

MEETING PROCEDURE FOR PEDESTRIAN/BICYCLE ADVISORY COMMITTEE

Prepared by Assistant City Attorney Jocelyn Golden, dated May 10, 2021

Board Duties and Details

The Committee/Board advises the Mayor, City Council, and Director regarding development of comprehensive plan for bicycle and pedestrian network and recommendations on the location, needs, designs, safety, and development of policies related to use of trails and routes.

Number of Members: 14

Members Required for a Quorum: 8

Length of Term: 3 years, no term limits

Meeting Time and Date: Monthly, 7:00 a.m., Second Tuesday of every month

Meeting Location: Parks and Recreation Large Conference Room

Opening of Meeting

Each meeting shall begin by stating that the board meeting is called to order, the date of the meeting, and that a copy of the Open Meetings Act is posted in the room. Neb. Rev. Stat. § 84-1412(8).

Meetings shall be in a public place supported by public funds and to the general public. LMC 2.54.020.

Action on Agenda Items and Motions

Agendas shall be prepared by Parks and Recreation Department staff, which shall determine which items shall be discussed and if the Board shall be asked to take action to provide an advisory opinion.

Board meetings shall proceed on the printed, posted agenda made available to the public, which shall not be altered later than 24 hours before a meeting. The agenda should be sufficiently descriptive to put the public on notice what will be considered at the meeting. Neb. Rev. Stat. § 84-1411. Minutes must be kept and available to the public within 10 working days. Neb. Rev. Stat. § 84-1413.

For action on agenda items, the Chair should ask if there a motion on each matter unless motion formality is waived. The Chair should restate the motion once moved, state if it has been seconded, and then allow for final discussion and vote. Neb. Rev. Stat § 84-1411. Board members may suggest modification of the motion, or the person who made the original motion can amend the motion.

A majority affirmative or negative vote of those present (the quorum) are required to act on any motion before the board. **Any action on any motion must be by a roll call vote** of the public body in open session. Neb. Rev. Stat. § 84-1413(2). The vote should be recorded in the minutes.

Public Records and Communications

Any records regarding board business, including communications between board members by email from personal email addresses and text messages from personal phone numbers, are considered a matter of public record and must be disclosed upon receipt of a valid written public record request, unless subject to one of the limited exceptions provided by law. Neb. Rev. Stat. § 84-712.05. Emails or in-person discussions regarding board business involving a quorum number of board members outside of a scheduled board meeting could violate the Open Meetings Act. **Subcommittees are not subject to the Open Meetings Act**, but should not include a quorum of members or such meetings require public notice and other compliance with the Act. Neb. Rev. Stat. § 84-1409(b).

Executive/Closed Session (Uncommon)

A member makes a motion stating the purpose for closed session, and after seconded, a majority vote allows a closed session to exclude the public. Closed session is only allowed if it is clearly necessary (1) for the protection of the public interest, or (2) for the prevention of needless injury to an individual (i.e., real estate transactions and personnel matters). Neb. Rev. Stat. § 84-1410. The meeting must be reconvened in open session for any formal action and vote. Neb. Rev. Stat. § 84-1410.

Abstention and Conflict of Interest

It is the duty of every member who has an opinion on an item to express it by vote, but a member cannot be compelled to vote and may abstain. Abstention may indicate ambivalence towards the item or that the member is not adequately informed. No member should vote on an item in which he or she has a direct or significant personal or pecuniary interest not common to other members.

Additional Information

If additional information or time is needed to decide an issue, such as from a staff member, or more time is needed for public input, an item may be postponed. This is preferable to voting and later requesting reconsideration, which requires a motion by a member who voted for the prevailing side.

Adjournment

When all of the items on the agenda have been addressed or in the alternative postponed by motion and vote, the chairperson can ask for a motion to adjourn by acclamation or non-roll call vote.

Motion	2nd?	Amend?	Debate?	Vote?	Purpose of Motion
Main Motion	Yes	Yes	Yes	Majority	Brings item of business before board
Amend	Yes	Yes	Yes	Majority	Modifies wording of pending motion before item is acted upon
Divide Motion	Yes	Yes	No	Majority	Divides motion into numerous items for vote
Call for Order of Day	No	No	No	None	Requires board to conform to agenda
Lay Question on Table	Yes	No	No	Majority	Temporarily lay item aside or allow for the taking of another matter out of order
Take from Table	Yes	No	No	Majority	Presents item again that was tabled
Point of Order	No	No	No	No vote	Indicates question in procedure being followed and asks chair to make ruling
Suspend rules	Yes	No	No	2/3	Suspends regular rules for an item
Rescind	Yes	Yes	Yes	Majority w/ notice	Changes action previously ordered, used to cancel a motion not voted upon?
Reconsider	Yes	No	Yes	Majority	Further consideration on motion already voted upon
Postpone	Yes	Yes	Yes	Majority	Postpones item to certain time, can be used when additional information is needed
Postpone Indefinitely	Yes	No	Yes	Majority	Declines to take a position, which kills the motion
Recess	Yes	Yes	No	Majority	Intermission in meeting
Adjourn	Yes	Yes	No	Majority	Closes meeting

*****According to Robert's Rules of Order[®] website and various editions