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**RULES OF ORDER  
RATE FAIRNESS BOARD OF THE  
SAN FRANCISCO PUBLIC UTILITIES COMMISSION  
CITY AND COUNTY OF SAN FRANCISCO**

**Adopted XXXXX, 2023**

**DRAFT**

**Contents**

Adoption of Rules of Order .....	3
*RULE 1 .....	3
Suspension of the Rules of Order .....	3
RULE 2 .....	3
Amendments to Rules of Order .....	3
RULE 3 .....	3
Quorum .....	3
*RULE 4 .....	3
Vote Required .....	3
*RULE 5 .....	3
Organization and Election of Officers .....	4
RULE 6 .....	4
Regular Meetings of the Board .....	5
*RULE 7 .....	5
Temporary Meeting Place–Emergency .....	5
*RULE 8 .....	5
Special Meetings of the Board .....	5
*RULE 9 .....	5
Open and Public Meetings .....	6
*RULE 10 .....	6
Adjournment of Meetings .....	6
RULE 11 .....	6
Attendance at Meetings .....	6
RULE 12 .....	6
Powers and Duties of the Chair .....	6
RULE 13 .....	6
Call to Order and Roll Call .....	7
RULE 14 .....	7
Order of Business .....	7
RULE 15 .....	7
Rules of Debate .....	7
RULE 16 .....	7
Privilege of Floor and Public Participation .....	7
*RULE 17 .....	7
Minutes of Proceedings .....	8
*RULE 18 .....	8
Board Member Standards .....	<b>Error! Bookmark not defined.</b>
RULE 19 .....	<b>Error! Bookmark not defined.</b>
Parental Leave .....	8
*RULE 20 .....	8

## **DRAFT**

### **Adoption of Rules of Order**

**\*RULE 1.** The adoption of the Rules of Order shall be by motion and shall require an affirmative recorded vote of a majority of the seven members of the Rate Fairness Board (Board).

When adopted, such Rules of Order shall remain in effect, unless suspended or amended as provided in these Rules of Order. Once adopted or amended, a copy of these Rules shall be filed with the Clerk of the Board of Supervisors and be made available at the central office of the San Francisco Public Utilities Commission and at the Main Public Library within 10 calendar days of their enactment. [Charter Section 4.104(a)(1); Administrative Code Sections 8.15, 8.16.]

Rules indicated with an asterisk (\*) are adopted in conformance with specific sections of the San Francisco Charter, San Francisco Administrative Code, or California Government Code.

### **Suspension of the Rules of Order**

**RULE 2.** The Board, by affirmative vote of the majority of the seven members of the Board, may suspend any of the Rules of Order except this Rule 2 and any Rule that is required by Charter, Ordinance, Resolution, or other applicable law.

Any suspension shall be entered upon the minutes of the Board.

A motion to suspend the rules is debatable.

### **Amendments to Rules of Order**

**RULE 3.** The Board, by affirmative vote of the majority of the seven members of the Board, may amend these Rules of Order following a duly noticed public hearing as provided under Charter Section 4.104(a)(1). All amendments to these Rules of Order shall be consistent with applicable law.

### **Quorum**

**\*RULE 4.** A quorum for the transaction of official business shall consist of a majority of the seven members of the Board; four members of the Board constitutes a quorum. [Charter Section 4.104(b).]

### **Vote Required**

**\*RULE 5.** The affirmative vote of a majority of the seven members of the Board shall be required for the approval of any matter, except that the Board may act by the affirmative vote of a majority of the members present for matters of procedure (e.g., a vote to

## **DRAFT**

adjourn a meeting (see Rule 11) or to excuse a member from voting (see Charter § 2.104(b)), so long as the members present constitute a quorum. [Charter Section 4.104(b).]

Each member present at a regular or special meeting shall vote "yes" or "no" when a question is put to a vote, unless excused from voting by a motion adopted by a majority of the members present. [Charter Section 4.104(b)]

The vote on all motions, on approval of the minutes, and on all other questions, shall be recorded in the minutes of the proceedings of the Board. A roll call shall not be interrupted, but a member may, prior to the calling of the roll, explain the member's own vote, or file in writing an explanation after the result of the roll call has been announced and recorded.

### **Organization and Election of Officers**

**RULE 6.** At the first regular meeting of the Board on the third Friday of February of each even-numbered year, the members of the Board shall elect from among their number a Chair and a Vice-Chair of the Board, each to serve for a two-year term.

If the Chair position becomes vacant before expiration of the two-year term, the following shall occur: (1) the Vice-Chair shall automatically assume the Chair position and serve out the remainder of the prior Chair's term and (2) at the next regular meeting of the Board after the vacancy occurs, the members of the Board shall elect a new Vice-Chair who shall serve out the remainder of the prior Vice-Chair's term. After the new Chair and Vice-Chair have served out the remainder of the terms of the vacated positions, they may each then be elected to serve a full two-year term the following February.

In the event that the Vice-Chair position becomes vacant before expiration of the one-year term, at the next regular meeting of the Board after the vacancy occurs, the members of the Board shall elect a new Vice-Chair who shall serve out the remainder of the prior Vice-Chair's term. After the new Vice-Chair has served out the remainder of the term, that Board member may then be elected to serve a full two-year term as Vice-Chair the following February.

## **DRAFT**

### **Regular Meetings of the Board**

**\*RULE 7.** The Board shall hold a regular meeting at 2 p.m. on the third Friday of February at 525 Golden Gate Avenue. [Government Code Section 54954(a); Administrative Code Section 67.6(a).]

If a regular meeting would otherwise fall on a holiday, it shall instead be held on the next business day, unless otherwise rescheduled or canceled in advance. [Administrative Code Section 67.6(c).]

### **Temporary Meeting Place—Emergency**

**\*RULE 8.** In case of an emergency that renders unsafe the use of the Board’s regular meeting location, the Board shall designate some other appropriate location as its temporary meeting place. The change of meeting site shall be announced by the most rapid means of communication available at the time, in a notice to the local media outlets that have requested written notice of special meetings pursuant to Government Code Section 54956. Reasonable attempts shall be made to contact others regarding the change in meeting location. [Government Code Section 54956; Administrative Code Section 67.6(d).]

### **Special Meetings of the Board**

**\*RULE 9.** Special meetings of the Board may be called at any time by the Chair or by a majority of the seven members of the Board by delivering personally or by mail written notice to each member of the Board and to each local newspaper of general circulation, radio or television station requesting notice in writing.

Notice of a special meeting may be delivered personally, by email, or by mail, as reasonably requested, and notice shall be delivered at least 72 hours before the time of such meeting as specified in the notice. [Administrative Code Sections (e), (f).]

The call and notice shall specify, the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings by the Board.

Written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Secretary of the Board a written waiver of notice. Such waiver may be given by electronic written notice.

Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

## **DRAFT**

Each special meeting shall be held at the regular meeting place (see Rule 7), except that the Board may designate an alternate meeting place provided that (a) such alternate location is specified in the call and notice of the special meeting and (b) notice of the special meeting shall be given at least 15 days before the special meeting being held at an alternate location. This provision shall not apply where the alternative meeting location is located within the same building as the regular meeting place of the Board. [Government Code Section 54956; Administrative Code Section 67.6(f).]

### **Open and Public Meetings**

**\*RULE 10.** All meetings of the Board shall be open and public, and all persons shall be permitted to attend any meeting of the Board. [Government Code Section 54950, *et seq.*, Charter Section 4.104(a)(2), Administrative Code Sections 67.5.] The matters to be included on an agenda for a Board meeting shall be determined by the Board Chair or by motion of a Board member adopted by a majority of the seven members of the Board. All meetings shall be duly noticed and posted as required by law. [Administrative Code Sections 8.16; 67.7(a).]

### **Adjournment of Meetings**

**RULE 11.** The Board may adjourn any regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. When less than a quorum of the Board is present, a majority of the Board members present may so adjourn from time to time.

### **Attendance at Meetings**

**RULE 12.** Unless excused, all members of the Board shall be in their respective seats at the hour appointed for each regular, special, or adjourned meeting of the Board. No member shall leave the Board meeting while in session without permission of the presiding officer.

### **Powers and Duties of the Chair**

**RULE 13.** The Chair shall preside at all meetings of the Board, shall preserve order and decorum, shall decide all questions of order subject to appeal to the Board by any member, and shall appoint any and all committees of the Board. The Chair shall have the right to participate in the proceedings of the Board, including the right to make or second any motion, and may speak to points of order in preference to the other members. In the absence of the

## **DRAFT**

Chair, the Vice-Chair shall preside, and in the absence of both the Chair and the Vice-Chair the most senior member of the Board in point of continued service shall preside.

### **Call to Order and Roll Call**

**RULE 14.** The Chair shall call each regular, adjourned, recessed, or special meeting to order at the appointed hour. Immediately after the call to order, the Secretary of the Board shall call the roll of the members of the Board and shall record those present and those absent and shall cause to be entered upon the minutes the names of those members present at the first roll call as well as the names and time of appearance of those members who arrive subsequent to the first roll call.

### **Order of Business**

**RULE 15.** The regular order of business shall be as follows, unless the presiding officer elects to proceed in a different order pursuant to the authority granted under Rule 13:

1. Call to Order
2. Roll Call
3. General Public Comment
4. Approval of Minutes
5. Report of the Chair [information only]
6. Items Initiated by Board Members
7. Announcements and Requests for Future Agenda Items
8. Adjournment

### **Rules of Debate**

**RULE 16.** A member who desires to address the Board shall seek recognition by addressing the presiding officer, and when recognized, shall proceed to speak, confining comments to the question before the Board, unless addressing Items Initiated by Board Members (see Rule 15). No discussion shall take place until a calendared item has been introduced, or a motion has been moved and seconded, as appropriate to the item. No vote shall be taken until the item has been moved and seconded and an opportunity for public comment has been provided.

### **Privilege of Floor and Public Participation**

**\*RULE 17.** The privilege of the floor shall be granted to any member of the public or

## **DRAFT**

officers of the City and County of San Francisco, or their duly authorized representatives, for the purpose of commenting on any question before the Board. Each person wishing to speak on an item at a regular or special meeting shall be permitted to be heard once per item for up to three minutes; time limits shall be applied uniformly to members of the public wishing to testify. The presiding officer shall be the judge of the pertinence of such comments. The presiding officer has the power to limit the privilege if, in the presiding officer's opinion, the comments are not pertinent to the question or item before the Board. [Administrative Code Section 67.15(c); Government Code Section 54954.3.]

The Board, upon consent of three members, may extend the privilege of the floor by waiver of this Rule.

Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board.

### **Minutes of Proceedings**

**\*RULE 18.** The Secretary of the Board shall audio record each regular and special meeting. The recording may not be erased or destroyed at any time. [Administrative Code Section 67.14(b).] The Board Secretary shall record the minutes of each meeting and a draft of the minutes shall be made available for public inspection and copying no later than ten working days after the meeting. The Board Secretary shall deliver a draft of the meeting minutes to the Government Information Center of the San Francisco Public Library within 10 working days of the date of the meeting. [Administrative Code Section 8.16.] The officially adopted minutes must be available for inspection and copying no later than 10 working days after the meeting at which the minutes are adopted. [Administrative Code Section 67.16.] Minutes shall further be posted on the website maintained for the Board no later than 48 hours after the meeting in which the minutes are adopted. [Administrative Code Section 67.29-2.]

### **Parental Leave**

**\*RULE 19.** Under Administrative Code Chapter 67B, members of the Board may take parental leave in certain circumstances. The terms of the parental leave policy are set forth in Administrative Code Section 67B.1. That section is incorporated by reference into these Rules



**DRAFT**

of Order. The Board Secretary shall provide a copy of Section 67B.1 to each member of the Board when the member assumes office. Any member who intends to take parental leave under this policy must inform the Board Chair and the Board Secretary in writing. To the extent feasible, the member's written notice shall state the beginning and end dates of the leave and whether the member intends to participate in Board meetings remotely during the leave. The notice is not binding on the member and does not limit the member's rights under the parental leave policy, but rather is intended to aid the Board Secretary and the San Francisco Public Utilities Commission department personnel in planning the work and the meetings of the Board while the member is on parental leave.