

RESOLUTION NO. 21-33

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CASTLE PINES, COLORADO AMENDING CITY COUNCIL PROCEDURES AND
RULES OF ORDER**

WHEREAS, the City Council is authorized to adopt procedures and guidelines to govern the conduct of Council business; and

WHEREAS, in accordance with Section 3.9 of the Castle Pines Home Rule Charter, the City Council is directed to prescribe procedures and rules of order governing Council meetings; and

WHEREAS, in 2020, the City Council updated its Council procedures and rules of order; and

WHEREAS, the City Council desires to further amend its procedural rules to address removal of consent agenda items; and

WHEREAS, the City Council's intention in amending its procedures and rules of order is to promote good governance in every aspect of City government.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO:

Section 1. The City Council hereby amends the City Council Procedures and Rules of Order, as set forth in the attached Exhibit A, to require a vote of City Council to remove items from the consent agenda.

Section 2. This Resolution is effective upon adoption.

**INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO** by a vote of 6 in favor, 0 against this 13th day of July, 2021.



BY:

DocuSigned by:

Tera Stave Radloff

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Tera Stave Radloff, Mayor

ATTEST:

DocuSigned by:

Tobi Basile

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Tobi Basile, CMC, City Clerk

Approved as to form:

DocuSigned by:

Linda C. Michow

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Linda C. Michow, City Attorney

EXHIBIT A
CITY COUNCIL PROCEDURES AND RULES OF ORDER



CITY COUNCIL PROCEDURES AND RULES OF ORDER

The Council hereby adopts the following procedures and rules of order under the authority of Section 3.9 of the Castle Pines Home Rule Charter. The purpose of these procedures is to establish a framework for the orderly conduct of meetings. As provided in Roberts Rules of Order Newly Revised, 'the application of parliamentary law is the best method yet devised to enable assemblies of any size, with due regard for every member's opinion, to arrive at the general will on the maximum number of questions of varying complexity in a minimum amount of time and under all kinds of internal climate ranging from total harmony to hardened or impassioned division of opinion'.

These procedures, in conjunction with Robert's Rules of Order Newly Revised, shall govern the conduct of all Council Meetings; however, in handling routine business, Council may, by general consent, use a more informal procedure than that set forth in this procedure. Council may suspend these rules of procedure at any given time by a vote of four Council members or two-thirds of Council members present, whichever is greater.

I. Legislative Body and Officers

- a) City Council
The City Council is the legislative and governing body of the City. Each member shall be addressed as Council Member (last name).
- b) Mayor – Presiding Officer
The Mayor shall be the Presiding Officer at meetings of the Council and shall be addressed as Mr./Ms. Mayor or Mayor (last name). The Mayor is a member of the City Council.
- c) Mayor Pro Tem
The Council shall elect one of its members to serve as Mayor Pro Tem. The Mayor Pro Tem is nominated and appointed, by a majority vote of Council members present, at the organizational meeting in January following a regular City election.
- d) Temporary Chair
 1. In the event of the absence or disability of both the Mayor and Mayor Pro Tem that would prevent them from attending any meeting of the City Council, the City Clerk shall call the meeting to order and call the roll. The Council shall then proceed to elect, by a majority vote of those present, a temporary chair of the meeting.
 2. The temporary chair serves as Presiding Officer until the arrival of the Mayor or Mayor Pro Tem. Upon conclusion of the agenda item or business currently before the Council, the Temporary Chair relinquishes the chair

II. Meetings

a) Regular Meetings

1. The City Council shall conduct regular meetings on a regular day and time as set by the City Council. When a regular meeting date falls on a holiday or a day of special observance that is officially recognized by the City, the regular meeting shall be canceled and the City Council may, at the Council's discretion, reschedule the meeting for another date and time.
2. When a regular meeting must be canceled due to unforeseen or unanticipated circumstances, such as but not limited to emergency, absence of a quorum, or failure of a required public notice, the Mayor is authorized to instruct staff to cancel the regular meeting and the Mayor may reschedule the meeting to another date and time. The City Clerk shall prepare notice of the rescheduled meeting and shall cause the notice to be delivered, at least 24 hours in advance of the rescheduled meeting date, by electronic mail, to each member of City Council, the City Manager, City Attorney, and posted at the City's designated posting place.

b) Special Meetings

1. Special meetings of the City Council may be called by the Mayor or any three (3) members of the Council by notice to each Council Member via electronic mail. Such advance written notice shall set forth the date, hour, place, and purpose of such meeting. The City Clerk shall prepare the notice and cause the notice to be delivered by electronic mail to each member of City Council, the City Manager, City Attorney, and posted at the City's designated posting place.
2. A special meeting may also be called and notice thereof given by majority consent of Council present at any regular meeting subject to the time and notice requirements set forth hereinabove; however, that further written notice of such special meeting will not be necessary for those Council members present.

c) Study Sessions

The Council may conduct study sessions. Study sessions shall be limited to the presentation of information to the Council and the Council's discussion of the information. Public comment shall not be taken at study sessions. Council may offer and accept reports, direct City administrative staff, and provide general guidance concerning public business under discussion. A quorum of Council is not required in order to hold a study session. No official business shall occur during a study session.

d) Quorum

A majority of the members of the Council in office shall constitute a quorum for the transaction of business at all Council meetings. In the absence of a quorum, a lesser number may adjourn any meeting to a later date and time. The City Clerk shall prepare and deliver to each member of Council timely notice setting forth the date and hour to which such a meeting has been adjourned.

e) Meetings to be Public

All regular meetings, study sessions, or special meetings of the City Council shall be open to the public as required by the Colorado Open Meetings Law, and the

public shall have a reasonable opportunity to be heard as provided by these *Rules of Order and Procedures*.

f) City Attorney

The City Attorney or the City Attorney's designated representative shall attend all regular and or special meetings of the City Council and shall attend such other meetings and sessions of the City Council as requested by the Council.

g) City Clerk / Minutes

1. The City Clerk shall attend and shall keep the minutes of each regular or special meeting of the City Council.
2. The minutes of meetings shall record what action was taken rather than what was said.
3. At any time prior to the City Clerk's certification of the minutes as approved by the Council, the Clerk may change the minutes to correct spelling or typographical errors, provided that such change does not alter the substance or meaning of the minutes. Council is encouraged to provide non-substantive changes to the City Clerk outside of Council meetings and prior to Council approval of the minutes.
4. Upon acceptance of the minutes to Council, the City Clerk and the Mayor shall sign the minutes.

h) Public Comment

Public Comment is a time set aside for citizens to address the Council concerning City business not otherwise on the agenda for a public hearing. To accommodate all persons wishing to speak, speakers are requested to sign up in advance and limit comments to not more than three (3) minutes for an individual or five (5) minutes for a person representing a group. Staff and Council responses to citizen comments are highly discouraged at the meeting, except for referral to the staff for further analysis and Council discussion on a future agenda.

i) Consent Agenda

During approval of the Consent Agenda or any time prior to approval of the Consent Agenda, a Council member may make a motion requesting that one or more items be removed from the Consent Agenda and added to General Business. Any motion to remove Consent Agenda items must be seconded and voted upon before an item is removed from the Consent Agenda. Items moved from the Consent Agenda will be considered in order following the remaining General Business items.

j) General Business

Presentations by outside organizations, updates, consideration of Ordinances, Resolutions, and Motions are all a part of General Business. Items where substantial public comment is expected are generally placed first on the agenda, but critical items or items of extreme public interest may be placed first when deemed appropriate by the City Manager.

k) Attendance and Absences

1. All Council members are expected to attend all regular, special, and study session meetings.
2. In the event any Council Member is unable to attend any meeting of the City Council, such member shall advise the Mayor, City Manager or City Clerk in advance of the meeting.
3. The Presiding Officer shall excuse an absence of any member where:
 - i. the Council member contacted the Mayor, City Manager or City Clerk in advance of the meeting regarding the reason for the absence; and
 - ii. the reason for the absence is due to circumstances that were unforeseeable or unavoidable, such as but not limited to, emergency, illness, vacations scheduled well in advance of a meeting, or last-minute familial obligations.

III. Agenda

a) Items are placed on the agenda by the City Manager in consultation with the Mayor. Council members who have items for future agendas should contact the City Manager and request that the agenda item be added.

b) Order of agenda

The staff will set the order of agenda, which will be generally as follows:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Public Comment
6. Presentation of Minutes
7. Consent Agenda
8. General Business
9. City Manager's Report
10. Council Member Reports
11. Mayor's Report
12. Executive Session (as needed)
13. Adjournment

IV. Rules of Speaking

- a) To be recognized, a Council member or staff member addresses the Mayor. The Mayor shall recognize Council members or staff.
- b) The Mayor recognizes by calling out the Council Member's name. Only one person may have the floor at a time. A person shall not speak while another has the floor except in the case where a Council member makes a "Point of Order." A "Point of

Order” relates to conduct that would not be considered appropriate conduct of the meeting; for example, if the Presiding Officer moved on to a vote on a motion that permits debate without allowing discussion or debate. After a Council member finishes speaking, the Mayor generally recognizes the next person who first asks for the floor after it has been relinquished.

- c) Questions and/or comments are rotated. Each individual Council member is given the opportunity to ask questions or make comments before Council members are allowed to speak for a second time, except in circumstances when responding to a question from a fellow Council member.
- d) The Mayor may intervene in Council debate in order to determine whether the Council wishes to postpone the Council action if more information or staff work appears to be warranted to facilitate a Council decision.
- e) Any Council Member may appeal a ruling of the Presiding Officer to the Council. If the appeal is seconded, the member making the appeal may briefly state their reason for same, and the Presiding Officer may briefly explain their ruling but there shall be no debate on the appeal. The Presiding Officer shall then put the question, “Shall the decision of the Chair be sustained?” If a majority of Council Members present vote “Yes,” the ruling of the Chair is sustained; otherwise it is overruled.

V. Procedure in Handling Motions (general/most common usage motions)

a) Classes of Motions

When an item is before the Council, the following types of motions shall govern.

1. **Main:** Basic motions introduce items of business before Council. A basic motion might be: “I move to approve Resolution Number.....”
2. **Motions to Amend:** A main motion may be changed by moving to amend it. A motion to amend takes the main motion that is currently before the Council and seeks to change it in some way. A motion to amend might state: “I move to amend the motion approving Resolution Number ____ to add a new condition of approval as follows:.....”
3. **Motions to Substitute:** A motion to substitute has the effect of doing away with the main motion and proposing a new, different or “substitute” motion.

b) Debate on Motions

Motions are subject to discussion. Each of the foregoing classes of motions is subject to discussion and debate subject to the decision of the Presiding Officer to move on and take action. Non-debatable motions are those motions that, when made, must be immediately called on by the Presiding Officer for a vote by the Council without debate or discussion. Motions that are not debatable include:

- Motion to adjourn to the next regularly scheduled meeting;

- Motion to recess, with the Presiding Officer determining the length of recess;
- Motion to fix the time to adjourn;
- Motion to table an item;
- Motion to move items off the Consent Agenda;
- Motion to withdraw a motion; or
- Motion to limit debate.

c) Majority and Supermajority Votes

- Voting ultimately decides all questions and items before Council. Most decisions and motions require a simple majority to pass. A simple majority means the majority of Council members present if a quorum exists (e.g., 3 out of 4, if only 4 members are present). Certain decisions require a super-majority to pass.
- Emergency ordinances require the concurrence of three-fourths of the City Council present;
- Motion to limit debate or to move the question requires the concurrence of two-thirds of the Council members present to pass;
- Motion to suspend these Rules of Order and Procedures requires the concurrence of two-thirds of the Council members present to pass.

d) Tie Votes; No Right to Abstain

In the case of a tie vote, the motion fails. Council Members may not abstain from voting. A Council Member may be recused if such member has a conflict of interest, in which case the member shall declare the conflict, and leave the City Council chambers while the item is being considered.

e) Motions to Reconsider.

A motion to reconsider a decision previously passed upon may only be made at the same meeting or at the next regular Council meeting. The motion must be made by a Council Member who voted in the majority on the original motion. A member who voted in the minority cannot make a motion to reconsider.

VI. Procedure in Handling Ordinances and Resolutions

- a) All ordinances require two readings with publication required.

- b) On second reading of an ordinance, the Mayor reads the title of the item set forth on the agenda and opens the public hearing, followed by staff presentation. After the presentation, Council has an opportunity to ask questions of staff. The Mayor will then open the public comment portion of the public hearing. After public comment is heard, the Mayor will close the public comment and the public hearing. The Mayor then requests an appropriate motion. Once seconded, the Mayor restates the question or may ask the Clerk to restate the motion, followed by a discussion by Council. The City Manager, City Attorney and staff may respond to questions raised by Council, if any. After any discussion, the Mayor restates the question and requests a vote. After a vote is taken by the City Clerk, the City Clerk shall declare the ordinance adopted, defeated, or continued.
- c) Resolution titles are read by the Mayor and followed by a staff presentation if requested. The Mayor will ask for a motion. Once seconded, the Mayor restates the question, followed by a discussion by Council. The City Manager, City Attorney and staff may respond to questions raised by Council, if any. After any discussion, Mayor restates the question and requests a vote. After a vote is taken by the City Clerk, the City Clerk shall declare the resolution adopted, defeated, or continued.

VII. Voting

Council may vote by means of a roll call voice vote or an electronic voting system.

VIII. Parliamentary Procedure

Except as otherwise provided herein, all matters of procedure are governed by Robert's Rules of Order Newly Revised.

IX. Amendments

These Rules of Order and Procedures may be amended by a majority vote of the Council Members present at a Council meeting at which a quorum exists. Any proposed amendments shall be submitted in writing to each member of Council at least ten (10) days in advance of the City Council meeting at which such amendments are to be considered.