

2020 BYLAWS AND RULES OF ORDER AMENDMENTS

SECTIONAL ANALYSIS OF SUBSTANTIVE AMENDMENTS BY ARTICLE

Article I – Object

- No proposed amendments

Article II – Commissioners

- Technical amendments
- Commissioners, Ethical behavior, conflict of interest, recusal procedure
 - Strikes language allowing for abstentions from voting. Maintains recusal for conflicts, or potential conflicts, of interest *[Article II(5)(b)]*

Article III - Officers

- Technical amendments
- Duties of the President
 - Adds courtesy copy of individual members' media publications for notice to the Commission President, as spokesperson of the Commission, 24 hours in advance of intended issuance. *[Article III(5)(f)]*
 - Travel Coordination. It is the policy of the Port (Policy AV-2) that the Commission President approves all domestic travel for Commissioners and that the full Commission approves international travel requests. This provision outlines the process for travel authorization. *[Article III(5)(h)]*
 - Coordination of commission office budget. Adds language around the process of the commission chief of staff preparing the commission office budget based on the priorities and budget requests of the commission. Further states the commission president shall review the proposal and consult with commission members regarding the proposal and their requests, as needed.
- Commission Orders
 - Proposed for inclusion in these bylaws is the distinction between a procedural 'motion' of the Commission, and something else – a more formal moniker for Commission actions. It is appropriate to make this distinction, as opposed to defining all actions, even procedural ones, as a 'motions.' Formal actions are hereby proposed to be termed 'orders.' *[Article III(8)(d) and (e), Article V(5), and Article VI(6)].*

Article IV – Meetings

- Technical amendments
- Regular meetings
 - Adds August and November to Commission regular meetings which are held on the second and third Tuesdays of a month. (Making this change preserves two regular

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- meetings for the Commission during these months and avoids notice requirements that would be involved with simply cancelling the 4th Tuesday meetings and re-noticing them as special meetings.) *[Article IV(4)(a)]*
- Amends existing language to provide for an Executive Session start time of 10:30 a.m. *[Article IV(4)(a)]*
 - Add language noting that regular meetings following a national holiday may be rescheduled as needed. *[Article IV(4)(a)]*
 - Order of business for regular meetings
 - Adds an order of business for Committee Reports and reorders the Order of Business for regular business meetings to better prioritize items coming forward for Commission consideration. Removes ‘Special Orders’ and replaces it with ‘Special Orders of the Day,’ ‘Unfinished Business,’ ‘New Business,’ and adds a place for Commission Comments at the end of the agenda. *[Article IV(5)(a) - (n)]*
 - Special meetings
 - Amends language to lengthen notification requirements for the calling of a special meeting by majority of the membership. Seven (7) calendar days was previously proposed in the February presentation of the amendments. The Clerk has revised this to be ‘3 business days.’ *[Article IV(6)(d)]*
 - Executive sessions
 - Deletes language requiring a door posting notification for extension of time in Executive Session. The Commission Clerk is physically present to inform all participants in the meeting room and lobby areas of extension of time for Executive Sessions. A door posting is not a requirement of law and is distracting from the core duties of the Clerk during meetings, including the duty to attend to the public, if the Clerk has to leave to prepare and print a door posting. Rather, language is proposed requiring the announcement of session extension both within the meeting room and in the common area immediately adjacent to the meeting room where participants may be waiting. *[Article IV(8)(e)]*
 - Study session
 - Adds language defining ‘study session,’ a formal working session of the Commission. *[Article IV(9)]*
 - Public hearing
 - Adds language defining ‘public hearing,’ as defined by law and as desired to be held by the Commission. *[Article IV(10)]*

Article V – Committees

- Technical amendments
- Committees, charters required
 - Adds language mandating that committee charters be informed by the Commission’s strategic priorities and workplans. *[Article V(2)]*
- Committee membership
 - Adds language defining that Commissioners may not serve more than two consecutive years on the same standing or special committee without a one year break in between two years of service. The provision also allows for a waiver and continued service upon approval of the Commission. *[Article V(3)]*
- Standing committees

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- Deletes the requirement that standing committees shall meet in open public meetings (this provision now resides in the committees' charters, as it is procedural to the committees). *[Article V(4)]*
- Adds language recognizing the previously created standing committees. *[Article V(4)(b) – (e)]*
- Special committees
 - Deletes language specifying that special committees need not meet in public session when their membership is less than a quorum of commissioners and they are not legally authorized to act on behalf of the commission. (This aligns with state law governing Open Public Meetings Act requirements.) *[Article V(5)]*
- Attendance at committees by additional commissioners
 - Amends language lengthening notice to the Commission Clerk of a quorum of Commissioners at committee meetings. The current bylaws provision only allows for 25 hours notification. State law requires 24 hours for notice and posting of special meetings. The provision, as currently written, provides exactly one hour for the Commission Clerk to receive notice and perform the work. (Provides adequate notice for the scheduling and noticing of a special meeting.) *[Article V(7)]*
- Record of committee proceedings and recommendations
 - Adds language providing that standing committee charters may require the electronic recording of standing committee meetings *[Article V(8)]*
 - Adds language providing that standing committees will, and special committees may, be subject to annual workplans. *[Article V(9)]*
 - Adds language requiring year-end reports of standing committees. *[Article V(9)]*

Article VI – Rules of Order

- Voting
 - Removes language allowing abstention from voting. *[Article VI(2)a)] (See corresponding amendment in Article II(5)(b) above.)*
- Voting, motion required
 - Adds language requiring written non-procedural motions, commission orders, proclamations, and amendments to main questions. This is current Commission practice. *[VI(2)(b)]*
- Rules of Order, motions postponed
 - Adds language clarifying procedures for postponement of Commission actions. *[Article VI(2)(d)]*
- Rules of Order, amendment of questions
 - Removes vote requirement of 2/3^{ds} for untimely filed amendments. Still requires that amendments be filed 24 hours in advance of a meeting. *[Article VI(4)]*
- Order and decorum
 - Adds language describing types of behavior that are out of order. *[Article VI(9)]*
- Rules governing public comment
 - Adds language specifying the limitation of public comment – being specific to the conduct of port business. *[Article VI(10)(a)]*
 - Adds language recognizing the process for accepting written public comment and attaching them to the minutes of the meetings, as part of the official public record. Also

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- adds language recognizing the summary report out of written comments received by the commission clerk at the time of the meeting. *[Article VI(10)(b)]*
- Adds language adding to the description of ‘disruptions’ at Commission public meetings. *[Article VI(10)(f)]*
- Adds language providing a framework for warning for disruptive conduct of public meeting participants. *[Article VI(10)(g)]*