

Council Policy #CP-16
Adopted 8/31/09 by Resolution 2009-31
Changes adopted 9/16/19 by Resolution 2019-103

SUBJECT: Council Meeting Procedures (Also refer to #CP-2, Section I; #CP-20)

POLICY STATEMENT: This policy is intended to provide guidelines for the procedures to be followed for the conduct of Council meetings.

A. REGULAR MEETINGS – CITY CHARTER SECTION 4.21

~~The Council shall provide, by ordinance, for the time, place and number of regular Council meetings each month, provided the Council may, by motion or resolution, change the time and place of any particular regular or special meeting.~~

B. SPECIAL MEETINGS – CITY CHARTER SECTION 4.22

~~Special meetings of the Council shall be called by the Clerk on the written request of the Mayor, or by any three (3) members of the Council on at least twenty four (24) hours written notice to each member of the Council, served personally or left at his usual place of residence or place of business, but a special meeting may be held on shorter notice if all members of the Council are present or have waived notice thereof in writing.~~

C. BUSINESS AT SPECIAL MEETINGS – CITY CHARTER SECTION 4.23

~~No business shall be transacted at any special meeting of the Council unless the same has been stated in the notice of such meeting. However, any business which may lawfully come before a regular meeting may be transacted at a special meeting if all the members of the council present consent thereto and all the members absent file their written consent.~~

D. MEETINGS TO BE PUBLIC – EXCEPTION – CITY CHARTER SECTION 4.24

~~1. All regular and special meetings of the Council shall be open to the public and citizens shall have a reasonable opportunity to be heard under such rules and regulations as the Council may prescribe, including, but not limited to, #CP-20.~~

~~2. The Council may include study session items in the agenda for regular meetings and may hold such study sessions in addition to regular meetings as the Mayor or any three (3) members of Council may call.~~

~~3. Study session items may be included with regular meeting agendas.~~

~~4. Council may conduct executive sessions in compliance with the Colorado Open Meetings Law.~~

5. ~~Notice for all meetings shall be given as required by the Colorado Open Meetings Law.~~

E. QUORUM – ADJOURNMENT OF MEETING – CITY CHARTER SECTION 4.25

~~A majority of the Council members in office at the time shall be a quorum for the transaction of business at all Council meetings, but in the absence of a quorum, a lesser number may adjourn any meeting to a later time or date, and in the absence of all members, the Clerk may adjourn any meeting for not longer than one (1) week.~~

F. COUNCIL PROCEDURES

1. Order of Business. The order of business at all meetings of Council, as reflected by the printed agenda which shall be presented by the City Manager or his designee, shall be transacted in the order of the printed agenda unless City Council, by a vote of a majority of the members present, shall change the order.

2. Debate and Speaking.

- a. Councilmembers must be recognized before speaking except to raise a procedural objection or point of order. Councilmembers should use the software function to request recognition but may speak or use other means to get the Mayor's attention.
- b. Councilmembers should ensure their microphone is unmuted and speak clearly and audibly.
- c. Councilmembers should ask the Mayor to request the speakers to repeat themselves if the speaker is not clearly heard.
- d. Council members may speak multiple times (unless debate is limited) but must wait until everyone who wishes to speak has done so.

3. Procedural Issues. Councilmembers and the City Attorney and City Clerk should be attentive to procedural issues, including the outcome of votes and clarification of the pending question. Councilmembers should address issues promptly by seeking recognition or, if necessary, speaking to get the Mayor's attention before business proceeds. Councilmembers should wait to be recognized before discussing the issue. For example, a Councilmember should immediately raise an issue if:

- a. They do not know what the current vote is about or don't believe a motion is accurately stated by the Mayor;
- b. They cannot hear a speaker; or
- c. They do not agree with the stated outcome of a vote or want to request a roll call vote.

4. Agenda. The order of business on the agenda generally shall be as follows except the City Manager, or his designee, may change the order at his/her discretion when the agenda is prepared if circumstances for a particular meeting justify a change in the order of business for the agenda. Unless the agenda is amended, Council should wait until administrative council business to make motions in response to Citizen Communication. Furthermore, the City Council, at a duly-convened meeting, may change the order of business.

- a. Call to order

- b. Roll call
- c. Pledge of Allegiance
- d. Presentations giving recognition and proclamations
- e. Citizen communication (See #CP 20 for rules governing Citizen communication)) (but it will not occur before the estimated time stated in the agenda unless approved by Council)
- f. **Information gathering presentations.**
- g. Amendments to agenda not requiring posting in advance under Colorado Open Meetings Law (agenda may be amended at any time)
- h. Consent agenda (includes non-controversial ordinances on second reading, resolutions not requiring discussion, and actions on administrative issues not requiring discussion, including approval of minutes)
- i. Public hearings not associated with a pending ordinance or resolution (e.g., land use cases; metropolitan districts; fact-finding)
- i. Resolutions requiring discussion
- j. Ordinances on first reading
- k. Ordinances on second reading other than consent agenda ordinances
- l. Council Business (generally for topics involving questions by Council ~~or for information gathering presentations to Council for~~ items requiring Council action, other than for items otherwise placed on the agenda)
- m. City Manager and City Attorney reports
- n. Council reports (limited to reports by Council members regarding meetings and activities related to City Council business since the previous Council meeting and limited to five (5) minutes each unless extended by Council)
- o. Mayor's report
- p. Adjournment

5. Public Conduct during Meetings. The following conduct by members of the public will not be tolerated during meetings:

- a. Interrupting (including making any noise to prevent or muffle another person's speech) any speaker (including members of the public while they are speaking at the podium) without the leave of the presiding officer.
- b. Except in cases where necessary for items on the agenda and only when approved in advance of a meeting by the City Clerk, no structures may be erected by members of the public in City Council chambers or in any alternative location where such meetings may be held.
- c. No objects may be posted on any of the surfaces in City Council chambers or in any alternative location where meetings may be held, unless used during a presentation to Council and while at the podium.
- d. Under no circumstances may any signs or objects block the view of any member of the public of the dais or of any screens displaying materials or presentations during meetings. No objects or signs may block the aisles or any areas of egress or ingress to and from the meeting location.
- e. Physically moving past the podium or onto the dais without invitation from the chair.

6. Consent agenda. Any Council member may choose to remove any item(s) from the consent agenda for individual consideration.

7. Minutes. Minutes shall be placed on the Consent Agenda for approval. Reading of the minutes of previous meetings shall be dispensed with unless requested by a Council member. Amendments to the minutes may be offered by removing the minutes from the Consent Agenda and voting on such amendments before voting on the approval of the minutes.

8. Delivery of agenda.

a. On the Thursday before each regular Council meeting, or as soon thereafter as possible, the City Clerk shall give the agenda to each Council member.

b. To the extent available at the time the agenda is published, the agenda material shall consist of (1) matters to be discussed or debated by the Council by title, description and/or synopsis, (2) a copy in its latest form or edition of each ordinance, resolution, order or other written or printed document to be presented at the meeting, (3) a written memorandum on each item appearing on the agenda, which provides background information and analysis, submitted by the City staff including recommendations to City Council when applicable.

c. Any updates to the agenda will be specifically identified.

9. Posting of notice. At least 24 hours before each meeting, the City Clerk shall post a notice of the upcoming Council meeting in public places as determined by the Council.

10. Copies of agenda for public. At least twenty-four (24) hours before the meeting, the City Clerk will make available, on the City's website, a copy of the agenda for that meeting and a copy of all agenda materials. The agenda may be updated with specifically identified items.

11. Council business. Except for emergency or unforeseen items, matters arising from public comment, or at the request of the City Manager or City Attorney, it is recommended that Councilmembers submit administrative council business items for a regular meeting with the endorsement of another Councilmember. For example, this includes requests that would require more than an hour of staff time, study session requests, requests for ordinances or resolutions, and other similar matters. Submissions must be received by the Tuesday preceding the meeting on a form provided by the City Manager along with any supplemental materials.

12. Supplemental Council materials. Councilmembers may submit supplemental materials for any existing agenda item other than a quasi-judicial hearing or action of the City Council. Such materials must be received in acceptable electronic form by the City Clerk at least 8 hours before the meeting and will be included in a republished agenda. Such materials shall not include any confidential, privileged, copyrighted, or trademarked material or the intellectual property of any other person. The councilmember submitting the material is solely responsible for the content. Councilmembers are encouraged to use discretion and conscious of staff time when submitting additional materials.

G. ELECTRONIC MEETINGS

1. Authorization. Where the City Council has authorized the conduct of electronic

meetings, Council policies regarding the conduct of meetings shall apply to extent consistent with this section and applicable ordinances and resolutions. Ordinances authorizing electronic meetings shall control to the extent inconsistent with this section.

2. Public Comment. Public comment and testimony during electronic meetings is addressed in CP-20.

3. Council Conduct. Councilmembers are expected to treat electronic meetings with the same decorum as in-person meetings. Councilmembers should:

- a. Mute their microphones when not recognized to speak;
- b. Keep their video on except during recesses;
- c. Ensure the appropriateness of their physical or virtual background;
- d. Participate from a private location free of distractions, if possible;
- e. Be conscious of facial expressions and body language;
- f. Dress in a respectful manner; and
- g. Avoid multi-tasking.

4. Screen Sharing. Councilmembers, when recognized, may request the Council consent to the member's screen sharing of supplemental material submitted in accordance with this policy. The Mayor will then ask if there is any objection to the request. If there is an objection, the Mayor shall conduct a voice vote and screen sharing will be permitted by the requesting member if a majority consents. Screen sharing shall not be permitted during quasi-judicial hearings or while debating quasi-judicial matters, except to review unaltered record evidence.

Council Policy #CP-20
Adopted 10/10/11 by Resolution 2011-44
Changes adopted 9/16/19 by Resolution 2019-103

SUBJECT: Public Comment During City Council Meetings (Also refer to #CP-2, Section I; #CP-16)

POLICY STATEMENT: The City Council desires to hear from members of the public on issues affecting City business. City Council recognizes the need to adopt a policy that sets forth a procedure that allows members of the public to express their comments and concerns regarding City business, while balancing the need to run orderly and efficient meetings. This policy is intended to establish such rules and regulations for providing the public with a reasonable opportunity to be heard as provided by Section 4.24 of the City Charter.

A. The public may comment only during the following periods: (1) “Citizen Communication” during regular City Council meetings; (2) on specific ordinances and resolutions during the time set aside for public comment on that item; and (3) public hearings at the appropriate time. **No other unscheduled speakers will be permitted without the unanimous consent of the City Council.** Public comment is not permitted during study sessions or special meetings, unless specifically stated on the **special meeting** agenda.

B. A Public Comment Roster shall be made available prior to each regular meeting of the City Council and any member of the public who wishes to address the City Council must complete the Public Comment Roster and submit it to the City Clerk with the printed name, signature and address of the person wishing to speak along with a short description of the topic or subject that will be addressed. Agendas and the Public Comment Roster shall clearly state that members of the public may not be heard on study session items. The requirement for signing the Public Comment Roster as to any specific item on the agenda may be waived by the Mayor or other Council member chairing the meeting if the number of members of the public wishing to speak with regard to that specific item makes it impractical to require each of them to sign the Public Comment Roster.

C. During electronic regular and special meetings, there will be the opportunity for public comment at the meeting during citizen communication, where applicable, and/or for each agenda item. Public comment (except for any quasi-judicial public hearing governed by separate procedures) will be consolidated under the Citizen Communication part of the meeting, but speakers may speak once during Citizen Communication and once per agenda item, as desired. Advance registration to speak will be required; the meeting agenda will identify the registration and submission deadline and include instructions for registration to speak or submission of written comments. **No other unscheduled speakers will be permitted without the unanimous consent of the City Council.**

D. All speakers are encouraged to state their points as briefly and clearly as possible. Repetitious remarks shall be avoided and the Mayor reserves the right to terminate redundant comments. All remarks shall be addressed to the City Council and no member of the City Council or City staff shall be requested or expected to engage in discussions or debate with any speaker.

E. When the City Council is required to make a decision in a quasi-judicial proceeding, each member of the City Council is legally required to be impartial and in order that all quasi-judicial hearings will be conducted in a fair and impartial manner, no evidence outside a hearing may

be considered by the City Council in arriving at its decision. Therefore, if any member of the public wishes to speak regarding an issue that is or may be set for a public hearing, or is an issue that may require a quasi-judicial hearing for determination by the City Council, the member of the public may be advised to defer his or her remarks until the quasi-judicial hearing is held by the City Council.

F. “Citizen Communication.” Each agenda for regular meetings of the City Council shall contain an item designated for “Citizen Communication” to provide members of the public an opportunity to address the City Council subject to the terms and conditions of this policy.

- a. Comments should be restricted to issues affecting City business and items within the purview of City Council to act.
- b. Each speaker shall be limited to **three (3) minutes** with the right to extend the time for speaking to five (5) minutes with approval of the City Council. The time limit shall be monitored by a timer. Questions asked by the City Council and answers to such questions shall not be timed, but the chair, in his or her discretion, may limit further questions and discussion.
- c. Speakers may not yield time to another speaker in order to increase the time available for an individual to speak.
- d. Each speaker may only approach the podium to speak once during the entirety of the “Citizen Communications” period.
- e. City Council members will not attempt to reach a solution to any issue presented during “Citizen Communication”, but questions may be asked of member of the public during “Citizen Communication” to aid in clarification and determining a proper course of action. Unless the agenda is amended, Council will wait until administrative council business to make motions in response to public comment. To avoid the risk of an inaccurate or inadequate response to a concern, City Council members shall refer questions raised during “Citizen Communication” only to the City Manager or the City Attorney for a timely response. Appropriate follow-up will be provided by way of agenda items or reports given by the City Manager at an upcoming meeting of the City Council.

G. Ordinances & Resolutions. The public may comment on ordinances and resolutions that are on the agenda for regular meetings that are not set for public hearings. After staff presentation on an agenda item, the Mayor will call upon any member of the public wishing to comment on the particular agenda item. These rules apply to any other public comment period that is not Citizen Communication or a public hearing. **During virtual meetings, any public comment pursuant to this subsection will occur during Citizen Communication Communications.**

- a. Comments should be restricted to the agenda item under consideration.
- b. Each speaker shall be limited to **three (3) minutes** with the right to extend the time for speaking to five (5) minutes with approval of the City Council. The time limit shall be monitored by a timer. Questions asked by the City Council and answers to such questions shall not be timed, but the chair, in his or her discretion, may limit further questions and discussion. Speakers should not expect response.
- c. Speakers may not yield time to another speaker in order to increase the time available for an individual to speak.
- d. Each speaker may only approach the podium to speak once during the agenda item.

H. Public Comment during Public Hearings: Please see Council Policy # 22 for rules regarding procedures for quasi-judicial public hearings **and Resolution 2020-30, as amended, for rules**

DRAFT – VIRTUAL MEETING PROCEDURES – FOR POLICY COMMITTEE REVIEW (DECEMBER 30, 2020)

regarding virtual quasi-judicial public hearings.

DRAFT – VIRTUAL MEETING PROCEDURES – FOR POLICY COMMITTEE REVIEW (DECEMBER 30, 2020)

- a. Public comments during hearings shall be limited to **three (3) minutes**, with the exception of presentations by City staff and testimony from applicant(s) and the applicant's representatives.
- b. Speakers may not yield time to another speaker in order to increase the time available for an individual to speak.
- c. Each speaker may only approach the podium to speak once during the entirety of the public hearing.
- d. Council members shall not express an opinion on the merits of a case during a quasi-judicial hearing.

I. The chair of the meeting has the authority to order any person to terminate his or her remarks if the time allotted to such person has expired or if the speaker has violated any of the foregoing rules.

J. Rules of public conduct identified in CP-#16 apply to all public comment.

Council Policy #CP-23
Adopted July 16, 2012 by Resolution 2012-42

SUBJECT: City Council study sessions

POLICY STATEMENT: This policy is intended to provide guidelines for the procedures to be followed regarding study sessions of the City Council. **The purpose of study sessions is to provide background information and develop consensus on policy issues.**

A. STUDY SESSIONS TO BE PUBLIC

1. All study sessions of the Council shall be open to the public.
2. Citizens shall not be heard on any item during a study session unless scheduled as a speaker at a study session.

B. STUDY SESSION AGENDAS

Items may be placed on a study session agenda by direction of the City Council, by the City Manager or by the City Manager's designee(s). **The Council may include study session items in the agenda for regular meetings and may hold such study sessions in addition to regular meetings as the Mayor or any three (3) members of Council may call.**

C. CONDUCT OF BUSINESS AT STUDY SESSIONS

1. Study sessions generally will be conducted with the same formality as regular and special meetings, except formal procedural rules will not apply.
2. During discussion, each Council member should request to be recognized by the chair before speaking. Council members may speak multiple times but should expect to wait until everyone who wishes to speak has done so.
3. Councilmembers will use study sessions to discuss policy options with the City Council and to receive input and information from City staff.
4. No formal action shall be taken by the Council at a study session; however, staff may be given administrative direction by consensus of the Council (no formal motions or votes shall be taken).
5. No minutes shall be kept for study sessions. **A general summary of meeting topics and any consensus will be provided to the Council following the meeting.**
6. The Mayor or, in his/her absence, the Mayor Pro-Tem shall preside over study sessions.
7. All business at study sessions shall be conducted in an orderly manner.

D. NOTICE OF STUDY SESSIONS

~~Notice of study sessions shall be given as required by the Open Meetings Law of the State of Colorado.~~