



Oahu's Neighborhood Board System

Neighborhood Board Member

GUIDEBOOK



NEIGHBORHOOD COMMISSION
City and County of Honolulu

Mufi Hannemann, Mayor

Joan A. Manke, Executive Secretary

June 2007

OATH OF OFFICE

**I DO SOLEMNLY SWEAR, THAT I WILL SUPPORT
THE CONSTITUTION AND LAWS
OF THE UNITED STATES OF AMERICA,
THE CONSTITUTION AND LAWS OF THE
STATE OF HAWAII,
THE CHARTER AND LAWS OF THE
CITY AND COUNTY OF HONOLULU,
AND THE PROVISIONS OF THE NEIGHBORHOOD PLAN
AND THAT I WILL FAITHFULLY DISCHARGE MY
DUTIES AS A MEMBER OF THE NEIGHBORHOOD
BOARD TO WHICH I HAVE BEEN ELECTED,
OF THE CITY AND COUNTY OF HONOLULU,
STATE OF HAWAII,
TO THE BEST OF MY ABILITY.**

MESSAGE FROM THE EXECUTIVE SECRETARY

Aloha! We are pleased to present you with this Guidebook which will serve as a valuable tool and resource in your service to your community.

This information will help give you a better understanding of the Neighborhood Board System and your duties and scope of responsibilities as a Neighborhood Board Member.

Thank you for accepting the challenge to make our Honolulu a better place to live, work and raise our families.

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HISTORY OF OAHU'S NEIGHBORHOOD BOARD SYSTEM

WHAT IS THE NEIGHBORHOOD BOARD SYSTEM?

Oahu's Neighborhood Board System has one of the most sophisticated and effective Neighborhood Plans in the United States, created to assure and increase community participation in the decision-making process of government. The system applies the concept of participatory democracy, involving communities in the decisions affecting them. It establishes an island wide network of elected Neighborhood Boards as communication channels, expanding and facilitating opportunities of community and government interaction.

HOW WAS THE SYSTEM CREATED?

The process for development of the Neighborhood Board System began after the Revised City Charter of Honolulu (1973) was overwhelmingly approved by the electorate. The Neighborhood Commission became responsible for the development of a uniform system of citizen participation. It called for the establishment of a nine-member Neighborhood Commission serving five-year terms. The Commission was responsible for developing a Neighborhood Plan outlining a uniform system of Neighborhood Boards on Oahu. The first Commission was officially sworn in on June 29, 1973, electing YMCA executive Phillip S. Chun as its first chairman.

After an extensive program of informational meetings and public hearings, the Commission formulated a concept of "**participatory democracy.**" A Plan was drafted and filed with the City Clerk on December 31, 1974. Neighborhood Boards were then formed in accordance with the Plan. The boundaries of each Neighborhood were depicted on an official Neighborhood Boundary Map.

A system of channeling grass-roots participation in government was born: the Neighborhood Boards. On April 23, 1975, Mililani/Waipio/Melemanu became the first neighborhood board area. Today there are 32 Neighborhood Boards actively addressing the issues and concerns for the betterment of their communities and serving as advisory groups to the Mayor and City Council. Although the Neighborhood Boards are advisory in nature, their statutory existence has facilitated many of their impressive accomplishments.

WHAT ARE THE MAJOR POINTS OF THE NEIGHBORHOOD PLAN?

The Neighborhood Plan designates Neighborhood boundaries throughout Oahu and provides procedures for forming Neighborhood areas and Neighborhood Boards. Some of the Plan's major points are:

- Thirty-five Neighborhood areas (only 32 areas have been initiated by communities).
- Initiative petition of 100 registered voters or five percent of voters within the area (whichever is less) for the formation of a neighborhood.
- Two-year terms for board members.
- Advisory role of all Neighborhood Boards.
- Anyone can be candidates and vote as long as they are 18 years and older and live in the district.

Copies of the Neighborhood Plan are available from the Neighborhood Commission office.

WHAT ARE THE FUNCTIONS OF A NEIGHBORHOOD BOARD?

Neighborhood Boards are required to hold at least ten monthly meetings per year. Neighborhood Boards serve as a key mechanism through which each neighborhood may communicate its needs and desires, both in the delivery of basic government services and in economic development and land use questions. While the Neighborhood Plan emphasizes the advisory nature of the boards, suggested activities include study and review of capital improvement projects and zoning concerns. In addition, boards may conduct educational programs on governmental decision making processes and may establish community goals, objectives, and priorities.

WHO CAN RUN FOR A NEIGHBORHOOD BOARD?

Candidacy for a Neighborhood Board is open to all residents of Oahu, including military personnel and aliens, who reside in the Neighborhood Board area and Sub-district to which they are being elected. A candidacy declaration form must be filed but no filing fees or nominating papers are required. Neighborhood Board elections are conducted biennially through a mail ballot system.

HOW CAN A CITIZEN PARTICIPATE IN THE SYSTEM?

Community participation is encouraged and welcomed by the boards. There are many ways in which the community can participate, some of which are:

- Voicing your concerns to your board representatives through personal contact or letters.
- Attending the regular monthly meetings, public forums and other community events sponsored by your board.
- Volunteering to participate on a board committee.
- Responding to surveys conducted by the board.
- Be a candidate in your board's election.
- Vote in your board's election.
- Offering any resourceful skills or knowledge.

YOU ARE THE DIFFERENCE

The theme, "**The Responsible City**," was chosen by the City Charter Commission when it presented the revised City Charter to the voters in 1972. A major component of this concept is full citizen participation in government so that the powers of the City shall properly serve and advance the aspirations of its citizens.

However, the initiative for action must come from the people themselves. While Neighborhoods and Neighborhood Boards were established under the Charter as a means to increase and assure effective citizen participation, their creation and implementation are optional.

The Neighborhood Plan, which designates boundaries and provides for neighborhood formation, leaves many decisions open to the community so that an individually designed approach, suited to each neighborhood, can be implemented.

DEVELOPMENT OF THE NEIGHBORHOOD BOARDS

REVISED CITY CHARTER
OF HONOLULU

NEIGHBORHOOD COMMISSION

9 MEMBER BODY (unpaid volunteers)

- 4- Mayor appointed (two must have prior board experience)
- 4- Council appointed (two must have prior board experience)
- 1- Mayor appointed with concurrence of Council
(one full term prior Board experience)

- Provide a Neighborhood Plan
- Review and evaluate Plan
- Assist in the formation of neighborhoods and neighborhood boards

* one full term prior board experience for total of 5 appointees

NEIGHBORHOOD PLAN

(First Adopted December 1974)

- Designates boundaries of neighborhood
- Provides procedures for forming neighborhoods and neighborhood boards
- Election of board members
- Terms of office
- Powers, duties and functions

35 NEIGHBORHOOD BOARD AREAS
(32 FORMED)

NEIGHBORHOOD COMMISSION ORGANIZATIONAL CHART

MANAGING DIRECTOR

**NEIGHBORHOOD
COMMISSION**

9 – MEMBERS
(APPOINTED VOLUNTEERS)

**NEIGHBORHOOD COMMISSION
OFFICE**

- EXECUTIVE SECRETARY
- STAFF

32 NEIGHBORHOOD BOARDS
(444 Elected Volunteers)

3 - UNFORMED BOARD AREAS

NEIGHBORHOOD BOARDS ESTABLISHED

FUNCTION (Section 1-7.I, Revised Neighborhood Plan 1986, 1998 Edition)

- Serve in an advisory capacity to government.
- Actively participate in functions and processes of government by articulating, defining and addressing neighborhood problems.
- Make recommendations that reflect the needs and wants of the neighborhood.
- Take the initiative in selecting activities and establishing priorities among them.
- Expand and facilitate opportunities for community and government interaction.

<u>No.</u>	<u>Neighborhood Area</u>	<u>Date Formed</u>
25	Mililani/Waipio/Melemanu	04/23/75
24	Waianae Coast	05/09/75
15	Kalihi-Palama	05/16/75
2	Kuliouou/Kalani Iki	05/16/75
32	Waimanalo	07/18/75
29	Kahalu'u	09/08/75
28	Koolauloa	02/10/76
30	Kaneohe	02/10/76
3	Waialae/Kahala	04/16/76
16	Kalihi Valley 05/04/76	
8	McCully/Moilili	05/04/76
31	Kailua	08/24/76
1	Hawaii Kai	03/01/77
7	Manoa	03/01/77
14	Liliha/Puunui/Alewa/Kamehameha Hts	03/22/77
10	Makiki/Lower Punchbowl/Tantalus	09/20/77
11	Ala Moana/Kakaako	09/20/77
9	Waikiki	09/20/77
20	Aiea	09/20/77
6	Palolo	09/20/77
21	Pearl City	09/20/77
4	Kaimuki	09/20/77
12	Nuuanu/Punchbowl	09/20/77
23	Ewa	09/20/77
13	Downtown	09/20/77
5	Diamond Hd/Kapahulu/St. Louis Hts	09/27/77
27	North Shore	10/11/77
18	Aliamanu/Salt Lake/Foster Village	01/30/79
22	Waipahu	10/23/84
26	Wahiawa/Whitmore Village	03/19/85
34	Makakilo/Kapolei/Honokai Hale	08/29/94
35	Mililani Mauka/Launani Valley	10/02/96
*17	Moanalua	
*19	Airport	
*33	Mokapu	

- The initiative for forming boards in these Neighborhood Areas must come from the residents, as specified in the Revised City Charter and procedures as set forth in Chapter 1, Article 4, Revised Neighborhood Plan.

NEIGHBORHOOD BOARD MEETING DAYS

NB #	BOARD NAME	MEETING DAYS
1	Hawaii Kai	Last Tuesday
2	Kuliouou/Kalani Iki	1 st Thursday
3	Waiialae/Kahala	3 rd Thursday
4	Kaimuki	3 rd Wednesday
5	Diamond Head/Kapahulu/St. Louis Heights	2 nd Thursday
6	Palolo	2 nd Wednesday
7	Manoa	1 st Wednesday
8	McCully/Moiliili	1 st Thursday
9	Waikiki	2 nd Tuesday
10	Makiki/Lower Punchbowl/Tantalus	3 rd Thursday
11	Ala Moana/Kakaako	4 th Tuesday
12	Nuuanu/Punchbowl	3 rd Tuesday
13	Downtown	1 st Thursday
14	Liliha/Puunui/Alewa/ /Kamehameha Hts	2 nd Monday
15	Kalihi-Palama	3 rd Wednesday
16	Kalihi Valley	2 nd Wednesday
18	Aliamanu/Salt Lake/Foster Village	2 nd Thursday
20	Aiea	2 nd Monday
21	Pearl City	4 th Tuesday
22	Waipahu	4 th Thursday
23	Ewa	2 nd Thursday
24	Waianae Coast	1st Tuesday
25	Mililani/Waipio/Melemanu	4 th Wednesday
26	Wahiawa/Whitmore Village	3 rd Monday
27	North Shore	4 th Tuesday
28	Koolauloa	2 nd Thursday
29	Kahalu'u	2nd Wednesday
30	Kaneohe	3 rd Thursday
31	Kailua	1 st Thursday
32	Waimanalo	2 nd Monday
34	Makakilo/Kapolei/Honokai Hale	4 th Wednesday
35	Mililani Mauka/Launani Valley	3 rd Tuesday

LAWS AND RULES
GOVERNING THE
NEIGHBORHOOD BOARD SYSTEM

**EXCERPTS FROM THE
REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU**

ARTICLE XIV. NEIGHBORHOODS AND NEIGHBORHOOD BOARDS

Section 14-101. Neighborhoods and Neighborhood Boards - Neighborhoods and neighborhood boards to increase and assure effective citizen participation in the decisions of government shall be established in accordance with a neighborhood plan (Reso. 84-231)

Section 14-102. Neighborhood Commission - There shall be a neighborhood commission which shall consist of nine members chosen from the city at large. The mayor shall appoint four members, two of whom shall have served on a neighborhood board for at least one full term. The presiding officer of the council, with the approval of the council, shall appoint four members, two of whom shall have served on a neighborhood board for at least one full term. The ninth member shall be appointed by the mayor and confirmed by the council. The ninth member shall have served on a neighborhood board for at least one full term.

The commission shall elect a chair from among its members. Any vacancy in the commission shall be filled in the same manner as for an original appointment.

The commission shall act by majority vote of its membership and shall establish its own procedures. Commission members shall be compensated and reimbursed for their necessary expenses as provided by ordinance. The council shall appropriate funds to the neighborhood commission necessary for the performance of its official duties.

The terms of members initially appointed shall be for five years, and their successors shall serve for staggered terms of five years in the manner provided in subsection 13-103(c) of this charter. (Reso. 83-357; 1992 Gen. Election Charter Amendment)

Section 14-103. Powers, Duties and Functions - The neighborhood commission shall:

(a) Develop, after public hearings, a neighborhood plan which shall be effective upon filing with the city clerk.

(b) Review and evaluate the effectiveness of the neighborhood plan and neighborhood boards and report thereon.

(c) Assist areas of the city in the formation and operation of their neighborhoods and neighborhood boards, upon their request.

Section 14-104. The Neighborhood Plan - The neighborhood plan shall designate the boundaries of neighborhoods and provide procedures by which registered voters within neighborhoods may initiate and form neighborhoods and the manner of selection of the members of neighborhood boards, their terms of office and their powers, duties and functions. The plan may be amended by the commission, after public hearings to be held in various areas of the city, and amendments shall become effective upon filing with the city clerk.

Section 14-105. Executive Secretary - There shall be an executive secretary to the neighborhood commission who shall be appointed by the mayor and confirmed by the council, and may be removed by the mayor. (Reso. 95-261)

EXCERPTS FROM THE NEIGHBORHOOD PLAN

Article 7. Powers, Duties, and Functions of a Neighborhood Board

Section 1-7.1. The boards are responsible for actively participating in functions and processes of government by articulating, defining, and addressing neighborhood problems. Their actions should reflect the needs and wants of the neighborhood. Boards are expected to take the initiative in

selecting their activities and establishing priorities among them, and to provide means for effective citizen participation in government. The powers, duties, and functions of the board shall include, but not be limited to the following:

(a) Review and make recommendations on any general plan, development plan, and other land use matters within its neighborhood and may review and make recommendations on such changes in other neighborhoods in the city.

(b) Prepare a list of recommended capital improvement projects which reflect the needs of the neighborhood and state the priorities thereof and review and make recommendations on proposed capital improvement plans.

(c) Set goals and objectives, with priorities, which reflect the growth needs of the neighborhood and state the priorities thereof, for the growth of the neighborhood.

(d) Sponsor studies, hold informational meetings, conduct public forums, and make recommendations on problems in the neighborhood to appropriate government officials or agencies.

(e) Monitor and evaluate the efficiency and effectiveness of the government's delivery of services to citizens, and assist in advocating residents' interests to all branches of federal, state and local governments.

(f) Conduct educational programs for the general public regarding the aspect of government's decision-making processes important to board activities and functions.

(g) Hold a regular meeting on a pre-established day of the month in at least nine (9) months of a twelve (12) month annual cycle. The cycle will begin in July and end in June of the following year, unless otherwise set by the commission. At no time shall two (2) consecutive months elapse between regular meetings. All sessions shall be open public meetings held within the neighborhood. The agenda shall be made public by filing with the city clerk not less than six (6) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting. The NCO shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall make available a copy of the notice to such person. Public notice of all meetings shall be in compliance with the applicable provisions of the Neighborhood Plan and Chapter 92, Hawaii Revised Statutes.

(h) Special meetings open to the public may be called at any time by the chairperson, or a majority of the board. The agenda shall be made public by filing the same with the city clerk not less than six (6) calendar days prior to the special meeting. Written notice of such meetings specifying the subject(s) thereof shall be given to each member and the acts and business of the board shall be confined to the subject(s) so specified. Delivery of notice to the member's mailing address shall be deemed sufficient compliance to the giving of written notice.

(i) Within limitations of staff and financial resources, and in cooperation with such agencies as the satellite city halls, boards may initiate and seek out ways to assist and collaborate with existing community associations and councils in carrying out their functions in harmony with those assigned to neighborhood boards so long as the collaboration does not extend beyond the powers, duties, and functions of neighborhood boards as defined in this Plan.

BASIC LEGAL ASPECTS

Being an integral part of the City government, members of the Neighborhood Boards act under color of law in performing their respective duties. Failure to comply with applicable rules and procedures could affect the actions taken by the board as well as have a detrimental effect on the board members themselves.

I. DEFINITIONS OF FREQUENTLY USED TERMS - Abbrev. (Acronym)

HRS	<u>Hawaii Revised Statutes.</u> Laws or statutes enacted by the State of Hawaii Legislature.
ROH	<u>Revised Ordinance of Honolulu.</u> Regulations or laws of the City and County of Honolulu.
RCH	<u>Revised Charter of the City and County of Honolulu, 2000.</u> Rules or provisions by which the City currently operates.
NP or PLAN	<u>Neighborhood Plan.</u> Development by the Neighborhood Commission, as mandated under RCH 14-104. The document designates: 1) boundaries of neighborhood areas, 2) provides for procedures to initiate and form neighborhoods, 3) manner of selecting members and their terms, 4) powers, duties and functions of neighborhood boards.
(H)APA	<u>(Hawaii) Administrative Procedures Act.</u> Chapter 91, Hawaii Revised Statutes. Laws covering Public Proceeding and Records. The Neighborhood Commission adopts the Plan in compliance with procedures as set forth in this statute. Procedures for adoption, amendment or repeal of rules are defined in HRS Chapter 91.
"Sunshine Law"	<u>Chapter 92, Hawaii Revised Statutes</u> - Public Agency Meetings, Records. Often referred to as State Sunshine Law, it virtually covers every governmental board that is created by law or by executive order. The statute requires that meetings be open and records are made available to the public.

II. BASIC LEGAL REQUIREMENTS, RULES AND REGULATIONS

A. OPERATIONAL

1. **"Sunshine Law"** (Chapter 92, HRS, as amended)

What?	Basic intent of this law is the public's right to know when and where boards meet, the right to attend such meetings, the right to speak on any agenda item, and the right to obtain minutes of these meetings. More simply--an open system of government meetings and records.
Who?	Applicable to Neighborhood Boards as units of an "executive agency" of the City, boards and commissions, City Council.

How?

Written Notice (Agenda)

- File with the City Clerk at least 6 calendar days prior to regular or special meetings and post notice at Neighborhood Commission Office (*S4-7.2, NP supersedes HRS). Permitted Interactive Groups need not be noticed.
- List date, time, place of meeting, and itemize business to be conducted.
- No change once filed by adding items unless 2/3 vote of board's entire membership concurs, except as provided under Section 92-7(b), HRS.

Open Meetings

- Every meeting shall be open to the public. All persons shall be permitted to attend.
- Afford all interested persons an opportunity to present oral or written testimony on any agenda item.

Written Minutes

- Available for public review within 30 days after meeting.
- Record: Date, time and place of meeting, board members present, absent, substance of what was discussed, votes by each individual member; and any information board member submits.(S92-9, HRS; S4-7.3 NPa).

2. **Quorum** · Majority of entire membership (at least 1/2 plus 1) required to conduct board meeting and to take formal board action.
(S92-15, HRS; S13-103(g) and (i), RCH; S1-2.1, S4-7.4, NP).
 - No board action can be taken without a quorum.
 - No board meeting can be convened without a quorum.
3. **Voting** · The affirmative vote of a majority of the entire membership is required to take action. Such action shall be made at an open meeting.
(S92-15, HRS; S13-103(i), RCH; S4-7.4, NP).
 - Minutes shall include a record, by individual member, of any votes taken. Therefore, voting by secret ballot is prohibited on any action(s) of the board, including the election of officers or the filling of vacant seats. (S92-9, HRS; S4-7.4, NP).
 - Acceptable methods of voting: (S4-7.5, NP).
 - show of hands
 - roll call
 - unanimous consent
4. **Meetings** Regular Meeting
 - Hold at least 10 regular monthly meetings per year on a pre-established day of the month. At no time shall two consecutive months elapse between regular meetings. (S1-7.1(i), S4-7.1(a)(1), NP).Special Meeting
 - Special meetings open to the public may be called at any time by the chairperson or the majority of the board. (S1-7.1(j), S4-7.1(b), NP).
5. **Agenda** · Written public notice of any meeting is required, with the exception of Permitted Interaction Groups. Notice to include an agenda listing all items to be considered; date, place, and time of meeting.

(Chpt 92, HRS; S4-7.2, NP).

Regular Meeting - Filing with City Clerk 6 calendar days prior to scheduled meeting. (S4-7.1(a)(3)(5), NP).

Special Meeting - Filing with City Clerk 6 calendar days prior to scheduled meeting. (S4-7.1(b)(2), NP).

B. **BOARD MEMBERSHIP**

1. **General Requirements**

- Minimum 9 members for each board.
- Uneven number of members
- Each term consists of 2 years - commencing June 1 and ending 24 months later on May 30. (S1-5.1, S1-5.3, S3-2.2 NP).

2. **Qualifications**

- Must be a legal resident of neighborhood and subdistrict (as applicable) to which elected. (S3-3.2, S4-2.1, NP).
- Minimum age of 18 years. (S3-5.1, NP).
- May be a legal resident alien. Does not have to be a citizen or national of the United States. (S3-3.3, NP).

3. **City, state or federal employees** may be elected to a Neighborhood Board.

4. **Dual Membership**

- Member of a Neighborhood Board may accept a position on another State or City board, commission or committee. (S78-4, HRS, as amended in May, 1984).
- A board member elected to public office must relinquish their seat on the board effective immediately after winning election.

C. **BOARD ACTIONS/ACTIVITY**

PURPOSE: "TO INCREASE AND ASSURE EFFECTIVE CITIZEN PARTICIPATION IN THE DECISIONS OF GOVERNMENT."

The board plays an ADVISORY role in the "decisions of government." Nowhere in the Charter is the board given sovereign power. Thus, a **Neighborhood Board can only advise or make recommendations** to the City Council, the Mayor and the executive agencies of the city, State of Hawaii legislators, Congressional representatives, state and federal agencies and citizens in general.

Methods of ADVISING government decision makers:

1. Written correspondence or comments.
2. Written and/or oral testimony. While boards may appear before various government bodies, caution should be exercised so as not "to speak FOR the City."

CHAPTER 92 (HAWAII REVISED STATUES)

PUBLIC AGENCY MEETINGS AND RECORDS

Part I. Meetings

Section

- 92-1 Declaration of policy and intent**
- 92-1.5 Administration of this part**
- 92-2 Definitions**
- 92-2.5 Permitted interactions of members**
- 92-3 Open meetings**
- 92-3.1 Limited meetings**
- 92-3.5 Meeting by videoconference; notice; quorum**
- 92-4 Executive meetings**
- 92-5 Exceptions**
- 92-6 Judicial branch, quasi-judicial boards and investigatory functions; applicability**
- 92-7 Notice**
- 92-8 Emergency meetings**
- 92-9 Minutes**
- 92-10 Legislative branch; applicability**
- 92-11 Voidability**
- 92-12 Enforcement**
- 92-13 Penalties**

Part II. Boards: Quorum; General Powers

- 92-15 Boards and commissions; quorum; number of votes necessary to validate acts**
- 92-16 Power of boards to issue subpoenas, administer oaths, appoint masters, etc.**
- 92-17 Consumer complaints; procedures and remedies**

Part III. Copies of Records; Costs and Fees

- 92-21 Copies of records; other costs and fees**
- 92-22, Repealed**
- 23**
- 92-24 Directors of finance and commerce and consumer affairs; fees**
- 92-25 No fees for copies of pleadings, etc.**
- 92-26 Fees; exemption**
- 92-27 Fees to be accounted for**
- 92-28 State service fees; increase or decrease of**
- 92-29 Reproduction of government records on films**
- 92-30 Film deemed original record**
- 92-31 Disposition of original**

Part IV. Notice of Public Hearings

- 92-41 Giving public notices**

Part V. Public Records

- 92-50 to 52 Repealed**

Part VI. General Provisions

- 92-71 Political subdivision of the State; applicability**

PART I. MEETINGS

Attorney General Opinions

Department of agriculture advisory committee on plants and animals subject to provisions of this part; subcommittees not subject to this part. Att. Gen. Op. 90-7.

§92-1 Declaration of policy and intent. In a democracy, the people are vested with the ultimate decision-making power. Governmental agencies exist to aid the people in the formation and conduct of public policy. Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public's interest. Therefore, the legislature declares that it is the policy of this State that the formation and conduct of public policy -the discussions, deliberations, decisions, and action of governmental agencies -shall be conducted as openly as possible. To implement this policy the legislature declares that:

- (1) It is the intent of this part to protect the people's right to know;
- (2) The provisions requiring open meetings shall be liberally construed; and
- (3) The provisions providing for exceptions to the open meeting requirements shall be strictly construed against closed meetings. [L 1975, c 166, pt of §1]

[§92-1.5] Administration of this part. The director of the office of information practices shall administer this part. The director shall establish procedures for filing and responding to complaints filed by any person concerning the failure of any board to comply with this part. The director of the office of information practices shall submit an annual report of these complaints along with final resolution of complaints, and other statistical data to the legislature, no later than twenty days prior to the convening of each regular session. [L 1998, c 137, §2]

§92-2 Definitions. As used in this part:

- (1) "Board" means any agency, board, commission, authority, or committee of the State or its political subdivisions which is created by constitution, statute, rule, or executive order, to have supervision, control, jurisdiction or advisory power over specific matters and which is required to conduct meetings and to take official actions.
- (2) "Chance meeting" means a social or informal assemblage of two or more members at which matters relating to official business are not discussed.
- (3) "Meeting" means the convening of a board for which a quorum is required in order to make a decision or to deliberate toward a decision upon a matter over which the board has supervision, control, jurisdiction, or advisory power. [L 1975, c 166, pt of §1; am L 1976, c 212, §1]

[§92-2.5] Permitted interactions of members. (a) Two members of a board may communicate or interact privately between themselves to gather information from each other about official board matters to enable them to perform their duties faithfully, as long as no commitment to vote is made or sought. (b) Two or more members of a board, but less than the number of members which would constitute a quorum for the board, may be assigned to:

- (1) Investigate a matter relating to the official business of their board; provided that:
 - (A) The scope of the investigation and the scope of each member's authority are defined at a meeting of the board;
 - (B) All resulting findings and recommendations are presented to the board at a meeting of the board; and
 - (C) Deliberation and decision making on the matter investigated, if any, occurs only at a duly noticed meeting of the board held subsequent to the meeting at which the findings and recommendations of the investigation were presented to the board; or

(2) Present, discuss, or negotiate any position which the board has adopted at a meeting of the board; provided that the assignment is made and the scope of each member's authority is defined at a meeting of the board prior to the presentation, discussion or negotiation.

(c) Discussions between two or more members of a board, but less than the number of members which would constitute a quorum for the board, concerning the selection of the board's officers may be conducted in private without limitation or subsequent reporting.

(d) Discussions between the governor and one or more members of a board may be conducted in private without limitation or subsequent reporting; provided that the discussion does not relate to a matter over which a board is exercising its adjudicatory function.

(e) Discussions between two or more members of a board and the head of a department to which the board is administratively assigned may be conducted in private without limitation; provided that the discussion is limited to matters specified in section 26-35.

(f) Communications, interactions, discussions, investigations, and presentations described in this section are not meetings for purposes of this part. [L 1996, c 267, §2]

§92-3 Open meetings. Every meeting of all boards shall be open to the public and all persons shall be permitted to attend any meeting unless otherwise provided in the constitution or as closed pursuant to sections 92-4 and 92-5; provided that the removal of any person or persons who willfully disrupts a meeting to prevent and compromise the conduct of the meeting shall not be prohibited. The boards shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item. The boards shall also afford all interested persons an opportunity to present oral testimony on any agenda item. The boards may provide for reasonable administration of oral testimony by rule. [L 1975, c 166, pt of §1; am L 1985, c 278, §1]

[§92-3.1] Limited meetings. (a) If a board determines that it is necessary to meet at a location that is dangerous to health or safety, and the attorney general concurs, the board may hold a limited meeting in that location, which is not open to the public; provided that at a regular meeting of the board prior to meeting at the dangerous location:

(1) The board determines that it is necessary to hold the meeting at the dangerous location and specifies the reasons for its determination that the location is dangerous to health or safety;

(2) Two-thirds of all members to which the board is entitled vote to adopt the determinations required by paragraph (1) and to conduct the meeting; and

(3) Notice of the limited meeting is provided in accordance with section 92-7.

(b) At all limited meetings, the board shall:

(1) Videotape the meeting, unless the requirement is waived by the attorney general, and comply with all requirements of section 92-9;

(2) Make the videotape available at the next regular meeting; and

(3) Make no decisions at the meeting. [L 1995, c 212, §1]

§92-3.5 Meeting by videoconference; notice; quorum. (a) A board may hold a meeting by videoconference; provided that the videoconference system used by the board shall allow both audio and visual interaction between all members of the board participating in the meeting and the public attending the meeting, at any videoconference location. The notice required by section 92-7 shall specify all locations

at which board members will be physically present during a videoconference meeting. The notice shall also specify that the public may attend the meeting at any of the specified locations.

(b) Any board member participating in a meeting by videoconference shall be considered present at the meeting for the purpose of determining compliance with the quorum and voting requirements of the board.

(c) A meeting held by videoconference shall be terminated if both audio and video communication cannot be maintained with all locations where the meeting is being held, even if a quorum of the board is physically present in one location. [L 1994, c 121, §1; am L 2000, c 284, §2]

§92-4 Executive meetings. A board may hold an executive meeting closed to the public upon an affirmative vote, taken at an open meeting, of two-thirds of the members present; provided the affirmative vote constitutes a majority of the members to which the board is entitled. A meeting closed to the public shall be limited to matters exempted by section 92-5. The reason for holding such a meeting shall be publicly announced and the vote of each member on the question of holding a meeting closed to the public shall be recorded, and entered into the minutes of the meeting. [L 1975, c 166, pt of §1; am L 1985, c 278, §2]

§92-5 Exceptions. (a) A board may hold a meeting closed to the public pursuant to section 92-4 for one or more of the following purposes:

(1) To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;

(2) To consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved; provided that if the individual concerned requests an open meeting, an open meeting shall be held;

(3) To deliberate concerning the authority of persons designated by the board to conduct labor negotiations or to negotiate the acquisition of public property, or during the conduct of such negotiations;

(4) To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities;

(5) To investigate proceedings regarding criminal misconduct;

(6) To consider sensitive matters related to public safety or security;

(7) To consider matters relating to the solicitation and acceptance of private donations; and

(8) To deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a state or federal law, or a court order.

(b) In no instance shall the board make a decision or deliberate toward a decision in an executive meeting on matters not directly related to the purposes specified in subsection (a). No chance meeting, permitted interaction, or electronic communication shall be used to circumvent the spirit or requirements of this part to make a decision or to deliberate toward a decision upon a matter over which the board has supervision, control, jurisdiction, or advisory power. [L 1975, c 166, pt of §1; am L 1985, c 278, §3; gen ch 1985; am L 1996, c 267, §3; am L 1998, c 48, §1; am L 1999, c 49, §1]

§92-6 Judicial branch, quasi-judicial boards and investigatory functions; applicability.

(a) This part shall not apply:

(1) To the judicial branch.

(2) To adjudicatory functions exercised by a board and governed by sections 91-8 and 91-9, or authorized by other sections of the Hawaii Revised Statutes. In the application of this subsection, boards exercising adjudicatory functions include, but are not limited to, the following:

- (A) Hawaii labor relations board, chapters 89 and 377;
- (B) Labor and industrial relations appeals board, chapter 371;
- (C) Hawaii paroling authority, chapter 353;
- (D) Civil service commission, chapter 26;
- (E) Board of trustees, employees' retirement system of the State of Hawaii, chapter 88;
- (F) Crime victim compensation commission, chapter 351; and
- (G) State ethics commission, chapter 84.

(b) Notwithstanding provisions in this section to the contrary, this part shall apply to require open deliberation of the adjudicatory functions of the land use commission. [L 1975, c 166, pt of §1; am L 1976, c 92, §8; am L 1985, c 251, §11; am L 1998, c 240, §6]

§92-7 Notice. (a) The board shall give written public notice of any regular, special, or rescheduled meeting, or any executive meeting when anticipated in advance. The notice shall include an agenda which lists all of the items to be considered at the forthcoming meeting, the date, time, and place of the meeting, and in the case of an executive meeting the purpose shall be stated.

(b) The board shall file the notice in the office of the lieutenant governor or the appropriate county clerk's office, and in the board's office for public inspection, at least six calendar days before the meeting. The notice shall also be posted at the site of the meeting whenever feasible.

(c) If the written public notice is filed in the office of the lieutenant governor or the appropriate county clerk's office less than six calendar days before the meeting, the lieutenant governor or the appropriate county clerk shall immediately notify the chairperson of the board, or the director of the department within which the board is established or placed, of the tardy filing of the meeting notice. The meeting shall be canceled as a matter of law, the chairperson or the director shall ensure that a notice canceling the meeting is posted at the place of the meeting, and no meeting shall be held.

(d) No board shall change the agenda, once filed, by adding items thereto without a two-thirds recorded vote of all members to which the board is entitled; provided that no item shall be added to the agenda if it is of reasonably major importance and action thereon by the board will affect a significant number of persons. Items of reasonably major importance not decided at a scheduled meeting shall be considered only at a meeting continued to a reasonable day and time.

(e) The board shall maintain a list of names and addresses of persons who request notification of meetings and shall mail a copy of the notice to such persons at their last recorded address no later than the time the agenda is filed under subsection (b). [L 1975, c 166, pt of §1; am L 1976, c 212, §2; am L 1984, c 271, §1; am L 1985, c 278, §4; am L 1995, c 13, §2]

§92-8 Emergency meetings.

(a) If a board finds that an imminent peril to the public health, safety, or welfare requires a meeting in less time than is provided for in section 92-7, the board may hold an emergency meeting provided that:

- (1) The board states in writing the reasons for its findings;

(2) Two-thirds of all members to which the board is entitled agree that the findings are correct and an emergency exists;

(3) An emergency agenda and the findings are filed with the office of the lieutenant governor or the appropriate county clerk's office, and in the board's office; and

(4) Persons requesting notification on a regular basis are contacted by mail or telephone as soon as practicable.

(b) If an unanticipated event requires a board to take action on a matter over which it has supervision, control, jurisdiction, or advisory power, within less time than is provided for in section 92-7 to notice and convene a meeting of the board, the board may hold an emergency meeting to deliberate and decide whether and how to act in response to the unanticipated event; provided that:

(1) The board states in writing the reasons for its finding that an unanticipated event has occurred and that an emergency meeting is necessary and the attorney general concurs that the conditions necessary for an emergency meeting under this subsection exist;

(2) Two-thirds of all members to which the board is entitled agree that the conditions necessary for an emergency meeting under this subsection exist;

(3) The finding that an unanticipated event has occurred and that an emergency meeting is necessary and the agenda for the emergency meeting under this subsection are filed with the office of the lieutenant governor or the appropriate county clerk's office, and in the board's office;

(4) Persons requesting notification on a regular basis are contacted by mail or telephone as soon as practicable; and

(5) The board limits its action to only that action which must be taken on or before the date that a meeting would have been held, had the board noticed the meeting pursuant to section 92-7.

(c) For purposes of this part, an "unanticipated event" means:

(1) An event which members of the board did not have sufficient advance knowledge of or reasonably could not have known about from information published by the media or information generally available in the community;

(2) A deadline established by a legislative body, a court, or a federal, state, or county agency beyond the control of a board; or

(3) A consequence of an event for which reasonably informed and knowledgeable board members could not have taken all necessary action. [L 1975, c 166, pt of §1; am L 1996, c 267, §4]

§92-9 Minutes.

(a) The board shall keep written minutes of all meetings. Unless otherwise required by law, neither a full transcript nor a recording of the meeting is required, but the written minutes shall give a true reflection of the matters discussed at the meeting and the views of the participants. The minutes shall include, but need not be limited to:

(1) The date, time and place of the meeting;

(2) The members of the board recorded as either present or absent;

(3) The substance of all matters proposed, discussed, or decided; and a record, by individual member, of any votes taken; and

(4) Any other information that any member of the board requests be included or reflected in the minutes.

(b) The minutes shall be public records and shall be available within thirty days after the meeting except where such disclosure would be inconsistent with section 92-5; provided that minutes of executive meetings may be withheld so long as their publication would defeat the lawful purpose of the executive meeting, but no longer.

(c) All or any part of a meeting of a board may be recorded by any person in attendance by means of a tape recorder or any other means of sonic reproduction, except when a meeting is closed pursuant to section 92-4; provided the recording does not actively interfere with the conduct of the meeting. [L 1975, c 166, pt of §1]

§92-10 Legislative branch; applicability. Notwithstanding any provisions contained in this chapter to the contrary, open meeting requirements, and provisions regarding enforcement, penalties and sanctions, as they are to relate to the state legislature or to any of its members shall be such as shall be from time to time prescribed by the respective rules and procedures of the senate and the house of representatives, which rules and procedures shall take precedence over this part. Similarly, provisions relating to notice, agenda and minutes of meetings, and such other requirements as may be necessary, shall also be governed by the respective rules and procedures of the senate and the house of representatives. [L 1975, c 166, pt of §1]

§92-11 Voidability. Any final action taken in violation of sections 92-3 and 92-7 shall be voidable upon proof of willful violation. A suit to void any final action shall be commenced within ninety days of the action. [L 1975, c 166, pt of §1]

§92-12 Enforcement. (a) The attorney general and the prosecuting attorney shall enforce this part.

(b) The circuit courts of the State shall have jurisdiction to enforce the provisions of this part by injunction or other appropriate remedy.

(c) Any person may commence a suit in the circuit court of the circuit in which a prohibited act occurs for the purpose of requiring compliance with or preventing violations of this part or to determine the applicability of this part to discussions or decisions of the public body. The court may order payment of reasonable attorney fees and costs to the prevailing party in a suit brought under this section.

(d) The proceedings for review shall not stay the enforcement of any agency decisions; but the reviewing court may order a stay if the following criteria have been met:

(1) There is likelihood that the party bringing the action will prevail on the merits;

(2) Irreparable damage will result if a stay is not ordered;

(3) No irreparable damage to the public will result from the stay order; and

(4) Public interest will be served by the stay order. [L 1975, c 166, pt of §1; am L 1985, c 278, §5]

§92-13 Penalties. Any person who willfully violates any provisions of this part shall be guilty of a misdemeanor, and upon conviction, may be summarily removed from the board unless otherwise provided by law. [L 1975, c 166, pt of §1]

PART II. BOARDS: QUORUM; GENERAL POWERS

[§92-15] Boards and commissions; quorum; number of votes necessary to validate acts. Whenever the number of members necessary to constitute a quorum to do business, or the number of members necessary to validate any act, of any board or commission of the State or of any political subdivision thereof, is not specified in the law or ordinance creating the same or in any other law or ordinance, a majority of all the members to which the board or commission is entitled shall constitute a quorum to do business, and the concurrence of a majority of all the members to which the board or commission is entitled shall be necessary to make any action of the board or commission valid; provided that due notice shall have been given to all members of the board or commission or a bona fide attempt shall have been made to give the notice to all members to whom it was reasonably practicable to give the notice. This section shall not invalidate any act of any board or commission performed prior to April 20, 1937, which, under the general law then in effect, would otherwise be valid. [L 1937, c 40, §1; RL 1945, §482; RL 1955, §7-26; HRS §92-11; ren §92-15]

PART IV. NOTICE OF PUBLIC HEARINGS

§92-41 Giving public notices. Notwithstanding any law to the contrary, all governmental agencies scheduling a public hearing shall give public notice in the county affected by the proposed action, to inform the public of the time, place, and subject matter of the public hearing. This requirement shall prevail whether or not the governmental agency giving notice of public hearing is specifically required by law, and shall be in addition to other procedures required by law. [L 1972, c 188, §2; am L 1998, c 2, §29]

PART V. PUBLIC RECORDS

§§92-50 to 52 REPEALED. L 1988, c 262, §3.

PART VI. GENERAL PROVISIONS

[§92-71] Political subdivision of the State; applicability. The provisions contained in this chapter shall apply to all political subdivisions of the State. Provided, however, in the event that any political subdivision of the State shall provide by charter, ordinance or otherwise, more stringent requirements relating to mandating the openness of meetings, the more stringent provisions of said charter, ordinance, or otherwise, shall apply. [L 1976, c 212, §5]

EXCERPTS FROM THE REVISED ORDINANCES OF THE CITY AND COUNTY OF HONOLULU

Sec. 3-12.2 Establishment of sunshine law training program.

- (a) The city administration shall establish a sunshine law training program for members of city boards no later than July 1, 2004.
- (b) The program shall be under the supervision and control of an administrator designated by the mayor and shall be conducted by the office of information practices; provided that if the office of information practices cannot or will not conduct the program, it shall be conducted by:
- (1) The administrator or a city officer or employee designated by the administrator;
 - (2) Persons with whom the administrator contracts to conduct the program; or
 - (3) A combination of the foregoing.
- (c) The administrator shall maintain records on all persons participating in the program. The records shall be open to the public and shall include, for each participant, his or her full name, the name of the applicable board, the participant's affiliation with the board, and the date of participation.
- (Added by Ord. 03-30)

Sec. 3-12.3 Requirement for participation in training program.

- (a) A board member whose date of taking office is prior to July 1, 2004 and who continues to serve as a board member on July 1, 2004 shall participate in the sunshine law training program as soon as practicable, but no later than December 31, 2004.
- (b) Any board member whose date of taking office is after July 1, 2004 shall participate in the sunshine law training program within three months from the date of taking office.
- (c) A board member shall not be required to participate in the sunshine law training program again if, on the date of taking office, the board member had participated in the sunshine law training program within the two immediately preceding calendar years.
- (d) Notwithstanding any other provision of this section, a member of a community visioning team who has participated in the sunshine law training program need not participate again unless the member is appointed or elected to a board other than a community visioning team.
- (e) The following may participate in the sunshine law training program on a space available basis in the following order of priority:
- (1) City officers or employees who are not members of a board, but who prepare agendas or minutes for, or otherwise provide service to a board;
 - (2) Persons who have been appointed, but not yet confirmed, as a member of a board; and
 - (3) Candidates for election to the neighborhood boards.
- (Added by Ord. 03-30)

Sec. 3-12.4 Contents of program.

- (a) If the office of information practices conducts the sunshine law training program, the program content shall be as prescribed by that office. The office is encouraged to include, at a minimum, the information enumerated in subsection (b).
- (b) If the office of information practices does not conduct the program, the program shall, at a minimum, include information on the following:
- (1) The purposes of the sunshine law;
 - (2) Agenda and notice requirements;
 - (3) Open meeting requirements, including the requirements on the acceptance of oral public testimony;
 - (4) Permitted and prohibited interactions among members of a board;
 - (5) Permissible grounds and required procedures for holding a meeting closed to the public;
 - (6) The taking of, and public availability requirements for, minutes of board meetings;

- (7) Penalties for sunshine law violations; and
- (8) Administration of the sunshine law.

The program may include such additional information as the administrator and persons conducting the program deem appropriate.

(Added by Ord. 03-30)

Sec. 3-12.5 Certification of participation.

(a) A member of a board, other than a member of a community visioning team, shall provide the chair of the board with a

certification of the member's participation in the sunshine law training program no later than:

- (1) Thirty days after the date of participation; or
- (2) Thirty days after date of taking office,

whichever is later; provided that if the member is the chair of the board, the certification shall be provided to the board's vice-chair. The certification of participation may be mailed or hand-delivered, and, if mailed, shall be deemed to have been provided on the postmark date.

(b) No member of a board shall provide false certification of participation in the sunshine law training program to the chair or vice-chair of the board.

(c) A standard form certification shall be prescribed by the administrator and shall be provided to all participants in the sunshine law training program.

(Added by Ord. 03-30)

FILLING A BOARD VACANCY

When a vacancy occurs on a neighborhood board, Section 4-2.2 of the Revised Neighborhood Plan 1986 (1998 Edition), as amended, states:

"Any vacancy occurring other than by the expiration of a term of office shall be filled within sixty (60) calendar days after its occurrence. The remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term. The vacancy shall be filled only at a regular meeting of the board after reasonable notice of intent has been given to all remaining members of the board by the chairperson."

Board members must be at least 18 years old, live in the district they represent and claim no residency outside the jurisdiction of the City and County of Honolulu for purposes of voting in any state or national election.

These provisions should be followed when filling a vacancy:

1. Filling of vacancy is considered an issue of major importance and must be placed on the agenda with the proper 6 day notice. A 2/3 vote to add the item to the agenda at the time of the meeting is not allowed.
2. Residency and other qualifications of nominees shall be confirmed in writing by the Neighborhood Commission Office prior to the next regular board meeting. After confirmation, the elected board member may be seated.
3. Nominations should not be carried out in a hasty manner or in a manner which may appear to exclude other prospective nominees.
4. Only board members may nominate.
5. Nominations do not require a second.
6. If no nominee receives the majority vote, the board should vote again.
7. Nominee receiving lowest number of votes is never automatically eliminated from the slate.
8. Nominees may withdraw their names from consideration.
9. To nominate an individual does not mean one must vote for the individual.

COMMITTEES

CHAPTER 4, RULE NO. 6, SEC. 4-6.1, REVISED NEIGHBORHOOD PLAN 1986, AS AMENDED:

"The board shall be entitled to form committees as necessary to carry out its function. The function of such committees shall be to report its findings and to propose recommendations to the neighborhood board for appropriate action. No committee may speak for the board."

As stated in Section 4-6.1, the purpose of committees is to gather data and to make recommendations for the Neighborhood Board to consider. There is no specific number of committees a Neighborhood Board may establish. In general, however, boards have included publicity or newsletter committees, planning and zoning committees, transportation committees, and parks and recreation committees.

Ordinary committees are of two types - **standing** committees and **special** committees. Standing committees have a continuing function and may exist throughout the life of the Neighborhood Board. An example of a standing committee is a planning and zoning committee which can deal with related matters on a weekly or monthly basis.

A special committee is formed by a Neighborhood Board to work on a specified task for a specific time period. When the task is completed, the committee is dissolved. A Neighborhood Board monthly committee or an election committee are examples of a special committee.

The chairperson of a committee, whether standing or special, shall be selected from the board membership. It is emphasized, however, that committee members need not be a member of the Neighborhood Board. The Neighborhood Commission advocates the recruitment of non-board members to serve on committees as a vehicle to stimulate and expand resident involvement in board activities.

All committees should operate under the direction and guidance of the Neighborhood Board who may want to set parameters or guidelines by which the committees operate. Ultimately, committees and the work performed can have beneficial results for the boards and their communities.

All committees shall operate under the provisions of the State Sunshine law.

**BASIC INFORMATION FOR A
SUCCESSFUL BOARD**

FOR

BOARD CHAIRS AND MEMBERS

DUTIES OF THE CHAIRPERSON

IT SHALL BE THE DUTY OF THE CHAIRPERSON TO:

1. Serve as the spokesperson and representative of the board.
2. Open all meetings of the board at the appointed hour by taking the chair and calling the board to order, keeping meetings to a reasonable length of time.
3. Call for the approval of the minutes of the previous meeting.
4. Maintain order and decorum. Give disruptive person, including members, a warning to come to order or face removal from meeting. If disruption continues, ask person to leave the meeting. Call police if necessary.
5. Receive and submit all matters properly brought before the board in the order prescribed by the rules.
6. Receive all communications and present them promptly to the board.
7. Appoint all committee chairs, unless otherwise directed by the board.
8. Authenticate by signature all advisory actions of the board.
9. Make known all rules of the neighborhood board when so requested and to decide all questions of order.
10. Promptly make the proper referral of matters brought before the board to the appropriate committee(s).
11. Perform such other duties as may be required by law or such as may promptly pertain to such office.
12. Vote at all meetings.
13. Appoint a temporary recording secretary in the absence of the recording secretary.
14. Ensure that a Board member is responsible for opening and closing of a facility when required.
15. Consider all issues requested to be put on the agenda. Include issues on the agenda if requested by the majority. Keep agenda items to a manageable meeting length.
16. Adhere to all rules of the Neighborhood Plan and related laws of the City and County of Honolulu, State of Hawaii, including allowing members of the public the right to testify on all issues on the agenda.

QUALITIES OF A GOOD CHAIRPERSON

1. **PREPARATION:**

The chair organizes the business of the meeting in a certain order within a reasonable time period and sees that it is disposed in that order. This is the art of making an agenda and sticking to it.

2. **IMPARTIALITY:**

A chair must be an impartial moderator. When desiring to debate an issue, the chair **MUST** relinquishes the gavel to the vice chair or another member and then debates from the floor. He/she then resumes the chair only after disposal of the motion. **DO NOT** use your position to comment on every issue before the board.

2. **USE OF GAVEL:**

The gavel is no pounding stick. A good chair uses the gavel sparingly; but when necessary, uses it firmly and surely. If necessary, call a recess to restore order and decorum.

4. **KNOWLEDGE OF RULES:**

A chair must have knowledge of parliamentary procedure as well as the Neighborhood Plan and City policies. In all situations, the chair must rely on good common sense and a sense of courtesy and fair play. Practice time limits fairly for members and guests.

5. **ABIDE BY STATE'S SUNSHINE LAW:**

A chair **MUST** assure that everyone wanting to testify on agenda items are allowed to do so. It is recommended that on all issues, the audience be allowed to testify before the board discusses and deliberates. This would assure that any "call for the question" (this motion requires all discussion must cease if passed by the board) would be in order at any time once the discussion has gone to the board.

5. **MAINTAIN DIGNITY AND DECORUM:**

Conduct yourself in a manner that will gain the respect of your community and inspire fellow board members. **DO NOT** use your position to grandstand, nor take sides on issues, nor retaliate or belittle others. Do not use intimidating or abusive language. **DO NOT** allow others to retaliate or belittle others. If necessary, warn others that you will call police to remove persons disrupting the meeting (board members included) and follow through when necessary.

SOME DO'S AND DON'TS FOR THE CHAIRPERSON

1. Set a manageable agenda so as to get through your agenda within a reasonable amount of time.
2. It is recommended that meetings not go longer than two and one half hours. Not only will this encourage more community participation, it will also keep board minutes to a manageable length and assist your Neighborhood Assistant in transcribing draft minutes in a timely manner. Your Neighborhood Assistant (NA) serves multiple boards.
3. Assure that the public has been given the opportunity to testify on any agenda item. If there are many testifiers and time is short, the board may consider RECESSING a meeting to another date. When a meeting is continued from a previous meeting, testimony need not be taken again from the same individual(s).
4. Restate the motion clearly after it has been made and seconded.
5. Make certain there is a second when the motion requires a second, including a “call for the question.”
6. Maintain only one main motion at one time.
7. Have a member or the NA state the motion before the board proceeds into a discussion.
8. No one should be permitted to speak twice on a motion until all have had a chance to speak once.
9. Vote on all motions on the floor.
10. Relinquish the chair when debating a motion; ask the vice chair or another officer to temporarily serve until the motion is disposed. Upon disposal of the motion, the temporary chair asks the regular chair to resume the chairmanship.
11. Do not monopolize or let others monopolize the meeting by adding frequent commentary to issues discussed. Not only is this self-serving, it lengthens the meeting.
12. Recognize when there is a need for assistance in running a smoother meeting and request the Neighborhood Commission Office to provide a qualified observer to monitor meetings and provide feedback and suggestions.
13. Do not call “someone” out of order, but rather call the “motion” or “discussion” out of order.
14. Consider appointing one of your elected Board members as Parliamentarian to assist in parliamentary procedures.
15. When setting your Board’s agenda, please take into consideration items which have been requested by your Board members or community.

16. When meetings run longer than anticipated and issues are not time sensitive, recommend that remaining agenda items be deferred.
17. When an agenda item is of wide interest in the community, consider having a light agenda to assure community input.
18. Please consider allowing the City's public safety agencies to be at the top of the agenda, including the City's Mayor's Representative Report.
19. Do not ask the NA to write board letters or resolutions for the board. This is a board responsibility. The NA will assist with putting document into final format. It is strongly recommended to provide the NA with written material via the email.
20. If meetings are running longer than 2 ½ hours, consider putting a time limit on discussion by members and guests, and enforce time limits fairly.

SOME DO'S AND DON'TS FOR ALL BOARD MEMBERS

The list below is to help improve board meetings.

1. Know something about parliamentary law and the rules of the meeting. Don't be afraid to ask your Neighborhood Assistant (NA) for information.
2. Be respectful of board members, residents, and others who come before the board. Debate the issue, not the person who represents it. All board members are responsible for order and decorum. Don't be the cause of a disruptive meeting.
3. Ask for information when in doubt.
4. Enter the debate if you have something to say that you have not already said.
5. Be recognized before speaking.
6. Address the chair at all times and refrain from private conversations.
7. Keep informed about the organization and its activities.
8. When you believe discussion has gone on long enough, you may make a motion to "call for the question" or "call for the vote." The chair must stop discussion and ask for a second to the motion. If the motion passes, no further discussion from the board can take place and the question is put to a vote. CAUTION: if the public has not had an opportunity to testify, they must be allowed to do so. For this reason, it is recommended that the public be given the opportunity to testify before the board starts discussion.
9. Respect and follow time limits set by the board.
10. When meetings have run longer than anticipated and issues are not time sensitive, recommend that remaining agenda items be deferred.
11. Do not ask the NA to write board letters or resolutions for the board. This is a board responsibility. The NA will assist with putting into final format. It is strongly recommended to provide the NA with written material via the email.

COMPLETION OF MINUTES

The Neighborhood Commission Office (NCO) strives to provide the best services possible in the production of monthly board meeting minutes.

The following steps and timeframe should allow adequate time to review the draft minutes. It should also provide the NCO with sufficient lead time to produce the final set, print, prepare and mail the minutes to fulfill legal requirements.

1. In order to meet deadlines set by law, draft minutes shall be emailed to only one person designated by the board within ten (10) work days after the board meeting.
2. Upon receipt, the delegated board person should review the material only for non-substantial errors (spelling, grammar, dates, etc) and return the corrected draft minutes to the NCO by email within four (4) work days from the date the drafts are sent by the NCO.
3. Should the board fail to return the revised draft minutes revisions within the specified time frame, the draft minutes as prepared by the Neighborhood Assistant (NA) will be used.
4. All actions(s) to correct and approve the minutes shall take place only at a regular meeting of the board. If corrections are substantial, please bring written corrections of the minutes to the regular meeting.

This process should give the NCO staff two to three work days to make necessary corrections and to prepare the minutes for mailing. A total of thirty-two (32) sets of minutes and agendas are due and produced each month. A standard process used by all boards, therefore, is needed to assist the NCO in the timely delivery of its services.

Occasionally, delayed delivery of the draft minutes may occur. In these circumstances, communication between the board's review person and the NA will be essential in order to produce the document by scheduled deadlines.

In the event that minutes are pending action by the Board for more than 60 days, the NCO may post the draft minutes on the website, noting that minutes are pending board action.

Should there be any comments regarding the process, please feel free to contact the Neighborhood Commission Office.

DUTIES/RESPONSIBILITIES OF NEIGHBORHOOD ASSISTANTS

Neighborhood Assistants (NA) provide support and services to Neighborhood Boards.

1. Record minutes of regular monthly meetings which is a true reflection of the meeting. Recording minutes is the responsibility of the Board's Secretary should the NA not be present.
2. Assist chairperson or designated board member with developing, typing, reproducing and filing agendas.
3. Prepare, type and reproduce copies of minutes of regular board meetings and type and reproduce copies of board correspondence.
4. Assure timely mailing of agendas of regular and special board meetings, minutes of regular meetings, and other materials as directed by the Executive Secretary.
5. Assure accuracy of Neighborhood Board mailing lists.
6. Maintain current and adequate files of Neighborhood Board agendas, minutes, correspondence and other board-related material.
7. Provide clerical assistance to help enable members of the board to perform their duties and functions to meet their objectives.
8. Provide general public with pertinent information regarding assigned Neighborhood Boards and the Neighborhood Board system as a whole.
9. Assist in arranging and coordinating adequate meeting facilities. However, board is responsible for actual opening and closing of facilities.
10. Assist the Neighborhood Commission office (NCO) in the planning and implementing of workshops and training session for board members.
11. Assist in distributing Neighborhood Commission generated information and materials to the Neighborhood Boards.
12. Assist in updating information on Neighborhood Board members, attendance forms, mailing lists and other materials, as necessary.
13. Assist in the preparation, monitoring and follow up on the Neighborhood Board election process.
14. Assist in basic research for Neighborhood Boards.
15. As necessary, serve as liaison between Neighborhood Boards.
16. Assure all purchases above the chair's limit are approved by the Board, authorized by the Executive Secretary and paperwork processed with the NCO Administrative Section.
17. Assure all reimbursements are properly submitted and processed.

TIPS ON WORKING WITH YOUR NEIGHBORHOOD ASSISTANT

1. Allow the Neighborhood Assistant (NA) to sit next to the chairperson at Board meetings.
2. If detailed reports or presentations are given at meetings, provide a copy of written materials or fact sheet to the NA.
3. Instruct the NA how the Board's mail at the Neighborhood Commission Office (NCO) should be handled. Is the NA permitted to open the mail to make copies?
4. It is the Board's responsibility to draft its correspondence. Do not ask the NA to write these letters. The NA will type the letters, but the board must provide a legible draft, preferably by email. PLEASE do not ask the NA to take dictation over the phone.
5. If the chair or secretary types and distributes board correspondence, provide a copy to the NA for the board's centralized files. (The NCO is the central depository for all board files).
6. Work with the NA to update the Board's mailing list. If Board members are aware of changes, let the NA know. Also, be sure the NA has the names and addresses of community associations in the board area.
7. All correspondence and testimony by the Board should be approved by the board.
8. No last minute requests. The NAs are assigned to multiple boards and must service them as well. This requires precise time management.
9. Draft minutes will be emailed within ten (10) working days to ONE designated board member.
10. Only the chair or designated board member may send revisions back to the NA. The revisions must be emailed within four (4) business days after receipt of the draft.
11. When planning to visit your NA, it is advisable to call ahead for an appointment to assure their availability.
12. Work with NA to determine how to handle mail from NCO mail box.
13. REMEMBER: The key to a good working relationship between the NA and the board is clear communication by both parties.

NETWORKING

NETWORKING, defined as "the exchange of information among individuals, groups, and institutions," can be a valuable tool to promote, encourage, and allow widespread participation in Neighborhood Board activities and government processes.

As a collaborative process, networking can assist the Neighborhood Board to -

1. Reach out to residents.
2. Reach out to other Neighborhood Boards.
3. Reach out to other community associations and the business community.

Users of this mechanism have discovered that it can effectively serve as an early notification process to keep citizens informed of upcoming agenda items and other matters of potential concern to the residents and neighborhood groups. Application of the process can also help to improve citizen-government relations and trust in public officials.

In general, Neighborhood Boards tend to concentrate on neighborhood-related issues and concerns. Networking, however, can be expanded to effectively address issues of an island wide scope. Through networking a stronger sense of community in a local area can be developed which ultimately can stimulate community solidarity and cohesiveness.

How does a Board begin networking? The following are basic techniques.

1. Send a letter to an adjacent board(s) soliciting their opinion on an issue(s).
2. Mail a letter, with the Board's agenda and minutes, to community groups highlighting the issues of concern and inviting their input.
3. Invite members of community groups and the business community to Board meetings.
4. Delegate a Board liaison to attend the meetings of the community groups to elaborate on the targeted issues to promote the group's discussion.
5. Invite government departments/agencies and/or representatives of private sector to give talks on issues of concern at Board meetings.
6. Jointly sponsor informational forums with adjacent Neighborhood Board(s) and/or community organizations.

Input from community groups and the business community would then assist Neighborhood Boards to develop positions on issues and improvement projects. It could also mean development of positions on issues with implication from areas larger than individual neighborhoods. The end result could be the formation of a structure for better information, dissemination, and communication between citizens and public officials.

USE OF NEIGHBORHOOD BOARD LETTERHEAD

Neighborhood Board letterhead is used for official board correspondence only. Board members are accountable for all matters reflected on letterhead. Since the chair is the official spokesperson for the board, letters should bear the signature of the chair and/or designated Board member.

Committee recommendations to the Board need not be expressed on official Neighborhood Board letterhead. Committee correspondence should be approved by the chair or a designated representative and should relate to its fact finding functions. The Neighborhood Plan states that no committee may speak for the Board.

For convenience, some Boards prefer to provide its chair with a blanket authority to generate communications using the Board's letterhead. However, when this option is exercised, a copy of the chair's written communication must be provided to the Board for its information and files to document the chair's action.

CORRESPONDENCE

1. **GENERAL** - i.e. letters of inquiry, acknowledgement, thanks.

Action needed: Board chair or authorized representative's approval.

2. **SPECIFIC** - i.e. letters reflecting board's positions, recommendations, complaints and invitations.

Action needed: Board authorization. Board action must be documented to preclude expression of an individual's opinion and/or recommendation, or independent unauthorized action.

NEIGHBORHOOD BOARD MEMBER CONTACT INFORMATION
EXCLUSIVELY FOR OFFICIAL NEIGHBORHOOD BOARD BUSINESS

PURPOSE:

- A. To provide contact information on the Neighborhood Commission Office (NCO) website at www.honolulu.gov/nco in the Board Members' Directory accessible to the general public; and
- B. To provide a standard size business card which will identify the Neighborhood Board, the member's name, as well as the board term serving, for use as contact information pertinent to the fulfillment of official Neighborhood Board business.

POLICY:

- A. As an elected member of the neighborhood board, contact information should be accessible to your community.
- B. Board members are responsible for notifying the Board Chair and the NA when their contact information has changed.

PROCEDURES:

- A. Business Cards
 - 1. To assure information is accurate, a request for cards must be made to the NCO on the form provided for board member contact information.
 - 2. Printing of business cards will be limited to 100 cards per board member for each neighborhood board term. A new request must be submitted for subsequent terms.
 - 3. Business cards will be printed in strict adherence to specifications and design established by the NCO.
- B. Board Members' Directory on Website
 - 1. To assure accuracy, information posted will be taken from the board member contact information form.

NEIGHBORHOOD BOARD MASS-MAILING GUIDELINES

Boards may choose to use their publicity funds to either videotape their monthly meetings or send out an annual mass-mailings (newsletters, surveys, flyers and other board-related publicity). These guidelines are intended to assist the Neighborhood Boards in the development of their annual mass- mailings.

DEVELOPMENT/PRODUCTION/TIMETABLE

1. Funding to produce one mass-mailing for each neighborhood board is reserved in a centralized Publicity Account. Each board needs to take appropriate board action to earmark these funds for a specific activity by May 1, if plans are to encumber the monies for communication projects.
2. The cut off date to submit draft-packages is the 2nd workday in May of the fiscal year. After this date, there is no guarantee that funds can be encumbered for the fiscal year or distribution completed before June 30.
3. The board or its designated committee representative shall contact the Neighborhood Commission Office (NCO) staff in charge of COMMUNICATIONS to discuss the board's mass-mailing needs, guidelines, layout details, cost estimates, the production process and firm timetables.
4. The board shall be wholly responsible for the composition of articles and the gathering of other material to be incorporated in the publication (maps, photos, charts, etc). The board's assistance in proofreading all articles before submittal will help the NCO staff to expedite publication.
5. In order to maintain the objectivity and quality of Neighborhood Board publications, the NCO reserves the right to review all publicity materials prior to printing and to recommend grammatical and format changes. Also, revisions may be recommended to correct inaccurate information and to eliminate libelous statements.
6. All articles and publication materials must be submitted together to the NCO in one complete draft package. Piece meal submittal is discouraged.
7. Layouts may be contracted out by the NCO. Offset printing is done through the City & County printshop. (Please allow approximately five to six weeks for production and distribution.)

NEWSLETTERS DURING NEIGHBORHOOD BOARD ELECTION PERIOD

Mass-mailings for distribution during the six months prior to a Neighborhood Board election year shall contain no articles, stories, or profiles which may be construed as publicity or electioneering for candidates. Photographs which identify individuals who are candidates will be prohibited. This policy is necessary to eliminate any impression of abuse of board funds for election purposes.

PRODUCTION SERVICES

1. All requests are subject to availability of funds, reasonable quantities (board area household count) and required approvals.
2. Due to cost and manpower constraints, each board's mass-mailing will be limited to four (4) pages (i.e., one 11"x 17" sheet folded to 8-1/2"x 11").
3. Every effort will be made to expedite publication requests containing dated material. However, due to varying workloads, a firm guarantee on delivery date may not always be possible. The average turnaround time from production to delivery is six weeks. Please consider this time frame when writing articles or making announcements in the publication.
4. A mass-mailing posted in December may be delayed at the post office due to a large volume of holiday season mailings.
5. Given adequate lead time, the NCO will be able to conduct selected mailings in lieu of the traditional mass-mailings which cover an entire board area. This process may allow for targeted mailings to smaller population. Contingent upon format, production time should be about four (4) weeks.
6. One-page flyers are reproduced by the NCO. Please allow at least five (5) work days for layout and printing.

OTHER PUBLICATIONS

Purchase of space in a community publication must be authorized by board motion and approved by the Executive Secretary of the Neighborhood Commission. The publication must:

- not exceed a Board's Publicity Account appropriations;
- be reviewed prior to printing by the Neighborhood Commission Office for libelous statements and accuracy of information; and
- be published by June 30 of the fiscal year.

NEIGHBORHOOD BOARD BUDGETS

ANNUAL BUDGETS

Annual budgets for Neighborhood Boards are prepared to assist each board in determining eligible purchases in accordance with items provided under the Mayor's Operating Budget for the Neighborhood Commission.

All board appropriations are funded under Operating Fund (office supplies, copying services, postage, photographic services, room rentals, lei, photo frames and mailing service); Publicity (maps and signs, videotaping, advertising, flyers, newsletters); and Refreshments. Requests such as office equipment, placards, steel file cabinets, trophies, and reimbursements for unauthorized purchases are not possible.

Board chairs have discretion in using up to \$25 without board approval. All other expenditures must be approved by the board PRIOR to purchase or service rendered. Boards must approve videotaping and room rental fees at their first meeting after the start of each fiscal year. Expenditures for refreshments must also be made prior to purchases.

BUDGET STATEMENTS

Each month, the chairperson (or Treasurer) of the board will receive a BUDGET STATEMENT reflecting charges to the board for the previous month. This statement can assist the board in planning its activities to assure the board stays within its allotted annual budget.

The board chairperson (or Treasurer) is responsible to assure that charges reflected are correct and that vendors submit their invoices to the NCO in a timely manner in order for the NCO to process invoices.

REQUISITION PROCESS

The following process is used to request funds from the board's account with the NCO.

- A. Determine if the expenditure is allowable. Generally, items with a large dollar amount or materials which convey board positions or information on board activities must have prior board approval.
- B. Put issue on agenda for board action to approve expenditure.
- C. The Neighborhood Assistant will complete a requisition form. Upon approval by the Executive Secretary to release funds, the purchase of the service or product will be coordinated with the NCO, who will follow through with the ordering and payment of the service or product for the board.
- D. **The NCO is not responsible for making payments on service contracts or purchases made without authorization.**

- E. **Personal Service Contracts** are made when the Neighborhood Boards use someone to perform a task such as video taping meetings or for transcribing meetings for hearing impaired members of the community. Contracts are made between the NCO and the provider and not individual boards. **Services cannot be received by the boards without authorization and will not be paid.**
- F. **After-the-fact purchases** are violations of the procurement statutes (H.R.S. Section 103D) and the City Charter, **The NCO is not responsible for making payments on services or purchases made without authorization.**
1. The board has to formally approve all purchases over \$25 and a request must be submitted to the NCO on a RFP Form and approved by the Executive Secretary. Unless these requirements are accomplished by the board, the item or service purchased would be considered an unauthorized purchase. All such items will be returned to the board for disposition.
 2. The RFP is required to be sent to the NCO with all the pertinent information about the service at least two weeks prior to the time of the video taping, from the board via the Neighborhood Assistant. Also, a DF-71 Form has to be completed for the Executive Secretary and the Director of Budget and Fiscal Services to sign before the initial taping can proceed. At this point a letter is generated by the NCO and sent to the board indicating that the service requested may commence. These requirements are to be completed for all Personal Services Contracts
 3. Examples of “After-the-Fact” purchases:
 - a. An “After-the-Fact” purchase is when a board allows video taping of a board meeting by a contractor/vendor or individual for payment before a Request for Purchase (RFP) Form has been submitted to the NCO and authorized by the Budget and Fiscal Services Department.
 - b. Another example is when a board member takes it upon themselves to purchase a banner for the board and then submit the receipt to the board for payment. This is also considered an “After-the-Fact” purchase.
- G. **Commencement of Work** – Work shall not commence until availability of funds has been certified by the Director of Budget and Fiscal Services and a contract has been executed which specifies the official commencement for services to begin.
- H. **Expenditure Criteria** - Expenditures by Neighborhood Boards will be for activities to directly increase and assure citizen participation in our government’s decision-making process in accordance with our Neighborhood Plan and City Charter.
- I. The Executive Secretary has final approval for all expenditures.

EXPENDITURES

AUTHORIZED EXPENDITURES

A. OPERATING

1. Agenda/Minutes
2. Correspondence
3. Office Supplies
4. Reference Materials
5. Maps
6. Lei
7. Postage
8. Photographic Service and Supplies (frames)
9. Rental of Meeting Sites
10. Workshops and Conferences

B. PUBLICITY - (MASS MAILING)

1. Newsletters
2. Surveys
3. Flyers
4. Community Newspaper column
5. Video Taping Personal Service Contract
6. Banners/signs

C. REFRESHMENT FUNDS

1. Board approval is needed to expend refreshment funds.
2. Absolutely no additional funds can be used for refreshment other than what is appropriated.

UNAUTHORIZED EXPENDITURES

- Any amount over \$25 not approved by the board.
- Cash reimbursement for unauthorized out-of-pocket expenditures.
- Rental of office space.
- Funds to hire staff.
- Contractual Services.
- Office equipment.
- Alcoholic Beverages.
- Gifts, T-shirts, and related items.
- Mileage and travel allowances.
- Subscriptions.
- Maintaining a petty cash fund.
- Request for copying work when submitted by a non-board member.
- Other items which are not specifically budgeted for the Neighborhood Boards.

PARLIAMENTARY PROCEDURES

ROBERT'S RULES OF ORDER

CHAPTER 1, ARTICLE 8, SECTION 1-8.2, REVISED NEIGHBORHOOD PLAN 1986, AS AMENDED:

"The rules of parliamentary procedure as set forth by the latest edition of Robert's Rules of Order, Newly Revised, shall govern all boards except where the same are inconsistent with the Neighborhood Plan, the Revised City Charter, and the Hawaii Revised Statutes."

FUNDAMENTAL PRINCIPLES OF PARLIAMENTARY LAW:

1. Justice and courtesy to all....even when someone shares opposite viewpoints.
2. Do only one thing at a time.
3. The majority rules.
4. The rights of the majority must be respected.
5. Each main motion or debatable proposition is entitled to a full and free debate.
6. There should be no partiality shown.

PARLIAMENTARY PROCEDURE HAS BEEN DESIGNED TO:

1. Expedite business.
2. Maintain order.
3. Insure justice and equality to all.

WHAT IS A MOTION?

A MOTION is a PROPOSAL
for group ACTION!

MOTIONS FOR SPECIAL PURPOSES		
Kind of Motion	Object	Effect
To lay on the table	Clear the floor for more urgent business	Delays action
To call for the previous question	Secure immediate vote on pending question	Ends debate by board
To limit or extend time for a debate	Provides more or less time for discussion	Shortens or lengthens discussion period
To postpone definitely (to a certain time)	Often gives more time for informal discussion for securing followers	Delays action
To commit or refer	To enable more careful consideration to be given	Delays action
To amend	To improve the motion	To change the original motion
To postpone indefinitely	To prevent a vote on the question	To suppress the question
To nominate	Suggest names for office	Place before the group names for consideration
To raise a point of order	To call attention to violation of the rules	Keep groups functioning according to parliamentary procedure
To appeal from the decision of the chair	To determine the attitude of the group on the ruling made by the chair	Secures ruling of the group rather than by the chair
To suspend the rules	To permit action not possible under the rules	Secures action which would otherwise be prevented by the rules
To object to consideration of the question	Prevent wasting time on unimportant business	Suppress the motion
To divide the question	Secure more careful consideration of parts	Secures action by parts

<u>MOTIONS FOR SPECIAL PURPOSES</u>		
Kind of Motion	Object	Effect
To call for a division	(a) To determine the accuracy of a viva voice vote (b) To secure expression of individual member's vote	Secures an accurate check on vote
To make a request growing out of pending business	To secure information or ask to be excused from a duty	Provide information
To fix the time at which to adjourn	To have legal continuation of the meeting	Sets definite continuation time
To adjourn	End the meeting	Adjourns the meeting
To take a recess	To secure an intermission	Delays action
To raise a question of privilege	To correct undesirable conditions	Corrects undesirable conditions
To call for the order of the day	To secure adherence to order of business	Same as object
To take from the table	Continue the consideration of the question	Continue consideration of the question
To reconsider (only a member of the prevailing side can make this motion)	To reconsider the question	Secures further consideration and another vote on the question
To reconsider and have entered on the minutes (only a member of the prevailing side can make this motion)	To reconsider the question at the next meeting	Secures further consideration and another vote on the question
To rescind	Repeal action previously taken	Same as object
To ratify	Approves previous action taken	Same as object

When the Revised Neighborhood Plan, 1998, as amended, is in conflict or differs with the Robert's Rules of Order (Parliamentary Law), the provisions of the Revised Neighborhood Plan shall always prevail.

	Revised Neighborhood Plan 1998	vs.	Roberts rules of Order (Parliamentary Law)
1. <u>DEFINITIONS</u>			
- Quorum	Presence of a minimum of half plus one of the total number of members to which a board is entitled in order to take action on board business.		In general, the number of members entitled to vote who must be present in order that business can be legally transacted. The number of members will vary according to the organization.
- Majority Vote	Affirmative vote of at least fifty percent plus one of the total prescribed membership on the board.		Affirmative vote of more than one half of the votes cast, ignoring blanks or abstentions, at a meeting where quorum is present.
2. <u>VOTING</u>			
- Recording	All meetings of the board shall be open to the public and every vote taken by the board shall be recorded. Record and reflect in minutes, by individual member, of any votes taken.		Allows voting by ballot (secret) When count has been ordered or when the voter is by ballot, enter number of votes on each side. When voting by yea or nay, enter a list of names of those voting on each side.
- Methods	Three methods of ascertaining the decision of the board on any matter: 1) Show of hands 2) Roll call of members 3) Unanimous consent		Methods of taking a vote: 1) Viva voice (by voice) 2) Show of hands 3) Rising 4) Roll call 5) Ballot 6) General consent or unanimous consent
- To take Board action	Requires at least a majority vote of the entire membership of a board, except when a 2/3 vote of the total prescribed membership is required.		Majority vote, unless a 2/3 vote, 2/3 or members present, or 2/3 vote of members, is required.

3. MEETINGS

- Notice (Agenda)

Timetable for filing agenda with Office of the City Clerk:

No specific deadline for Order of Business is prescribed.

- Regular Meeting: at least 7 days prior to regular scheduled meeting
- Special Meeting: at least 6 days prior to scheduled meeting
-

Meeting may be adjourned at any time by an affirmative vote of at least the majority of entire membership to which board is entitled.

Adjournment may be a privileged or main motion and action is governed accordingly.

No motion shall be received and considered by the board until the same has been seconded. Exception – committee recommendations need not be seconded.

As a general rule, motions should be seconded.

4. MOTIONS

- Subsidiary Motion

Order of precedence:

- First, to lay on the table.
- Second, to postpone to a certain time.
- Third, to commit (or refer).
- Fourth, to amend.
- Fifth, to postpone indefinitely.

Order of precedence:

- Lay on the table.
- The previous question.
- Limit or extend limits of debate.
- Postpone definitely or to a certain time.
- Amend
- Postpone indefinitely.

Such motions shall have precedence in the order named. The first two motions shall be decided without debate.

When one of the foregoing motions fail or is decided in the negative, the same shall not be revived at the same meeting relative to the main question under discussion. If all are decided in the negative, the only remaining question shall be as to the passage or adoption of the proposed action.

Votes on all motions before the board.

5. CHAIRPERSON

- Voting

Entitled to vote when the vote is by ballot and in all other cases where the vote would change the results.

