1 2 3 4	Councilors Keogh, Wright, Bushor: Rules Committee
5 6 7 8 9 10 11	PROPOSED AMENDMENTS TO APPENDIX B, RULES AND REGULATIONS OF THE CITY COUNCIL
12 13 14 15	In the year Two Thousand Eleven
16 17	That WHEREAS, the City Council Rules Committee has considered and hereby recommends
18	that the Rules & Regulations of the City Council, be amended as outlined below;
19	NOW, THEREFORE, BE IT RESOLVED that the Rules and Regulations of the City
20	Council be and hereby are amended as follows:
21	Sec. 1 Presiding officer.
22	The presiding officer of the city council shall be styled the president. The president shall be
23	elected at a meeting held on the first Monday in April in each year at 7:00 p.m. The first business
24	transacted shall be the election of a president and such election shall be by a show of hands or
25	upon request a roll call vote, unless determined by majority vote of the entire council that such
26	election shall be by ballot. The chief administrative officer shall call the meeting to order and
27	shall preside until a president is elected.
28	Sec. 1.A Purpose and organization of city council meetings.
29	The purpose of city council meetings is to conduct city business efficiently and effectively, while
30	still allowing appropriate public input. The city council meetings should be structured to allow
31	focused attention on agenda items. Meetings should be predictable in both the business addressed
32	and length of meetings.
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38 Sec. 2. - [Order of succession.]

- In the absence of the president, the chief administrative officer shall, and if the chief
- 40 administrative officer is not present, any councilor may call the council to order. A temporary
- 41 president shall be elected.

42 Sec. 3. - [Chief administrative officer of the council; minutes.]

- The chief administrative officer or designee shall be clerk of the city council and shall keep full
- and accurate minutes of the proceedings of the council. A copy of such minutes shall be
- furnished to each councilor. The minutes shall be presented to the Council for approval at the
- 46 next meeting after such minutes have been distributed.

Sec. 4. - Committee assignments.

(a) No later than the second meeting following the election of the president, the president shall appoint standing committees on licenses, ordinances, human resources, charter changes, community development and neighborhood revitalization, public safety, parking and transportation, energy and utilities, parks, art &_culture and tax abatements. The president shall appoint all ad hoc committees unless the council shall designate the members. The first person named on a committee shall be its chair unless the motion or resolution authorizing its appointment shall designate the chair. All committees shall consist of at least_three (3) persons unless otherwise ordered by vote of the council. Any matter which has been assigned to the jurisdiction of a standing or ad hoc_committee of the council shall not be taken up by

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the council until a report and recommendation is made by the committee unless either of the following procedures occur:

- (1) By a two-thirds (2/3) vote the council determines to take up a matter notwithstanding its continuing pendency in a committee;
- (2) A majority of the council votes to take the matter up at a council meeting which will occur not sooner than one (1) week subsequent to such vote notwithstanding the matter's continuing pendency in a committee; or
- (3) Notwithstanding either of the above provisions, a matter may be taken up by the full council upon passage of three (3) regular meetings.
- Such standing committees shall annually prepare a written mission statement to be submitted at the annual meeting of the city council and give timely updates as needed to the council. The city council shall designate which department or office of the city is to provide staffing for such standing or ad hoc committees. Committee staffing shall be by a policy level staff member who is able to participate in the committee's discussions and actively represent proposals. However, the staff shall not attempt to control debate or discussions at committee meetings, but instead assist the committee's work. Individual councilors and committees shall not assign or request that significant assignments be carried out by city departments without first receiving endorsement from the entire city council. All standing and ad hoc committees shall provide a copy of minutes of their meetings to the City Council in a timely manner.
- (b) Ad hoc committees may also be established by the President or by a motion approved by the city council. Ad hoc committees may be established for a particular purpose and shall exist

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for a specified duration, which duration may be extended by the city council. At least once every three (3) months while an ad hoc committee is in effect, it will report to the city council with respect to its activities. Ad hoc committees shall present a written report to the city council which shall include the committee's recommendations upon completion of the committee's work.

Sec. 5. - Place and date of meetings; quorum.

- (a) The meetings of the council shall be held in Contois Auditorium or in any other location designated by the council. The regular and adjourned_meetings shall be held on Mondays on dates identified on a schedule proposed by the president and approved by the council, unless the council shall fix another date for the regular meeting of that month. A majority of the whole council shall constitute a quorum, but a smaller number may adjourn and may compel the attendance of absent members. Special meetings of the city council may be called at any time by the mayor and shall be called by the chief administrative officer on petition signed by a majority of the city council and filed with the chief administrative officer.
- (b) The president in consultation with the chief administrative officer or designee_shall prepare an agenda for each city council meeting. The agenda may include preliminary time allotments for each agenda item and all business to be conducted in open session shall be completed by 10:30 p.m. A period of time shall be reserved for items which may be moved from the consent agenda to the deliberative agenda. When the allotted time for an agenda item has been consumed, the president may immediately call for a vote upon a disposing motion unless the council votes to extend

114 115	APPENDIX B - RULES AND REGULATIONS OF THE CITY COUNCIL
116	the time for consideration of such item. With respect to the agenda items relating to general city
117	affairs, the mayor shall be allocated up to_ten (10) minutes, the city council up to fifteen (15)
118	minutes, the public forum shall not exceed thirty (30) minutes unless otherwise extended by the
119	president and up to five (5) minutes shall be allocated for committee chairs, unless a longer time
120	is voted at a particular meeting.
121	(c) Whenever meetings of the city council and the local control commission are scheduled
122	for the same evening, the local control commission will convene at a time designated by the
123	president. At 7:30_p.m., if the business of the local control commission is not completed, the
124	balance of the local control commission meeting shall then be suspended until the completion of
125	the public forum, after which the local control commissioners meeting shall be completed. The
126	city council meeting will then be reconvened and take up the business of the agenda.
127	Sec. 6 [Duties of presiding officer.]
128	The president or_presiding officer shall preserve order and decorum and shall decide all
129	parliamentary questions subject to appeal. The president shall put no questions to vote except
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upon motion of some member duly seconded. If any member questions the accuracy of the vote as declared by the president, the president shall request a show of hands or a roll call vote. The president may call any member to the chair for a period not to exceed a single session, and when out of the chair may participate in debate. The primary role of the president shall be to run the city council meetings and not to be a participant in the council's debate. The president shall pass the gavel to participate in debate infrequently. Occasional comments by the president for the purpose of clarification and direction of the meeting are permissible. The president shall make sure that all commentary remains on the topic at hand. It shall be the responsibility of the president to limit all repetitious and cumulative discussion and to insist that all questions from the city councilors and the public be directed through the president. The president shall enforce parliamentary procedure and all time limits if so specified on the agenda. The president is responsible for compliance with the rules of the council. Any councilor not in compliance shall be notified by the president. Continued non-compliance will be brought to the attention of the full council.

Sec. 7. - [Member responsibilities.]

No member shall make a motion or speak on any question until the member_has addressed and has been recognized by the President. The member shall confine discussion to the question before the council, shall avoid personalities and shall not impute improper motives to any member of the council. No city councilor shall speak longer than five (5) minutes to the same motion. Each member present at a meeting shall cast a vote on each and every motion unless a conflict of interest is present pursuant to Section 133 of the City Charter. Councilors are encouraged to stay in their seat during public forum except in emergencies. City staff and other presenters shall be treated with courtesy and respect by the council. Councilors

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APPENDIX B - RULES AND REGULATIONS OF THE 166 CITY COUNCIL 167 shall abide by these rules and respect rulings by the president, subject to the rights of appeal. No 168 member may read from a document or article without permission of the President. 169 Sec. 8. - Motions and amendments. 170 When a question is before the council no motion shall be entertained except as prescribed in 171 Roberts Rules of Order. A motion to adjourn shall always be in order. Motions to adjourn, to lay 172 on the table and to call the question shall be decided without debate. All amendments proposed 173 174 must be germane to the subject under consideration. No proposal to amend shall be considered 175 beyond an amendment to an amendment. No motion once seconded may be amended without debate unless the maker of the motion and seconder consent. 176 177 Sec. 9. - [Withdrawal of motion; motion to reconsider.] The mover of a motion may withdraw the same at any time prior to a decision or an amendment 178 if the member seconding the motion also gives consent. A motion for the reconsideration of any 179 180 measure must be made by a member who voted with the prevailing side, and a majority of the full membership of the council shall be necessary to secure reconsideration. 181 Sec. 10. - Resolutions and reports to be in writing. 182 All resolutions and all final reports of committees shall be presented in writing. All resolutions 183 must be sponsored by a city councilor(s). If the resolution pertains to a matter that has been 184 previously considered and acted upon by a committee of the council or by another city board or 185 commission, its text shall include a recital of the date of such action and the margin of approval 186 if such action was taken by a less than unanimous vote. 187

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Sec. 11. - [Yeas and nays.]

The yeas and nays (roll call) shall be taken on any question or motion relating to the passage of an ordinance or resolution which appears on the Deliberative Agenda and which is not adopted by a unanimous voice vote except that the president may choose to request a show of hands and identify for the record the councilors who voted in the minority. The yeas and nays shall also be taken on any question or motion upon the request of a member. Whenever the question before the council shall be upon the passage of an ordinance, resolution or motion, notwithstanding the veto of the mayor, it shall be decided by a yea and nay vote. On all yea and nay votes the clerk shall call the roll of members and no member present shall be excused from voting except by unanimous consent, or unless the member disqualifies himself/herself thereon. So long as a quorum exists, a valid majority for taking city council action shall be a concurrence of a majority of those present and voting except as otherwise provided in these rules, the Code of Ordinances or the City Charter.

Sec. 12. - [Absences.]

No member shall be absent without leave from any meeting unless the member is ill or otherwise necessarily detained, in which event the member shall notify the clerk or president of the member's inability to be present. If a member desires to leave before the close of a session the member shall ask permission of the president.

Sec. 13. - Meetings to be public, exception.

All meetings of the council shall be public except that executive sessions may be held upon approval by two-thirds majority of those present and voting. While in executive session, a councilor may ask for a vote to determine whether a two-thirds majority of the council supports staying in executive session, and if a two-thirds majority of the council does not support staying

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in executive session, the council will go out of executive session. Members of the city council and all persons invited to attend an executive session of the city council shall not discuss in any fashion the discussions occurring in executive session with any person who is not a member of such council and who was not present in the executive session except as such discussion may be compelled by proper legal process. The foregoing sentence shall not be applicable to any subsequent consideration of such discussions in a public session of the council. Any member of the city council who violates the foregoing standards shall be subject to censure by the city council if it is established that such violation has placed the city at a substantial disadvantage in its official business dealings. The burden of proof in such situations shall be borne by the member who makes the contention that another member should be censured. Any other city official who violates the foregoing standards shall be considered to be guilty of negligence or bad conduct, as the case may be and subject to official reprimand. If such violation places the city at a substantial disadvantage in its official business dealings, or if the violating official has previously been reprimanded for improperly discussing executive session proceedings, such official shall be subject to disciplinary proceedings pursuant to section 129 of the City Charter.

Sec. 14. - [Introduction of ordinances.]

On introduction to the council, a proposed ordinance or amendment to an existing ordinance shall identify the city department or city councilor sponsoring the proposal. A proposed ordinance shall be read in full at two (2) separate meetings before being adopted. It shall be read the first time upon its presentation and may then be discussed. Upon proper motion, a proposed ordinance may be defeated upon presentation and first reading. If not

10 243 APPENDIX B - RULES AND REGULATIONS OF THE 244 CITY COUNCIL 245 so defeated, the proposed ordinance shall upon proper motion following discussion, if any, be 246 referred to the ordinance committee. Alternatively, upon a motion to suspend the rules a 247 proposed ordinance may be adopted if approved by two-thirds vote of those present and 248 249 voting. If referred to the ordinance committee, such committee shall consider the proposal, 250 consult with the city attorney and any department concerned, and report to the council no later than sixty days following referral of the proposed ordinance to it. If the proposal remains in the 251 committee beyond a sixty-day period, the committee shall report to the city council at least once 252 253 every thirty days on the status of its continuing review. The city council may adopt the proposed ordinance at any time following its second reading. 254 255 Sec. 15. - Order of business. At each regular meeting of the council (except as otherwise provided in the agenda prepared by 256 the president) the order of business shall be as follows: 257 (1) Presentation of awards and memorials. 258 259 (2) Public forum (7:30 p.m. time certain). 260 261 (3) Action on Consent Agenda. 262 (4) Resolutions and ordinances dealing with the business of the city (unfinished business 263 first). 264 265 (5) Information items and reports. 266 267 (6) Reports from committees. 268

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(7) Councilor and Mayor general city affairs.

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(8) Appointments (adjourn to city council with mayor presiding if required)

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Sec. 16. - [Agenda.]

- (1) An agenda for city council meetings shall be prepared in the city clerk's office and posted on the web, and copies thereof shall be available to members of the city council and to the general public by the close of the second business day (normally Thursday) immediately preceding each regular monthly meeting of the city council, and adjourned session thereof. An agenda for special meetings of the city council, called for a specific purpose, is not required.
- (2) All city departments, councilors, city officials and the public in general (except for the city attorney as provided below) are required to have their materials delivered to the city clerk's office not later than four o'clock in the afternoon of the third business day (normally Wednesday) preceding regular or adjourned regular meetings.
- All requests for resolutions, ordinance and miscellaneous materials, to be prepared by the city attorney must be in the City Attorney's hands by twelve o'clock noon on the fourth business day (normally Tuesday) preceding a regular, or adjourned regular meeting.
- The city attorney shall deliver to the office of the city clerk all resolutions or ordinances to be submitted no later than twelve o'clock noon of the second business day, (normally Thursday) preceding a regular, or adjourned regular meeting.
- The city clerk's office shall assemble all materials for the coming meeting into one packet for each councilor and shall mail or deliver by messenger or may electronically send each councilor's packet at the close of the second business day (normally Thursday) preceding a regular or adjourned regular meeting.

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- (a) The agenda prepared by the President with input from the chief administrative officer or designee_shall be divided into two parts, namely a Consent Agenda and a Deliberative Agenda. The Consent Agenda is made up of items which are deemed not controversial or are for information only. The consent agenda shall also suggest the proposed action with respect to such items. The Deliberative Agenda items are for those issues which may be controversial or are of such importance that they deserve discussion by the council. It is not appropriate to move an item from the Consent to the Deliberative Agenda to provide general information. Councilors may use the Councilor Comment period to disseminate that information. All supporting documents for Resolutions and other City policies are available to the public on the City's website.
- (b) Any councilor may request that a particular item be removed from the Consent Agenda and placed upon the Deliberative Agenda. However, said item shall remain on the consent agenda upon a motion approved by two-thirds of the councilors present and voting.
- (c) A single motion shall be sufficient to act upon the items listed in the Consent Agenda in the manner suggested by the chief administrative officer. The items on the Deliberative Agenda shall be dealt with separately in accordance with the procedures otherwise specified by these rules.
- (5) No matters of business, other than those included in the agenda, and provided to councilors in the packets or electronically provided by the city clerk's office shall be

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introduced and considered at any regular, or adjourned regular meeting of the city council without a two-thirds affirmative vote of the councilors present and voting.

(6) All meetings of the city council shall adjourn no later than 10:30 p.m. that same day. No vote by the city council may be taken after 10:30 p.m. except as otherwise provided. All executive sessions will commence no later than 10:30 p.m. and be concluded by 11:00 p.m. The president and chief administrative officer shall preview each agenda and endeavor to make sure that all time sensitive items are placed as close as possible to the beginning of the meeting. Prior to adjournment at 10:30 pm, the president shall call for a vote upon a disposing motion on the pending item unless a motion is made to suspend the rules to allow continuation of the meeting to complete all or a part of the agenda. If such a motion is made the president shall inquire about timely matters and the motion to suspend the rules to allow continuation of the meeting may include consideration of such matters warranting action. If such a motion fails to receive approval of two-thirds of the councilors present and voting, even if after 10:30 pm, the president may entertain alternative motions to suspend the rules to allow continuation of the meeting.

Sec. 17. - [Business to be conducted in accordance with Robert's Rules of Order.]

The business of the council shall be conducted in accordance with the recognized parliamentary rules as set forth in the current issue of Robert's Rules of Order, except as otherwise provided in these rules. No rules of this council shall be suspended except by a two-thirds vote of those present. No rule shall be amended or repealed unless notice of such proposal has been given at the last regular meeting preceding, and such change must be adopted by a majority of the entire

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14 354 APPENDIX B - RULES AND REGULATIONS OF THE 355 CITY COUNCIL 356 membership of the council. These rules shall be applicable to the city council with mayor 357 presiding, the board of civil authority, the board of abatement of taxes and the local control 358 commission. 359 360 Sec. 18. - Appointments to be by open ballot. When dealing with commission and council appointments, under the City Charter or otherwise, 361 362 members of the city council or city council with mayor presiding shall not use secret 363 ballot unless two-thirds of those present vote to use secret ballots. A commission or council appointment, under the City Charter or otherwise, must be approved by a majority of the city 364 council or the city council with mayor presiding. 365 Sec. 19. - Request for legal assistance. 366 All requests for legal assistance, information and advice received by the office of the city 367 attorney from either the mayor or a member of the city council, and all information received by 368 the office of the city attorney in connection with research and drafting such a request, including 369 any preliminary drafts not yet introduced to any committee of the city council, the council, or 370 released to the public, shall be confidential, unless the person requesting or giving the 371 information designates in the request that it is not confidential. 372 373 Sec. 20. - City councilor expense reimbursement. The city council shall annually, as part of the budget and upon recommendation of the mayor, set 374 an expense account for each city councilor. The expense account is for expenses including 375 376 reimbursement necessary for the performance of city council business. Councilors may combine,

or pool, expenses with other councilors. Funds not spent by a city councilor at the end of his/her

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381 382	APPENDIX B - RULES AND REGULATIONS OF THE CITY COUNCIL
383	term shall not be available to the succeeding councilor.
384	Sec. 21. Electronic devices.
385	All electronic devices used by councilors, the public and others present shall be silenced (i.e.
386	turned off or put on "vibrate") during council meetings.
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388 389	Appendix B – Rules & Regulations of the City Council (Rules of Order-Comprehensive Rewrite) 9/20/11; 10/17/11