



RULES OF ORDER AND PROCEDURE

FOR THE

CITY COUNCIL

OF THE

CITY OF WHEAT RIDGE

COLORADO

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**RULES OF ORDER AND PROCEDURE
FOR THE CITY COUNCIL OF THE
CITY OF WHEAT RIDGE, COLORADO**

I. AUTHORITY

Sections 4.7 and 5.1 of the Home Rule Charter of the City of Wheat Ridge authorize the City Council to determine its own rules of order and procedure for meetings. The following Rules shall be in effect upon their adoption by the Council until such time as they are amended or new Rules adopted in the manner provided by these Rules.

II. PUBLIC'S RIGHT TO SPEAK

A. PUBLIC'S RIGHT TO SPEAK

1. Public's right to speak at meetings of the City Council is of primary importance. This Rule describes those rights and the manner in which they are exercised.
2. Public's right to speak at Regular, Adjourned and Special Council Meetings
 - a) For non-agenda items: a member of the public may speak once per meeting for a maximum of three (3) minutes on any item not on the agenda. Up to two (2) members of the public present and signed up to speak may donate their time to the speaker for a maximum of nine (9) minutes.
 - b) For non-agenda items: a member of the public requiring translation services may speak once per meeting for a maximum of six (6) minutes.
 - c) For agenda items: a member of the public may speak once for each agenda item, for any length of time unless time is limited by the chair at the beginning of the item.
3. Public's right to speak at Study Sessions:
 - a) A member of the public may speak once per agenda item for a maximum of three (3) minutes. Up to two (2) members of the public present and signed up to speak may donate their time to the speaker for a maximum of nine (9) minutes.

- b) A member of the public requiring translation services may speak once per agenda item for a maximum of six (6) minutes.
 - c) Public comments will be heard at the beginning of the Study Session, unless the Study Session is combined with a Regular, Special or Adjourned Council meeting, in which case the comments may be taken at the beginning of that meeting.
4. General Restrictions on Public's Right to Speak
- a) There is no limit on the number of persons who may speak.
 - b) Content of Public Comments are not censored, other than threatening language, which is not permitted.
 - c) Speakers should limit their comments to the relevant topic or agenda item.
 - d) Speakers are requested to sign the appropriate roster in the Council Chambers and will be called in order.
 - e) Written comments provided to the Council in any of the online tools provided by the City, or in hard copy, are permitted on any agenda or non-agenda item and should be given to the City Clerk for distribution to the Council members and inclusion in the record. The reading of written comments into the record is not permitted unless a member of the public representing the author is present to read them into the record at the written request of the author. A Council Member or the City Clerk may read written comments into the record with the approval of the majority of the Council present. Any such individual reading is limited to three (3) minutes on non-agenda items.
 - f) Speakers may provide other documents, photos, etc. to the Council by giving them to the City Clerk.
 - g) The City Clerk, or his or her designee, is the designated timekeeper for all time-limited comments.
 - h) Councilmembers and the Mayor have the choice of whether or not to respond to members of the public after the completion of Public's Right To Speak.
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**III. CHAIR, MAYOR PRO TEM, CITY CLERK, CITY ATTORNEY,
PARLIAMENTARIAN AND THEIR DUTIES AT MEETINGS**

A. CHAIR

1. The Mayor shall preside over the meetings of the City Council as the Chair.
2. In the absence of the Mayor, the Mayor Pro Tem shall preside as the Chair.
3. The Chair shall preserve order and decorum, prevent personal attacks or the impugning of member's motives, confine members in debate to questions under discussion, be responsible for conducting meetings in an orderly manner, assure that the minority opinion may be expressed and that the majority be allowed to rule.

B. MAYOR PRO TEM

1. At the first or second Regular meeting in November of each year, the Council shall elect a Mayor Pro Tem who shall serve until their successor is elected. The procedure shall be as follows:
 - a) The Chair will announce that the floor is open for nominations for the position of Mayor Pro Tem.
 - b) Nominations will be taken from City Council members by voice. No second is needed.
 - c) Each nominee will have the opportunity to address the Council.
 - d) A motion and second is then in order to elect one of the nominees to the position of Mayor Pro Tem. If the motion is not carried, additional motions are in order until a Mayor Pro Tem is elected by a majority of Council present.
2. If presiding as the meeting Chair, the Mayor Pro Tem shall have the voting privileges of a regular Council Member.
3. The Mayor Pro Tem's duties shall include reviewing and setting the Agenda prior to Council Meetings and adding emergency items for discussion if necessary. The Mayor Pro Tem shall have the authority to remove any item from the Agenda of any Regular Meeting or Study Session, before publication, with the exception of:
 - a) An item placed on the Agenda by two (2) Council Members or by the Mayor and one (1) Council Member prior to the meeting pursuant to Rule V.D.1; or

b) An item added by the Council by majority vote of Council present during any meeting pursuant to Rule V.C.6.

4. The Mayor Pro Tem shall arrange for and coordinate the orientation of all newly elected officials, including a review of these Rules, within two (2) months after the election.

C. CITY CLERK

The City Clerk, or designated representative, shall attend all meetings of Council and shall keep the official minutes.

D. CITY ATTORNEY

The City Attorney or acting City Attorney shall attend all meetings of the Council unless excused by the City Council and shall, upon request, give an opinion, either written or oral, on the question of law.

E. PARLIAMENTARIAN AND RULES OF ORDER

1. The Mayor Pro Tem shall also function as the Council Parliamentarian, and may call upon the City Attorney for a recommendation on procedure, if desired.
2. The Parliamentarian shall advise the Chair and members of Council on parliamentary rules.
3. The current edition of Robert's Rules of Order, newly revised, shall advise the Parliamentarian regarding questions of order and procedure in all cases to which they are applicable and in which they are not inconsistent with these Rules, the Wheat Ridge Home Rule Charter, the Wheat Ridge Code of Laws or other laws governing the City.
4. In cases where the current edition of Robert's Rules of Order, newly revised, are inconsistent with these Rules of Order and Procedure, these Rules of Order and Procedure control.
5. The Mayor (or the Mayor Pro Tem, if presiding), shall be the final authority on all points of order or procedure, subject to override upon a three-fourths (3/4) majority vote of the entire Council.

IV. COUNCIL MEETINGS AND MEETING PROCEDURES

A. TYPES OF MEETINGS

1. The Council meets for Regular, Adjourned, and Special Meetings and Regular and Special Study Sessions.

2. Regular Meetings are held the second (2nd) and fourth (4th) Monday of each month at 7:00 PM unless otherwise provided by amendment of these Rules.
3. Study Sessions are held the first (1st) and third (3rd) Monday of each month at 6:30 PM, unless otherwise provided by the Mayor Pro Tem.
4. The Mayor Pro Tem may schedule additional Study Sessions to take place at any other day and time.
5. Council members are expected to attend Council meetings in person. In the event of illness, weather, or other necessity, council members may attend virtually by telephone or through the Zoom or other remote attendance platforms provided by the City.

B. STUDY SESSIONS

1. Study Sessions shall be for the purpose of discussing concepts and ideas. No formal business shall be conducted. Consensus votes during all Study Sessions are non-binding, with exception of consensus votes to schedule or decline to schedule a matter for consideration at a Regular or Special Meeting, which may, however, be reconsidered after six (6) months as permitted by Rule V.D.3. Until an issue is disposed of at a Regular, Adjourned, or Special Meeting, it may be amended or reconsidered in that or any future Study Session.
2. Public Comment will be allowed at the beginning of a Study Session as provided by Rule II.A.3.

C. ADJOURNED MEETINGS

Any Meeting of the Council may be adjourned, by a majority vote of council members present or the chair, to a later date and time, provided that no adjournment shall be for a period longer than the next Regular Meeting.

D. EXECUTIVE SESSIONS

1. The Council may meet in Executive Session on a vote of a majority of City Council members present in a Regular or Special Meeting (Charter Section 5.7).
2. No notes may be taken during an Executive Session except by the City Clerk and/or City Attorney.
3. If, at any time during the Executive Session, a Council Member feels that a matter is being discussed other than that stated as the purpose of the Executive Session, that member should so state and may request that the Executive Session be terminated. If a consensus of City Council Members present agree, the session shall be terminated

or the discussion shall be returned to the stated purpose of the Executive Session.

4. All requirements of the Colorado Open Meetings Law shall be followed.

E. MEETING NOTICES AND REQUIREMENTS

1. Meetings involving no more than two (2) Council Members, whether in person, by telephone or other electronic medium and whether or not the Mayor also attends, shall not be subject to any of the requirements of this Rule.
2. Meetings of any three (3) or four (4) Council Members must be open to the public, but no advance notice is required.
3. All meetings of five (5) or more Council Members must be preceded by public notice of the meeting posted at least 72 hours prior to the meeting, with the exception of Special Meetings and emergency Special Meetings, pursuant to Charter Section 5.2, on the City website and the locations designated by resolution of the Council, listing the topic of the meeting, its location, time, and date. Copies of the notice shall be given to all City Council Members and the City Clerk at least 72 hours before the meeting.
 - a) The City Clerk is responsible for the posting of the meeting pursuant to the Charter and Code.
 - b) There is no responsibility to post notices of meetings of other bodies and groups, whether or not members of the Council are expected to attend.
4. Public meetings arranged by the City for members of the public, such as open houses and public input meetings, are not meetings of the City Council.

F. ATTENDANCE AT MEETINGS OF OTHER ORGANIZATIONS AND SOCIAL GATHERINGS

1. The purpose for this rule is to permit the City to be represented by its elected officials at meetings of other groups or organizations, including, without limitation, intergovernmental organizations, neighborhood organizations, business and service organizations, and other organizations or groups with which the City has a relationship.
2. Any member of Council and the Mayor may attend meetings of other groups without prior notice, provided however, that any such meeting, if attended by three (3) or more members of the Council, is open to the public, pursuant to Section 24-6-401, et seq., C.R.S.

3. Social gatherings, at which the discussion of public business is not the central purpose, shall not be subject to any of the requirements of Rule IV.E.

G. ABSENCES

In the event that a Council Member expects to be absent from a Regular, Special or Adjourned Meeting or Study Session, the Member shall notify the City Clerk, and the City Clerk will duly notify the City Council at the beginning of the meeting.

H. RIGHT OF THE FLOOR

1. The chair must first recognize each Council Member requesting to speak unless limited by a motion to limit debate or for calling the question. (applicable also to Study Sessions)
2. Speakers shall confine themselves to the question under discussion. All discussion must be germane to the Agenda Item. (applicable also to Study Sessions)
3. Members of Council shall avoid personal attacks and refrain from impugning the motives of any member's argument or vote. (applicable also to Study Sessions)
4. Once a vote, or in the case of a Study Session a Consensus, has been taken, there shall be no further discussion on that motion or Agenda Item unless a motion to reconsider is adopted.

I. ELECTED OFFICIALS' MATTERS

This is the time elected officials may make comments on any subject. Time limit per elected official will be five (5) minutes.

V. ORDER OF BUSINESS AND THE AGENDA

- A. SCOPE OF RULE: This Rule V shall apply only to Regular, Special and Adjourned Meetings, and not to Study Sessions, unless specifically noted.
- B. ORDER OF BUSINESS

The general rule as to the Order of Business in Regular Meetings:

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- ROLL CALL
- APPROVAL OF MINUTES
- APPROVAL OF AGENDA

- PROCLAMATIONS AND CEREMONIES
- PUBLIC'S RIGHT TO SPEAK
- CONSENT AGENDA
- PUBLIC HEARINGS, ORDINANCES ON SECOND READING
- ORDINANCES ON FIRST READING
- DECISIONS, RESOLUTIONS AND MOTIONS
- CITY MANAGER'S MATTERS
- CITY ATTORNEY'S MATTERS
- ELECTED OFFICIALS' MATTERS
- ADJOURNMENT

C. AGENDA PREPARATION AND INITIATION OF AGENDA ITEMS

1. The Order of Business of each meeting shall be as contained in the Agenda prepared by the Mayor Pro Tem following the Order of Business provided in this Rule.
2. By majority vote of the City Council during any City Council meeting the order of business for that meeting may be changed. The City Manager and City Attorney may also propose to add or delete items to the Agenda of such meetings under "Approval of Agenda," subject to approval by a majority of the Council members present.
3. The Agenda shall be distributed to the members of City Council and the public by 5:00 PM on the Thursday prior to the Monday of the Regular Meeting.
4. The City Clerk's Office shall be notified of the Agenda by noon on the Wednesday preceding the Monday on which the City Council meets. All backup material and documents required for the Agenda shall be filed with the Clerk's office by 5:00 PM on that day in order to be included in the City Council packet.
5. A majority of City Council Members present at a meeting is required to direct the City Attorney or staff to draft an ordinance to be included on the Agenda.
6. A majority vote of City Council Members present may add, change the order of, or delete an item from, the Agenda under "Approval of Agenda." In Regular Meetings, this must be done before Public Hearings and Ordinances on Second Readings.
7. The first option of introducing Agenda Items shall go to a representative of the City Council District to which the Agenda Item pertains or to the City Council Member who initiated the item. Council Agenda Items not specific to a City Council District may be introduced by any member requesting such privilege from the Chair in advance of the meeting. The Mayor shall assign Agenda Item introductions and

notify each City Council Member and the City Clerk prior to each City Council meeting.

8. Fiscal Notes. On any Agenda item containing a fiscal impact on the City's budget, the City Manager shall prepare a brief explanatory note that shall include a reliable estimate of any anticipated change in the expenditures or revenues to the City and whether such expenditures or revenues shall be recurring in nature during future budgets years. This shall include any principal and interest payments required to finance expenditures.
9. City Council may not approve an appropriation under City Manager's Matters, City Attorney's Matters, or Elected Officials' Matters.

D. INITIATING AND ADDING AGENDA ITEMS

1. City Council Members or the Mayor may each originate an Agenda Item with the approval of one other City Council Member. Each City Council Member and the Mayor shall be allowed to originate only two (2) items per month to be added to the Agenda of a Regular Meeting or a Study Session, subject to the scheduling authority of the Mayor Pro Tem under Rule III.B.3. It is the intent of this Rule that no more than two (2) agenda items may be initiated by the Mayor or any City Council Member during any single month.
2. It is the responsibility of the originating City Council Member to provide backup material for the City Council packet as to the subject or arrange for that backup material to be prepared. No item may be included in the Agenda without proper backup.
3. Other than by reconsideration pursuant to Rule VI, once an item has been decided by a formal City Council vote at any Regular, Special or Adjourned Meeting or by a binding consensus vote at any Study Session under Rule IV.B.1, it is not eligible to be added to a future Agenda for six (6) months.
4. Motions made by City Council Members which are not in the City Council packet should be submitted to the City Clerk and the Mayor in writing during the City Council Meeting so they may be accurately voted upon and included in the minutes.
5. During a Regular Meeting, under the City Manager's Matters, the City Attorney's Matters or the Elected Official's Matters portion of the Agenda, or at a Study Session, the Mayor, a City Council Member, the City Manager, or the City Attorney may request that a motion be made to add an item to a future Agenda for consideration, subject to approval by the City Council by a majority vote of Council present (for addition to a Regular Meeting Agenda) or a consensus vote (for additions to a Study Session Agenda).

6. The City Manager may add administrative and operational items to the agenda during "Approval of Agenda."

E. PUBLIC HEARINGS

1. All speakers are requested to sign up on the appropriate roster, indicating whether they intend to speak to a particular Agenda Item. There is no time limit on individual public testimony, provided, however, that the chair may impose a limit on individual speakers' time in consideration of the number of speakers signed up on the hearing item and the available time for the hearing. The City Council shall not entertain a motion for the final disposition of the matter until the City staff and applicant have made their presentations, if any, the public has been able to speak on the matter, the City staff and the applicant have been given the opportunity to clarify any issues raised, and the public hearing has been closed, provided that motions regarding the conduct, scheduling or continuation of the public hearing shall be proper at any time.
2. Hearings which are labeled as "Quasi-Judicial" matters on the Request for Council Action in the meeting packet:
 - a) Councilmembers shall refrain from communicating with each other, the applicant, or the public prior to the hearing.
 - b) Written material and e-mails received prior to the hearing shall be forwarded to staff for inclusion in the hearing record.
 - c) The chair shall swear in all witnesses, affirming their intention to tell the truth

F. ORDINANCES ON FIRST READING

1. It is the goal and desire of City Council to allow all interested parties to provide input during the Public Hearing/Second Reading on all proposed ordinances. A full, complete, and open discussion of all proposed ordinances is encouraged during the Public Hearing/Second Reading.
2. Therefore, public comment and staff presentations will occur only during the Public Hearing/Second Reading. First Reading will be for the purposes of setting proposed ordinances for publication, and establishing a date for the Public Hearing/Second Reading.

G. TIME OF ADJOURNMENT

1. At 11:00 PM, the City Council shall complete action on the Agenda Item then under discussion and shall adjourn the meeting.

2. Prior to such adjournment, the City Council may take any of the following actions:
 - a) Acting by three-fourths ($\frac{3}{4}$) majority vote of the City Council Members present, complete all or portions of the remaining Agenda.
 - b) Acting by a majority vote of the City Council Members present, schedule any unfinished items for a future Regular or Special Council Meeting.
 - c) Acting by majority vote of the City Council Members present, continue the meeting to a later date and time certain.

VI. RECONSIDERATION

1. A motion to reconsider may be made only by a City Council Member originally voting with the prevailing side.
2. Such motion to reconsider shall be made only at that or the next scheduled Regular Meeting. A continued or rescheduled meeting shall be considered a next scheduled Regular Meeting for the purpose of such motion to reconsider. If not reconsidered at that time, the issue may not be placed on any agenda for six (6) months.
3. A motion to reconsider shall require an affirmative vote of a majority of the entire City Council.
4. A City Council Member who was absent from the meeting at which the item was discussed may vote on the substantive matter following a successful motion to reconsider provided that City Council Member affirms, on the record, that he or she has listened to the recording of that Agenda Item.

VII. SUSPENSION AND AMENDMENT OF THESE RULES

A. SUSPENSION

Any provision of these Rules not governed by the Home Rule Charter or Code of Laws may be temporarily suspended by a three-fourths ($\frac{3}{4}$) majority vote of the City Council Members present.

B. AMENDMENT

These Rules may be amended, or new Rules adopted by a majority vote of City Council Members present at a Regular or Special Meeting, provided that the proposed amendments or new Rules shall have been submitted in writing to City Council at a preceding meeting or a Study Session. Any City Council Member, or the Mayor, may initiate an amendment of these Rules in the manner provided for initiation of Agenda Items by Rule V.D. These Rules shall be reviewed and revised by the City Council as needed and as provided for herein.