

Arlington Count Civic Federation By-laws Committee Report

Proposed by-laws amendment

At the June 3, 2014, Arlington County Civic Federation (the Federation), Delegate Kathryn Scruggs proposed amending the ACCF By-laws to add the following language to Article III, Section 5:

A member may vote on behalf of each organization for which the member is listed as a delegate or alternate.

The full text of her motion (with preamble) reads:

Whereas, there is discussion about the number of votes a delegate who represents more than one member organization may cast.

Whereas the By-laws state in Article III, Members:

Section 5. Each member organization shall be entitled to no more than four (4) votes cast by the delegates or their alternates. No proxy votes may be cast.

Whereas the By-laws state in Article IX, Amendment to the By-laws:

These by-laws may be amended at any regular meeting of the Federation by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting.

I move that the By-laws be amended to state, specifically, that a member may vote on behalf of each organization for which the member is listed as a delegate or alternate and, until the vote on amending the By-laws, the Chair will rule on the number of votes permitted members who represent more than one organization.

In accordance with Standing Rule 3, President Mike McMenamin referred the proposed by-laws amendment to the By-laws Committee.

By-laws Committee meeting

The By-laws Committee met July 22, 2014, to discuss the proposed by-laws amendment. In accordance with Standing Rule 5, Ms. Scruggs appeared before the Committee to explain her proposed amendment and answer the Committee's questions. She also provided the following rationale for the proposed amendment. :

- The most meaningful method of participating in the Federation is being able to vote on resolutions.
- A number of members who regularly attend Federation meetings are delegates for more than one organization; however, they currently get only one vote. As a result, some member organizations are underrepresented in Federation decision-making.
- Attendance at Federation meetings has been decreasing. Sometimes only 20 to 30 people attend a meeting and vote on Federation business, which is not representative of ACCF membership.

- Allowing delegates to cast votes for the organizations they represent makes votes more representative of the organizations that comprise ACCF.

Ms. Scruggs, responding to the Committee's questions, offered two options for the Federation would implement the proposed amendment if the Federal adopted it. She identified the following options for implementing the proposed by-laws amendment:

- The Secretary can distribute voting cards when delegates sign in at meetings. Members would receive a voting card for each organization for which they are a delegate. Using voting cards may rule out voting by voice or by hand, but enables the delegate to cast split votes if the organizations they represent have a different position on an issue.
- When signing in at a Federation meeting, delegates indicate whether they represent more than one organization. This way the President/Secretary would know they need to record multiple votes when those delegates vote. Although this option would allow voting by hand, it could complicate voting, especially if the delegate casts split votes.

By-laws Committee recommendation

After questions and discussion, the Committee voted to recommend opposing (6 votes to oppose, 1 abstention) the proposed amendment for the following reasons:

- The proposed amendment is inconsistent with “a fundamental principle of parliamentary law that each . . . member of a deliberative assembly is entitled to one – and only one – vote” even if the member is a delegate for more than one member organization (Robert's Rules of Order Newly Revised - 11th Edition, §45, p. 407). The Committee notes that the Executive Board adopted this principle at their May 11, 2014, meeting, which they announced in “The Civic Voice” (May 27, 2014).
- The ACCF By-laws gives every member organization equal representation (i.e., 4 delegates and 4 alternates). If organizations are concerned about the having full representation in or the representativeness of Federation decision-making, it is incumbent on them to send a full complement of delegates/alternates to Federation meetings.
- Allowing delegates to cast more than one vote does not solve the issue of attendance at Federation meetings, and may decrease attendance even further if votes become concentrated among a fewer number of delegates.
- Accommodating delegates who represent multiple organizations could complicate and slow down the voting process, thus reducing the amount of time delegates have to address substantive issues. An increase in administrative process may frustrate members and cause them to stop attending Federation meetings.

Voting on the proposed by-laws amendment

The ACCF By-laws specify that the Federation may amend the By-laws by a 2/3rds vote, provided the amendment is submitted in writing at “the previous meeting” (Article IX Amendment of By-laws). Ms. Scruggs submitted her proposed by-laws amendment at the June 3, 2014, meeting, which means the Federation must vote on it at the September 2, 2014, meeting. However, since the program for that meeting will be the annual candidates' night, which would not leave enough time for also considering the proposed by-laws amendment, the Executive Committee requested and Ms. Scruggs agreed to defer consideration until the October 7, 2014,

Federation meeting. This means that the issue of by-laws cannot be placed on the table at the September meeting and the President will rule out of order any attempt to do so. The Federation will consider and vote on the proposed by-laws amendment at the October Federation meeting.

If the Federation approves the proposed by-laws amendment -- The Executive Committee or, if the President refers the issue to a committee (e.g., By-laws, Membership, or special committee), that committee would have to develop and the Federation would have to approve a procedure to implement the approved bylaws amendment. Most likely the Federation could adopt the procedure as a Standing Rule. Ms. Scruggs said she would support limiting a delegate from casting more than one vote to those situations where the delegate is the only delegate from the organization who is attending the Federation meeting. She said at least this limitation would ensure the organization is represented in the voting. The limitation Ms. Scruggs supports would require amending the proposed by-laws amendment or establishing a Standing Rule specifying when a delegate could cast more than one vote.

If the Federation rejects the proposed by-laws amendment – The parliamentary rule of “one person, one vote” automatically applies. Federation By-laws specify that “the current edition of Robert's Rules of Order Newly Revised shall govern in all cases to which they are applicable and in which they are not inconsistent with these by-laws and any special rules of order the Federation may adopt” (Article VIII Parliamentary Authority). Robert's Rules Newly Revised (11th Edition) states:

[E]ach member of a deliberative assembly is entitled to one – and only one – vote on a question. This is true even if a person is elected or appointed to more than one position, each of which would entitle the holder to vote (§45, page 407).

To ensure Federation delegates and member organizations have notice of and understand the Federation voting policy, Ms. Scruggs recommends that the Federation adopt a by-laws amendment or standing rule specifically codifying “one person, one vote.”

ACCF By-laws Committee

Burt Bostwick

Herschel Kanter

Larry Mayer

Jim Pebley

Terri Prell

James Schroll

Sarah Shortall, chair