

CITY COUNCIL
CITY OF LONGMONT, COLORADO
RULES OF PROCEDURE
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RULE 1 ORDER OF BUSINESS. The following orders of business shall apply to meetings of Council, unless it is specifically determined by majority vote of Council that a different order is on any occasion required to serve the convenience of the public attending:

REGULAR SESSIONS

- A. MEETING CALLED TO ORDER
- B. ROLL CALL
- C. CHAIR REMINDER TO PUBLIC THAT:
 - 1. those wishing to speak at “First Call - Public Invited To Be Heard” shall add their names to the list since only those on the list will be invited to speak at the first session; and
 - 2. speakers who do not place their names on the list will have the opportunity to speak at public hearing items for that evening (if pertinent to the public hearing topic) or at “Final Call - Public Invited To Be Heard” (any item).
- D. CORRECTION AND APPROVAL OF REGULAR MEETING MINUTES
- E. AGENDA REVISIONS, SUBMISSION OF DOCUMENTS, AND MOTIONS TO DIRECT THE CITY MANAGER TO ADD AGENDA ITEMS TO FUTURE AGENDAS
- F. CITY MANAGER'S REPORT
- G. SPECIAL REPORTS AND PRESENTATIONS
- H. FIRST CALL - PUBLIC INVITED TO BE HEARD
- I. CONSENT AGENDA AND FIRST READING, BY TITLE, OF ORDINANCES
- J. ORDINANCES ON SECOND READING AND PUBLIC HEARINGS ON ANY MATTER
- K. CARRY-OVER BUSINESS AS IDENTIFIED FOR PRIORITY PLACEMENT
- L. ITEMS REMOVED FROM CONSENT AGENDA
- M. GENERAL BUSINESS
- N. OTHER BUSINESS
- O. FINAL CALL - PUBLIC INVITED TO BE HEARD
- P. MAYOR AND COUNCIL COMMENTS
- Q. CITY MANAGER REMARKS
- R. CITY ATTORNEY REMARKS
- S. ADJOURN

STUDY SESSIONS

- A. MEETING CALLED TO ORDER
- B. ROLL CALL
- C. MOTIONS TO DIRECT THE CITY MANAGER TO ADD AGENDA ITEMS TO FUTURE AGENDAS
- D. PUBLIC INVITED TO BE HEARD
- E. GENERAL BUSINESS
- F. MAYOR AND COUNCIL COMMENTS
- G. CITY MANAGER REMARKS
- H. CITY ATTORNEY REMARKS
- I. ADJOURN

RULE 2 BASIC PARLIAMENTARY PROCEDURE.

A. The Mayor is elected by the people to serve as a voting member of Council, and unless otherwise disqualified, must vote on all questions, even those appealing the ruling of the Chair. The Mayor, Mayor Pro Tem, or other designated Council member in their absence shall, however, serve as the presiding officer or Chair in the conduct of meetings.

B. Motions may be amended only to the third degree, that is, only one amendment to an amendment is permitted. A substitute motion is considered an amendment.

RULE 3 ADDRESSING THE COUNCIL. At all times, the discussions and motion of the Council and remarks of members of the public shall be directed to the Chair, and shall be preceded by recognition from the Chair.

RULE 4 GENERAL DISCUSSION.

A. Limitation on Debate: A member of Council shall be permitted to speak only once on the subject under discussion, limited to the matter at hand, until all other members of the Council desiring to speak have been heard. The Chair may set a time limit on any such discussion of members of Council.

B. If a matter requires a vote by roll call, it shall not be in order for members of Council to explain their vote during the roll call. Such explanation is, however, permitted during the discussion of the question.

RULE 5 CITIZEN PARTICIPATION.

A. The Longmont Charter, § 3.9, guarantees citizens and employees a reasonable opportunity

to be heard at each regular and special City Council meeting. To implement that right, any person may speak to the Council on any matter, whether scheduled for public hearing or not. The City Clerk shall prominently post a speakers' list form outside the Council Chambers, at least fifteen minutes before each Council meeting. Immediately before the "First Call - Public Invited to Be Heard", the Clerk will tally the number of speakers for "First Call - Public Invited to Be Heard" and submit the list to the Chair. Speakers have the right to speak at scheduled public hearings, and during the "public invited to be heard" segments of Council meetings. Except for scheduled public hearings, those wanting to speak shall list their names on a speakers' list, showing the topics (including agenda item number(s), if any) on which they want to speak. At the "First Call - Public Invited to Be Heard", the Chair shall call to speak those listing consent agenda and general business items, and topics not on the Council meeting agenda. Speakers shall address other matters as the Chair recognizes them at public hearings, or at "Final Call - Public Invited to Be Heard" (regular session meetings only). Speaking at a called public hearing and at "Final Call - Public Invited to Be Heard" (regular session meetings only) requires no listing on the speaker's list.

B. The Chair, consistent with these Rules, may regulate the time for public participation, and may require that each speaker's comments pertain to the subject under discussion. The Chair may restrict cumulative or redundant presentations. Speakers may not assign their time to others.

C. No speaker shall speak longer than three minutes, except:

1. A staff member making a presentation to the Council;
2. Others invited by the City Council or City Manager to make presentations, or to answer Council questions; and
3. When the Council suspends these Rules.

D. Those attending Council meetings shall refrain from disruptive, vulgar or abusive language, applause, heckling or other actions that interfere with the orderly function of the Council. The Chair may take any reasonable steps to maintain the order and dignity of Council meetings.

RULE 6 METHOD OF VOTING. Except as otherwise provided by Charter or Council, voting on all matters shall be recorded on the electric ballot board in Council Chambers. Each Council member shall activate his or her private voting switch prior to the Mayor activating the master switch. The Chair shall announce the result of the ballot, which shall be placed in the minutes of the meeting by the Clerk.

RULE 7 ABSTAINING FROM VOTE. If a member of Council has a personal, financial or other conflict of interest, or appearance thereof which would affect public confidence in any matter to be voted upon or otherwise officially considered, deemed by the affected Council member to require abstention, then a brief statement of such disclosure shall be presented prior to any consideration of the matter by Council, and the abstaining Council member shall then physically remove himself or herself from the placement of Council sitting as a body. Upon full disclosure of the basis for announced abstention, the requesting Council member may, however need not, request that the Council vote on the propriety and necessity of abstention.

RULE 8 TEMPORARY CHAIR. In the case of the absence of the Mayor and Mayor Pro Tem, the Clerk shall call the Council to order and call the roll of the members. If a quorum is found to be present, Council shall proceed to elect, by a majority vote of those present, a Chair of the meeting, to act until the Mayor or Mayor Pro Tem appears.

RULE 9 RIGHT OF FLOOR. When recognized by the Chair, a member of Council shall confine himself or herself to the question under debate, and in order to ensure the dignity of the proceedings, avoid personal insult and refrain from impugning the motives of any fellow Council member's argument or vote.

RULE 10 RIGHT OF APPEAL. Any member may appeal to the Council from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state his or her reason for the same, and the presiding officer may briefly explain his or her ruling, but there shall be no debate on the appeal and no other member shall participate in the discussion. The presiding officer shall then put the question, "Shall the decision of the Chair be sustained?" If a majority of the members present vote "Aye," the ruling of the Chair is sustained, otherwise it is overruled.

RULE 11 MAKING MOTIONS. The presiding officer will have the same rights and privileges of making motions as any other members. A majority vote of those in attendance, unless otherwise noted, shall decide all questions. No motion for formal final action or for establishing a position of the City shall be made during Mayor and Council comments.

RULE 12 PRECEDENCE OF MOTIONS. When a question is before the Council, no motion shall be entertained except: (a) to fix the hour of adjournment, (b) to adjourn, (c) to recess, (d) to lay on the table, (e) for the previous questions, (f) to postpone to a certain day, (g) to refer, (h) to amend, and (i) to postpone indefinitely. These motions shall have precedence in the order indicated. The following motions shall NOT be debatable: "Call for Motion", "Motion to Adjourn" and "Motion to Table."

RULE 13 MOTION TO ADJOURN, POLICY OF ADJOURNMENT. A motion to adjourn shall be in order at any time, except as follows: (a) when repeated without intervening business or discussion, (b) when made as interruption of a member while speaking, (c) when the previous question has been ordered, and (d) while a vote is being taken. A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

In order to facilitate the convenience of the public and Council, whenever practicable, it shall be the policy of Council to adjourn at 11:00 P.M., and that items not under present consideration be continued and not be called for consideration after such hour.

RULE 14 MOTION TO LAY ON TABLE. A motion to lay on the table shall preclude all amendments or debates of the subject under consideration. The motion to lay on the table carries no time element. A tabled motion can be called from the table at any time.

RULE 15 DIVISION OF QUESTION. If the question contains two or more divisible parts or propositions, the Chair may, on its own motion or upon request of any member of Council, divide the same.

RULE 16 MOTION TO AMEND AN ORDINANCE OR RESOLUTION. A motion to amend an ordinance or resolution shall be made with such specificity to ensure that City staff can accurately make the amendments. Where appropriate, the motion to amend will state the words proposed to be stricken out and those to be inserted, and include reference to the applicable page and line number(s) in the Council agenda packet where such amendments are to be made.

RULE 17 MOTION TO POSTPONE. A motion to postpone definitely carries a time limit to a date certain, can be debated as to the merits of postponement, and may be amended as to time. If a motion to postpone indefinitely is carried, the principal question shall be declared lost.

RULE 17.5 MOTION INSTRUCTING THE CITY MANAGER OR CITY ATTORNEY. Unless such duty is imposed by the Charter, ordinances of the City or otherwise by operation of law, direction to the City Manager or City Attorney to take action on behalf of the City Council shall be made pursuant to motion duly made, seconded, and approved by the majority of the quorum of Council made at a regular or specially called meeting, or at a study session of Council, unless such direction is intended to implement the final action or position of the City, in which event such direction shall be given at a regular or specially called session of Council.

RULE 18 VOTING REQUIREMENT. Every participating member of Council shall be required to vote, unless excused for cause by consent or vote of the Council.

RULE 19 RECONSIDERATION. After the decision on any question, any member who voted with the prevailing side may move to reconsider the decision at the same meeting or at the next meeting at which Rule 25 permits final or official action on the subject question.

RULE 20 ANONYMOUS COMMUNICATIONS. Unsigned written or anonymous communications shall not be introduced or considered by the Council.

RULE 21 AMENDMENT OF RULES. Any additions hereto or modifications or amendments hereof shall be submitted in writing at a regular session and shall be acted upon no sooner than at the next meeting of Council as an agenda item or new business. This requirement may be waived only upon the unanimous affirmative-recorded vote of all members of Council.

RULE 22 RESOLUTIONS. All resolutions considered by Council shall be in written form. Any member of Council wishing to introduce a resolution which has not been previously reduced to writing, may request the indulgence of the Chair for ten minutes to allow him or her to prepare his or her resolution in written form. Upon the resolution thus being presented in writing, it may then be put to a vote of Council.

RULE 23 REPRESENTING CITY. No member of Council, employee of the City, or Council appointee shall state a position or policy of the City until said position or policy has been adopted by affirmation or resolution of Council. No restraint on individual expression is hereby intended, so long as the narrator clearly indicates that the position expressed is his or her individual opinion and not the position or policy of the City.

RULE 24 AGENDA

A. Consistent with Rule 1, the Agenda shall be set by the City Manager and may be augmented

or modified by the Mayor. The Agenda may also be augmented by majority vote of the City Council to direct the City Manager to place an item on a future Agenda. The Agenda shall be made available to the public upon request, and shall generally be distributed immediately prior to each meeting.

B. One copy of the agenda and work packet (excluding information regarding personnel or other material constituting legally privileged communications) shall be sent to the Public Library for public information.

C. Members of Council shall generally be provided the agenda and work packet no later than the Tuesday preceding any regularly scheduled meeting. Agenda items and substantive information not involving unforeseen emergency and not included in the packet as timely provided shall not be considered unless Council, by motion, determines to consider same, which motion shall not be debatable.

RULE 25 MEETINGS.

A. The regular session for the City Council shall be set for the second and fourth Tuesdays of each month at 7:00 P.M.

B. Study sessions shall be set for the first, third and any fifth Tuesdays of a month at 7:00 P.M. In the interest of efficiently conducting Council business, the Mayor or City Manager may, with reasonable advance notice to the Council and the public, cancel any study session. As applicable, rules of procedure for study sessions shall be the same as for regular sessions. Except motions instructing the City Manager or City Attorney, the Council shall take no final or official action at study sessions.

C. On Tuesday nights, the period of time between 5:30 P.M and 7:00 P.M. is generally reserved for City Council executive sessions, pre-sessions, or meetings with other governmental entities. The City Manager may schedule a meeting during this reserved time period by providing notice in compliance with the Open Meetings Law.

D. At least twenty-four hours before each meeting, the City Manager or the Manager's designee shall post, in the designated public place or places within the city, notice of the meeting. At the first regular meeting of each calendar year, the Council shall, by motion, designate the place or places for posting. Postings shall include specific agenda information where possible.

E. On the Friday mornings before regular sessions, City Council may convene a work session by providing notice in compliance with the Open Meetings Law. The purpose of work sessions is to serve as an informal forum for members of Council to discuss City business, and accordingly, the City Council Rules of Procedure do not apply to Friday work sessions. Furthermore, work sessions are not regular or special City Council meetings per Longmont Charter §§ 3.9 and 3.10, and therefore no Public Invited to Be Heard is required, nor shall be provided. At these work sessions, the Council shall take no final or official action, vote, nor make any motions.

RULE 25.5 EXECUTIVE SESSIONS.

A. A confidential Executive Session may be requested by the Mayor, a member of Council, the City Manager, or the City Attorney, to discuss any of the following (set forth in State of Colorado Sunshine Law):

1. The purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest; except that no Executive Session shall be held for the purpose of concealing the fact that a member of the City Council has a personal interest in such purchase, acquisition, lease, transfer, or sale;
2. Conferences with an attorney for the City for the purposes of receiving legal advice on specific legal questions. Mere presence or participation of an attorney at an Executive Session of the City Council is not sufficient to satisfy the requirements of this subsection;
3. Matters required to be kept confidential by federal or state law or Rules and Regulations;
4. Specialized details of security arrangements or investigations;
5. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators;
6.
 - a. Personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting;
 - b. The provisions of paragraph a of this paragraph 6 shall not apply to discussions concerning any member of the Longmont City Council, any elected official, or the appointment of a person to fill the office of a member of the Longmont City Council or an elected official or to discussions of personnel policies that do not require the discussion of matters personal to particular employees.
7. Consideration of any documents protected by the mandatory nondisclosure provisions of Part 2 of Article 72 of Title 24, C.R.S., commonly known as the "Open Records Act".

B. Notice of the request for an Executive Session shall be delivered to each member of Council, the City Attorney and the City Manager at least 24 hours in advance of the Council session at which an Executive Session will be requested. The Notice shall be in writing and contain a brief statement of the matter to be discussed during the Executive Session. The Notice may be delivered electronically, in person, or otherwise in writing reasonably calculated to reach Council members at least 24 hours in advance of the Executive Session

C. A request to meet in Executive Session must be voted on and approved by a 2/3 majority of the Council members present before the session is commenced. The motion shall set forth the matter to be discussed during the Executive Session, including specific citation to the provision of this Rule authorizing the Council to meet in an Executive Session, and identification of the

particular matter to be discussed in as much detail as possible without compromising the purpose for which the Executive Session is authorized. Prior to the time the Council convenes in Executive Session, the Mayor shall announce the specific citation to the provision of this Rule authorizing the Executive Session as enumerated in Subsections A.1. through A.7. of this Rule.

D. The Council shall make no final policy decision, nor shall it adopt or approve any resolution, rule, ordinance, regulation or formal action at any session closed to the general public. Discussions that occur in an Executive Session shall be recorded by making an audiotape recording, according to C.R.S. 24-6-402(2)(II)(A) and (B).

E. The record of an Executive Session of the City Council recorded pursuant to this Rule shall be retained for ninety days after the date of the Executive Session.

F. The Mayor shall act as the liaison for those present at the Executive Session. The Mayor shall be responsible for any public statements about the subject matter of the Executive Session.

RULE 26 FINANCES. The City will pay or reimburse Council members for necessary bona fide expenses incurred in service on behalf of the City if authorized, itemized and maintained as a matter of Public Record. The City will pay or reimburse Council members for travel expenses and mileage allowance according to the City's generally applicable policies governing employee travel expenses and mileage allowance. In addition, if a Council member attends a conference, convention, seminar or similar function where spouses customarily accompany attendees, the City will pay for the spouse's conference registration and the room rate differential from a single to a double room. All Council member and spouse's extracurricular activities and spouse's meals are the responsibility of the Council member.

RULE 27 BOARDS. In addition to criteria outlined in the City Charter and the Longmont Municipal Code for specific boards and commissions, the Council may adopt policies regarding boards and commissions by motion which will be recorded in this rule of procedure. The following policies have been adopted by Council and apply to all City board and commission appointments made by City Council:

- A. All board and committee vacancies will be announced through the local news media before appointments are made;
- B. No board or commission member appointed by City Council shall serve on more than one board at any one time;
- C. No board or commission member appointed by City Council shall serve more than two consecutive terms in office. This limitation on the number of terms shall apply to terms of office beginning on or after June 24, 2008.
- D. All board or commission members appointed by City Council shall remain a resident of the City during the term of their appointment.
- E. All board or commission candidates shall have been both a resident of the City of Longmont and registered to vote in the City of Longmont for at least one year immediately prior to their appointment to a City board or commission.

RULE 28 ROBERT'S RULES OF ORDER. Unless the procedures are specifically set forth herein, Robert's Rules of Order, Newly Revised, shall govern the procedures applicable to all City Council meetings.

Amended on February 13, 2018; August 9, 2016; January 12, 2016; February 24, 2015; December 20, 2011; October 25, 2011; March 23, 2010.

APPROVED AS TO FORM:

CITY ATTORNEY

DATE

PROOFREAD

DATE

APPROVED AS TO FORM AND SUBSTANCE:

ORIGINATING DEPARTMENT

DATE