tuesdays of the month. The day and time may be changed to accommodate conflicting schedules of commission members after proper notice has been given.

Special meetings may be called for upon the written request to the city clerk by the chair or any three members of the commission on at least 24 hours notice. Commission members may be notified by telephone, electronic mail or delivery of a notice to the commissioner's usual place of delivery of items.

Rule 5 - Quorum

Five (5) members of the commission shall constitute a quorum. A quorum must be present for official business to be conducted. In the absence of a quorum, two or more members may adjourn any meeting.

Rule 6 - Public comment

All interested persons shall be given the opportunity to present comments and opinions on agenda items during the public comment part of the meeting after first being recognized by the chair.

A speaker's time shall be limited to four minutes and no citizen shall speak more than once except with the chair's permission. In the chair's discretion, such limitation could be extended. All who address the commission shall identify themselves by name and state their city, township or village of residence.

Rule 7 - Order of business

The order of business at meetings shall be as follows:

1. Roll call
2. Approval of minutes
3. Public Comment
4. Communications
5. Reports
6. Unfinished Business
7. New Business
8. Agenda for next meeting- The agenda for the next commission meeting shall be discussed prior to the adjournment of any meeting. In the case of a lack of consensus, the chair shall decide the agenda.

Additional items not listed on the agenda may be acted upon at any meeting by consent of a simple majority of the members present; however, passage of said items requires the affirmative vote of not less than five (5) members as stated in Rule 10(b).

Rule 8 - Special committees

The commission may establish special committees during this review process. Assignment of members to special committees will be by general consensus or if a lack of consensus, the chair shall determine the members. Members of special committees shall not be compensated for attendance at said meetings.

Special committees shall provide either a verbal or written report of its proceedings to the full commission and said report may reflect any division of opinion concerning the recommendations or conclusions of the committee. A special committee shall be one with a limited assignment and shall dissolve upon completion of its assignment.

Rule 9 - Compensation and Expenses

No member shall receive compensation for more than ninety (90) meetings and only for actual attendance as provided by state law. No expenses shall be paid by this commission without prior authorization of this commission.

Rule 10 - Voting

- a. Each commission member shall have one vote. Votes by proxy shall not be permitted.
- b. Determination on any matter before the commission shall require the affirmative vote of not less than five (5) members of the commission, regardless of any vacancies or disqualifications, or unless a rule states a simple majority prevails.
- c. The chair shall not put any motion or question to a vote of the commission unless the same is moved and seconded.
- d. Voting shall be by voice vote unless the chair, clerk or any member is in doubt and demands a roll call vote.
- e. All provisions, sections or matters intended to become a part of the proposed charter shall be put in writing at least one (1) week prior to consideration, unless five (5) members present at a meeting waive said one (1) week notice. All amendments offered during the discussion shall, before being put to a vote, be reduced to writing unless simple in nature. It shall be the responsibility of the mover of any such motion to have it so reduced to written form.

- f. Before a question is put to a vote, an opportunity for debate, amendments or other appropriate action shall be afforded the commission members. The chair may determine when the commission has had sufficient opportunity to discuss the matter and shall order the discussion closed and order the roll call vote upon any motion.
- g. During any vote, there shall be no discussion of the question or other interruption. If a roll call vote is ordered, members shall vote alphabetically by last name with said names to be called on a rotating basis. The vote upon the passage of an item shall be taken by "Yea" and "Nay" votes and entered upon the record, except that where the vote is unanimous, it shall only be necessary to so state.
- h. No commission member may abstain from voting on a motion unless he or she has a direct conflict of interest. The member with said conflict of interest must publicly make full disclosure to the commission of the conflict prior to the vote at which the abstention will occur.
- i. Prior to official submission to the governor, the proposed charter in its entirety must be presented for a final vote of the commission and obtain the affirmative vote of at least six (6) members present and voting.
- j. General consent or consensus in lieu of a motion may be used to give direction. In this case, the minutes shall indicate that a majority consented.

Rule 11 - Vacancies

The commission is the sole judge of the qualifications, election and returns of its members. The commission may fill any vacancy in its membership and said vacancy shall be filled by a qualified elector of the city. A vacancy shall not exist until the resignation or removal of a member has become accepted by the commission. The affirmative vote of five members shall be required to fill a vacancy. If less than a quorum exists on the commission, a simple majority is required to fill a vacancy until a quorum exists. The vote to fill a vacancy shall be taken during a public meeting.

Rule 12 - Cause for removal

The commission may, upon the affirmative vote of two-thirds of the members, remove a member for nonfeasance, malfeasance or misfeasance, as defined by law.

Notice of absences and the reason for said absence shall be given to the chair by the member who will be absent. Unexcused absences at four (4) consecutive meetings by a commission member shall result in removal upon the affirmative vote of two-thirds of the members.

Rule 13 - Amendments to the Rules of Procedures

The Rules of Procedure may be amended upon the affirmative vote of two-thirds of the entire membership of the commission, but such vote shall not be voted upon at the meeting at which it was introduced. Said amendment or repeal shall be tabled until the next meeting or at such time as the commission shall determine. An amendment shall mean any addition of a new procedure or a deletion or modification of an existing procedure.

These rules may be "suspended" by a two-thirds vote of the commission members. In the event that the minimum quorum of five (5) members are present, then any rule may be suspended by a unanimous vote of the five (5) members. The purpose for suspension must be clearly stated before the vote is taken and the matter is one of such priority that it would be detrimental to hold it over until the next regular commission meeting.