

## RESOLUTION #R-17-2019

### A RESOLUTION APPROVING RULES OF PROCEDURE FOR THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO

**WHEREAS**, Section 4-1 of the Home Rule Charter of the City of Loveland provides that City Council shall prescribe by rules the procedures governing its meetings (“Rules of Procedure”); and

**WHEREAS**, City Council desires to provide Rules of Procedure governing City Council meetings.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:**

**Section 1.** The Rules of Procedure of the City Council of the City of Loveland are hereby amended and restated by the City Council to read in full as follows:

#### RULES OF PROCEDURE OF THE CITY COUNCIL OF THE CITY OF LOVELAND

**1. Robert’s Rules of Order.** Robert's Rules of Order are adopted as the rules guiding the conduct of business at meetings of the City Council. Note: When any action at a City Council meeting appears to be inconsistent with these adopted procedures, the discussion is beyond the scope of the matter before the City Council, or any person is acting out of order, a Council member may raise a “Point of Order” to have the Mayor address the conduct.

#### **2. Meeting Times.**

a. City Council regular meetings shall begin at 6 p.m. and end on or before 10:30 p.m., but may be extended by increments of thirty minutes by a vote of a majority of Council members present. The City Manager shall publish an estimated start time for the consent agenda and each item on the regular agenda.

b. Study Sessions shall begin at 6:00 p.m.

#### **3. Public Meeting Format.**

a. Public comment or testimony shall occur during the Public Comment portion of the meeting held at the beginning of each regular or special meeting. Public comment or testimony during the Public Comment portion of the regular or special meeting shall be limited to items not listed on the regular agenda. Public comment or testimony for all matters on the regular agenda will occur at the time such matter comes before the City Council. No citizen shall be allowed to provide public comment or testimony more than once on the same matter during the same meeting.

b. Only a Council member may move a matter from the consent agenda to the regular agenda. Any member of the public may move a quasi-judicial matter from the consent agenda to the regular agenda. Matters moved from the consent agenda will be taken up in the order in which they originally appeared on the consent agenda immediately after the completion of the regular agenda.

c. It is the policy of the City Council to consider all matters on the agenda prior to the conclusion of a regular or special meeting. Some matters may be postponed to later meetings in the interest of time, but all will be addressed in some manner.

d. The Mayor is free to limit the physical conduct or activity of any person or Council member if such conduct or activity impairs the efficient function of the City Council. The Mayor shall ask those participating in disruptive private conversations to discontinue their conversations or to leave the room.

e. Council members' reports and/or new business shall be the last item on the agenda at the first regular meeting of each month. Council members' new business shall be after the Public Comment and consent portions of the agenda at the second regular meeting of each month. If possible, Council members should indicate to the City Manager the new business items they wish to discuss by Thursday at 5 p.m. prior to the regular meeting at which the comment or issue is to be raised. Council member reports and/or new business shall be limited to five (5) minutes per Council member.

f. Agenda Items:

- I. Consistent with these Rules, the City Manager shall set and publish an agenda for each City Council meeting.
- II. The Council, by motion at a meeting, may direct the City Manager to place a particular item on an upcoming City Council meeting agenda.
- III. Rule of Four: Without a motion, any Council member may indicate, to the City Manager, the Council member's interest in: (1) considering a particular matter at a future City Council meeting; or (2) obtaining information that requires significant City staff time or resources, as determined by the City Manager. The Council member should communicate any such indication of interest to all other Council members. Such indication of interest should briefly describe the item with sufficient detail to understand the intent of the item. No Council member's indication of interest or lack of interest should include discussion or argument on the substance or merits of the item. Indication, to the City Manager, by at least four Council members, of interest in considering a particular item demonstrates sufficient interest for the City Manager to (1) place the item on the agenda for the next appropriate study session, regular or special meeting, or (2) devote City staff time and resources to develop a response regarding the item. In scheduling the

item, the City Manager shall consider, among other pertinent factors: the urgency of the item, staff preparation time required to advise the Council and appropriate notice to the public.

- IV. **Material Offered by the Public.** Any material provided by the public to supplement public comment or testimony on an agenda item or during the Public Comment portion of the regular or special meeting shall be provided to the City Clerk's Office by a deadline of no later than 5 p.m. on the Friday prior to regular or special meeting that addresses such agenda item. Material provided by such deadline will be placed into the agenda packet and distributed to Council members. Material provided to the City after such deadline will be added to the electronic agenda packet and emailed to all Council members after such regular or special meeting and will not be distributed to or reviewed by Council members prior to the meeting.
- V. **City Staff Responses.** Any written response by City staff to questions from a Council member on an agenda item shall be included in the electronic agenda packet and emailed to all Council members prior to the regular or special meeting that addresses such agenda item to the extent practicable. Council members should strive to provide questions to City staff as soon as possible to ensure that City staff are able to respond timely and all Council members have an opportunity to review any City staff response.

#### **4. Public Comment.**

- a. Citizens who speaks at a City Council meeting shall complete a form that identifies the citizen's name and city of residence. Persons wishing to speak should raise their hands at the appropriate time in the agenda and shall be recognized by the Mayor. The City Council requests that each person addressing the City Council clearly provide his or her name and city of residence.
- b. Citizens will be treated with respect at all times. Persons addressing the City Council will be permitted to sit down once Council members have had any questions answered. Citizens need not remain at the podium while Council members make comments. The City Council encourages all persons making public comments to maintain a sense of decorum, and conduct themselves in a manner respectful of the rights and feelings of others.
- c. Public comments or testimony shall be limited to three minutes per person. Persons representing at least five other citizens in attendance shall be allowed a maximum of ten minutes to speak. Each citizen who cedes speaking time to another should stand and state his or her name and city of residence prior to public comment or testimony by the designated speaker. A person who cedes speaking time may not provide public comment or testimony on the matter for which the time was ceded. In the interest of time, Council shall have the discretion of further limiting the time for public comment or testimony.

d. Any person or Council member wishing to speak shall do so only after being recognized by the Mayor.

e. The Mayor shall limit the comments or testimony of any person or Council member to the topic currently under City Council consideration.

f. Individuals may address the City Council on the topic of their choice during the Public Comment portion of the meeting.

g. When citizens raise specific concerns during the Public Comment portion of the meeting, Council will ask questions for clarification purposes and refer the matter to the City Manager for follow up. Council will not try to “solve” the problem at the meeting.

## **5. Public Hearing Format.**

a. The initial public hearing on any quasi-judicial or other matter requiring a public hearing will be scheduled to coincide with the first reading of any ordinance associated with the matter for which the hearing is to be conducted. In addition, a public hearing shall be held at the same time as the second reading of any ordinance involving a quasi-judicial matter. The public hearing on second reading need not be separately noticed if the public hearing has been continued for the date of the first reading. Members of the public will be permitted to provide additional, non-repetitive testimony at the public hearing on second reading and the applicant shall be given an opportunity to respond. In situations where an annexation ordinance and a zoning ordinance for the same property are being considered together, a single public hearing shall be held on both first and second readings at which members of the public may address the issues concerning the annexation and provide testimony concerning the zoning ordinance. A copy of a model schedule for the timing of public hearings and first and second readings of ordinances involving annexation of land and approval of zoning matters is attached hereto and incorporated herein by reference.

b. During public hearings of ordinances on first reading on the regular agenda, applicants shall be granted a total of forty minutes in which to present the application. The applicant may use the forty minutes for their initial presentation, for rebuttal or for some combination of the two. The applicant must indicate at the beginning of his or her presentation how he or she wishes to use the allotted time. At the beginning of the applicant's presentation, the Mayor will ask the applicant or its representative how they wish to allocate the time.

c. During public hearings, persons representing at least five other citizens in attendance shall be allowed a maximum of ten minutes to speak. In the event a public hearing becomes overly lengthy, Council may continue it to the next meeting; special council meetings will not be held specifically for public hearings.

d. MODEL TIME LINE FOR PUBLIC HEARINGS:

I. Annexation/Planned Unit Development (“PUD”) Application

*Week 1: Planning Commission public hearing to consider Annexation and PUD General Development Plan (full staff report and presentation-recommendation to Council).*

*Week 2: Council consideration of Resolution of Substantial Compliance (setting public hearing date concerning the property's eligibility for annexation).*

*Week 3 or 4: Planning Commission approval of prior meeting minutes.*

*Week 9: Council regular meeting; public hearing concerning eligibility for annexation; consideration of Resolution finding Eligibility for annexation; first reading of Annexation Ordinance; public hearing concerning zoning; first reading of PUD Zoning Ordinance, and General Development Plan (full staff report and presentation). It is the practice of the City Council to combine the testimony for the public hearing concerning the annexation issues and the zoning issues.*

*Week 11: Council regular meeting; public hearing concerning Annexation Ordinance and PUD Ordinance; second reading of Annexation Ordinance; second reading of PUD Zoning Ordinance.*

*Week 13: Effective Date of Annexation and Zoning Ordinances.*

## II. PUD Application

*Week 1: Planning Commission public hearing to consider PUD General Development Plan (full staff report and presentation - recommendation to Council).*

*Week 3: Planning Commission approval of prior meeting minutes.*

*Week 4: Council regular meeting; public hearing to consider zoning ordinance; first reading of PUD Zoning Ordinance, and General Development Plan (full staff report and presentation).*

*Week 6: Council regular meeting; public hearing concerning PUD Ordinance; second reading of PUD Zoning Ordinance.*

*Week 8: Effective date of PUD Zoning Ordinance.*

*NOTE: Times may differ based on regular meeting schedule of the City Council and number of Tuesdays in a given month.*

## 6. Motions.

a. Any motion made by a Council member during the regular agenda shall be read prior to accepting public comment or testimony on the matter and then read again immediately prior to a vote by Council members when, in the judgment of the Mayor, there is a

significant lapse of time between the time the initial motion is made and the vote by Council members occurs.

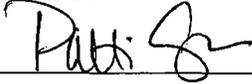
**Section 2.** This Resolution repeals and supersedes Resolutions #R-13-98, #R-17-2000, #R-7-2016, #R-53-2016, #R-87-2016, #R-33-2017, #R-125-2017 and all previously adopted Council Rules of Procedure.

**Section 3.** This Resolution shall be effective as of the next regular City Council meeting.

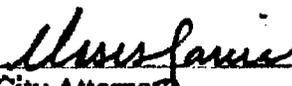
ADOPTED this 5<sup>th</sup> day of February, 2019.

  
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Jacki Marsh, Mayor

ATTEST:

  
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APPROVED AS TO FORM:

  
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City Attorney