

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)	RESOLUTION NO. 94-1992
RULES ESTABLISHING PROCEDURES)	
RELATING TO THE CONDUCT OF)	Introduced by Governmental
COUNCIL BUSINESS)	Affairs Committee

WHEREAS, Metro Code Section 2.01.130(a) directs that the general order of business for the Council shall be prescribed by resolution; and

WHEREAS, Metro Code Section 2.01.080(d) directs that the Council by resolution shall adopt procedures for introducing and considering resolutions; and

WHEREAS, Resolution No. 91-1467A, adopted on October 10, 1991, adopted rules establishing procedures relating to the conduct of Council business; and

WHEREAS, There is no provision in the Metro Code or Council Rules for pending resolutions to be printed in the Council agenda prior to their final consideration by the Council; now, therefore, BE IT RESOLVED,

1. That Resolution No. 91-1467A, attached as Exhibit 1, shall continue in effect with amendments to Exhibits C and D, which shall provide for resolutions to be listed, by title only, on the regular Council agenda prior to their consideration by a standing committee of the Council.

ADOPTED by the Metro Council this _____ day of _____, 1994.

NOT ADOPTED
Judy Wyers, Presiding Officer

EXHIBIT A

RULES OF PROCEDURE GOVERNING DEBATE ON MATTERS BEFORE THE COUNCIL

To conduct Council business in an orderly and expeditious manner the following rules of procedure are established:

1. All Councilors have a right to debate each matter brought before the Council. There shall be a question before the Council prior to debate on any matter. On each matter brought before the Council for a decision, the Presiding Officer shall ask for a motion on the matter which must be seconded for it to be a proper question. For matters referred to the Council from a standing committee the Presiding Officer shall first recognize the Councilor designated to present the committee report for a motion and presentation of the committee report. If there is a minority report on any matter referred from a standing committee, the Presiding Officer shall recognize the Councilor presenting the minority report for a motion and presentation of the minority report immediately after the presentation of the committee report.
2. A Councilor speaking on a motion shall confine his or her remarks to the matter under consideration by the Council and shall avoid repetition and irrelevant comment.
3. A Councilor may speak once for up to five (5) minutes on each main motion and substantive amendment to a main motion before the Council. A Councilor may speak more than the allotted time with unanimous consent of the Council or if another Councilor yields his or her right to speak and time

on the question at hand. A member may be permitted to speak a second time to clear up a matter of fact, to explain a point misunderstood, or to clear up a question that has arisen in the debate. A Councilor may be recognized by the Presiding Officer to question any person appearing before the Council. When a Councilor has been recognized he or she is considered to have the floor and need not be recognized for each subsequent question until he or she is finished with the questioning.

4. The Councilor who moves and presents the committee or minority report on a matter before the Council is entitled to close the debate after other Councilors wishing to speak have spoken. The closing comments shall be limited to three (3) minutes unless extended by unanimous consent of the Council.

EXHIBIT B

RULES OF PROCEDURE RELATING TO COMMUNICATIONS FROM THE PUBLIC

The Council shall encourage the appearance of members of the public both for matters on the agenda and not on the agenda. To facilitate the orderly transaction of business the following procedures shall apply for matters other than contested cases:

1. At the beginning of each Council meeting and periodically during the meeting, the Presiding Officer shall announce that public testimony is allowed on matters before the Council and shall instruct members of the public to fill out sign-up cards and submit them to the Clerk of the Council. The sign-up card shall indicate the name and address of the person to testify, the agenda item on which the person wishes to speak and whether the person is speaking in favor or against the matter before the Council.
2. A member of the public may appear only once on each separate matter before the Council and shall be limited to three (3) minutes of testimony, exclusive of answers to questions from Councilors. A member of the public may speak more than once and longer than the three (3) minutes with unanimous consent of the Council or if a member of the public who has also signed up to speak yields his or her time and opportunity to speak.
3. On matters before the Council on which a decision is to be made the Presiding Officer shall alternate the testimony between those speaking in favor of the matter and those speaking in opposition to the matter, starting with a person

in favor of the matter. If there are no persons remaining to alternate, the Presiding Officer shall call the remaining persons to testify in whichever order he or she determines is best. The Presiding Officer shall request members of the public to avoid providing repetitive testimony.

4. A person addressing the Council shall do so from the rostrum or table upon first gaining recognition of the Presiding Officer and after stating his or her name and address for the record.

EXHIBIT C

RULES OF PROCEDURE AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS

1. Introduction: An ordinance or resolution may be introduced by the Council, a Councilor or Councilors, a Council standing committee, or the Executive Officer. Each ordinance or resolution shall designate the person, persons, or committee introducing the ordinance or resolution.
2. Filing: The Clerk of the Council (Council Clerk) shall assign numbers and approve titles for all proposed ordinances or resolutions. The Council Administrator may establish requirements for filing supporting materials with ordinances and resolutions to assist the Council and its committees in deliberating on matters brought before it. A proposed ordinance shall be filed with the Council Clerk at least eight (8) days prior to the next regular Council meeting for which it is requested to be considered for first reading. A proposed resolution shall be filed with the Council Clerk at least eight (8) days prior to consideration by a Council standing committee, provided, however, that a proposed resolution shall be listed by title only on a Council meeting agenda prior to its consideration by a Council standing committee.
3. Disposition and Referral: An ordinance or resolution timely filed with the Council Clerk and in proper form (including all required supporting materials shall be 1) in the case of an ordinance placed on the next available Council agenda for

first reading and referral by the Presiding Officer to one or more standing committee(s); or, 2) in the case of a resolution referred to one or more standing committee(s) by the Presiding Officer except for a resolution introduced and recommended by a standing committee. A resolution introduced and recommended by a standing committee shall be filed with the Council Clerk and shall be placed on a Council agenda at the discretion of the Presiding Officer. If the Presiding Officer refers an ordinance or resolution to more than one standing committee, the standing committees shall consider and act upon the ordinance or resolution in the order specified by the Presiding Officer at the time of referral. The Council shall notify Councilors and the Executive Officer on a weekly basis of the referral status of ordinances and resolutions.

4. Items Considered by the Council as a Whole: The following items shall be considered and acted upon by the Council as a whole, rather than referred to a committee by the Presiding Officer:
- a) Any ordinance placed on an agenda as provided in Section 2.01.070(1) of the Metro Code for which only one reading only is required;
 - b) Any ordinance, order or resolution proposed for Council action as a result of a contested case proceeding as provided in Chapter 2.05 of the Metro Code;
 - c) Any item placed on the agenda for any emergency meeting of the Council as provided in Section 2.01.050 of the Metro Code; and

d) Any action of the Metropolitan Exposition-Recreation Commission placed on the Council agenda as provided by Section 6.01.080 of the Metro Code.

5. Committee Consideration: An ordinance or resolution referred to a standing committee shall be scheduled for public hearing and committee consideration at the discretion of the chair of the committee. The committee may refer an ordinance or resolution to the Council or another standing committee to which it was referred by the Presiding Officer either as originally submitted or as amended with a recommendation for approval or with no recommendation, table an ordinance or resolution, or continue an ordinance or resolution to another meeting. Any ordinance or resolution which remains in a standing committee six (6) months from the date it was initially considered by the committee shall be considered to be defeated and shall be filed with the Council Clerk and receive no further consideration. The Presiding Officer or the Council by a majority vote of a quorum may remove any ordinance or resolution from a committee for re-referral by the Presiding Officer or consideration by the Council at a subsequent meeting. Announcement of or Council consideration of such removal shall take place under the "Councilor Communication and Committee Reports" agenda item at Council meetings.
6. Committee Report: An ordinance or resolution referred to the Council with or without a favorable committee recommendation shall be placed on a Council agenda at the discretion of the Presiding Officer for second reading

and/or Council consideration. There shall be a committee report for each ordinance or resolution referred to the Council. The committee chair shall assign a member of the committee to present the report to the Council. The report shall state the committee recommendation, a record of the vote, the major issues discussed by the committee and any other pertinent information of use to the Council.

7. Minority Report: A minority report on any ordinance or resolution recommended by the committee may be submitted for Council consideration at the same Council meeting that the Committee report is considered. Any committee member present at the committee meeting at which an ordinance or resolution was considered and voting against the prevailing side may serve notice at that committee meeting of his or her intent to file a minority report for Council consideration. Upon such notice and in order for the minority report to be considered by the Council, the Councilor who had served notice shall prepare a written minority report which shall be submitted to the Clerk of the Council prior to the Council meeting at which the ordinance or resolution is scheduled for a second reading and/or consideration. The Council shall hear and consider the minority report immediately after the presentation of the committee report.

EXHIBIT D

A RULE ESTABLISHING THE GENERAL ORDER OF BUSINESS FOR COUNCIL MEETINGS

1. The general order of business for regular Council meetings shall be as follows:
 - o Call to order
 - o Introductions
 - o Citizen Communications to the Council on Non-Agenda Items
 - o Executive Officer Communications
 - o Listing of Resolutions to be Considered by Committees
(to include Resolution Titles, Committee Referral, and
date of Scheduled Committee Consideration)
 - o Ordinances
 - First Readings
 - Second Readings
 - o Orders
 - o Resolutions
 - o Other Business
 - o Councilor Communications and Committee Reports
 - o Adjourn
2. The Presiding Officer shall follow the above general order of business in preparing regular Council meeting agendas and shall include approximate times for the consideration of each item on the agenda.
3. The Presiding Officer may change the order of business in preparing a regular Council meeting to meet special

circumstances and shall notify the Council of such change in the general order of business at the beginning of the Council meeting.

EXHIBIT E

RULES OF PROCEDURE AND CRITERIA FOR THE CONSENT AGENDA

The following criteria and procedures shall apply to the Consent Agenda:

1. Agenda items may be placed on the Consent Agenda if they conform to the following criteria:
 - a) The agenda item has received a unanimous favorable recommendation from a Council standing committee or committees if it has been considered by more than one standing committee; and
 - b) The standing committee chairperson(s) request that the item be placed on the Council Consent Agenda; and
 - c) No public hearing is required by law or Metro ordinance before the Council.
2. Ordinances may not be included on the Consent Agenda.
3. A Consent Agenda may only be presented at a regular Council meeting and shall be included as part of the regular meeting agenda.
4. The Presiding Officer shall have final approval of which items shall be placed on the Consent Agenda and the Council Administrator shall certify that Consent Agenda items meet the criteria listed in Section 1 above.
5. If a Councilor objects to any item on the Consent Agenda, that item may be removed from the Consent Agenda and placed on the regular agenda of the Council at a time or place to be determined by the Presiding Officer

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING)	RESOLUTION NO. 91-1467A
RULES ESTABLISHING PROCEDURES)	
RELATING TO THE CONDUCT OF)	Introduced by Councilors
COUNCIL BUSINESS)	McFarland and McLain and
)	Presiding Officer Collier

WHEREAS, Ordinance No. 91-407 amends Metro Code Section 2.01.090 to require the Council to adopt rules establishing procedures governing the conduct of debate on matters considered by the Council;

WHEREAS, Ordinance No. 91-407 amends Metro Code Section 2.01.120 to require the Council to adopt rules establishing procedures relating to the receipt of communications from the public at Council meetings;

WHEREAS, Metro Code Sections 2.01.070 and 2.01.080 require the Council by resolution to adopt a rule establishing procedures for the introduction and consideration of ordinances and resolutions respectively which current procedures have been adopted by the Council through Resolution No. 88-874;

WHEREAS, Metro Code Section 2.01.130 requires the Council by resolution to adopt the general order of business which current general order of business has been adopted through Resolution No. 88-898; and

WHEREAS, Ordinance No. 91-407 requires the Council by resolution to adopt a rule establishing criteria for the presentation of a consent agenda for consideration and vote at a regular Council meeting which current criteria have been adopted by the Council through Resolution No. 84-499; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District hereby rescinds and adopts the following rules establishing criteria and/or procedures:

1. Adopts the rules of procedure governing debate on matters before the Council as shown in Exhibit A attached hereto;

2. Adopts the rules of procedure relating to receipt of communications from the public at Council meetings as shown in Exhibit B attached hereto;

3. Rescinds the procedures for the introduction and consideration of ordinances and resolutions set forth in Resolution No. 88-874 and adopts the rules of procedure for ordinances and resolutions as shown in Exhibit C attached hereto;

4. Rescinds the general order of business for Council meetings set forth in Resolution No. 88-898 and adopts the rules establishing the general order of business for Council meetings as shown in Exhibit D attached hereto; and

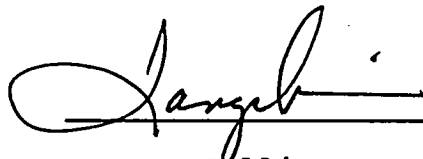
5. Rescinds the consent agenda criteria set forth in Resolution No. 84-499 and adopts the rule establishing consent agenda criteria and procedures as shown in Exhibit E attached hereto.

6. The Council may by a positive vote of eight members authorize the suspension of any rule adopted herein.

BE IT FURTHER RESOLVED,

That the appropriate standing Committee of the Council shall review the Council procedures contained in this Resolution six months from its adoption, and report its findings and recommendations to the Council.

ADOPTED by the Council of the Metropolitan Service District
this 10th day of October, 1991.

A handwritten signature in cursive script, appearing to read 'Tanya Collier', is written over a horizontal line.

Tanya Collier, Presiding Officer

am/res.225

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

RESOLUTION NO. 94-1992, AMENDING RULES ESTABLISHING PROCEDURES RELATING TO THE CONDUCT OF COUNCIL BUSINESS

Date: November 30, 1994

Presented by: Councilor Gates

COMMITTEE RECOMMENDATION: At its November 29, 1994 meeting the Governmental Affairs Committee voted 4-0 to recommend Council adoption of Resolution No. 94-1992. Councilors Gates, McFarland, Van Bergen, and Wyers voted in favor. Councilor Buchanan was absent.

COMMITTEE DISCUSSION/ISSUES: Council Analyst Casey Short presented the staff report. He said this resolution was drafted at Councilor Wyers' request, and would require resolutions to be placed on the Council agenda prior to their consideration by a committee. Resolutions would be listed on the Council agenda by title only, with the listing of resolutions also to include the committee referral and scheduled date of committee consideration.

Councilor Wyers said she asked for this resolution because many members of the public receive Council agendas but not all the committee agendas. Since much of the Council's business is by resolution, members of the public would have greater opportunity to participate in the dialogue on those items if they were listed on the Council agenda before committees acted on them. She said she didn't think it would be critical to move the filing deadlines for resolutions up a few days to allow for greater public notification. Councilor Wyers asked Mr. Short if any departments had contacted him with objections to this item. Mr. Short said he had discussed it with the Deputy Executive Officer, who did not have great concern, but he has not heard from anyone else.

Councilor Van Bergen discussed the Council structure and procedures expected in 1995. He said he expected much of the Council's business to be done by the whole body, and wondered whether the proposed change would give the Presiding Officer more power to keep resolutions off the agenda. Councilor Wyers said the Council's procedures do not now provide authority for the Presiding Officer to block items from being considered, and this change would not affect that. She said that committee chairs could keep items off their agendas, but the Council can remove an item from committee and bring it to the full Council.