

RESOLUTION 2013-008  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ADOPTING AMENDED RULES OF PROCEDURE  
GOVERNING THE CONDUCT OF CITY COUNCIL MEETINGS  
WITH REGARD TO CITIZEN COMMENT

WHEREAS, on May 6, 2003, the City Council adopted Resolution 2003-063 which established certain Rules of Procedure Governing the Conduct of City Council Meetings (the “Rules of Procedure”); and

WHEREAS, the Rules of Procedure have subsequently been amended by the adoption of Resolutions 2004-112 and 2011-107; and

WHEREAS, the City Council wishes to further amend the Rules of Procedure to give greater clarity to the expectations and responsibilities of citizens participating in such meetings; and

WHEREAS, City staff has recommended certain time, manner and place restrictions that will help protect meeting participants from distraction or intimidation as they present their comments and concerns to the City Council and will promote the orderly conduct of the meetings; and

WHEREAS, the City Council believes that such regulations are in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the following revised Rules of Procedure Governing the Conduct of City Council Meetings are hereby adopted by the City Council:

Section 1. **Order of Business.** Council business shall be conducted in the following order:

- Proclamations and Presentations. (Prior to the meeting)
- Pledge of Allegiance
- Call Meeting to Order
- Roll Call
- City Manager’s Agenda Review
- Opportunity for City Council to Pull Consent Items
- Opportunity for Citizens to Pull Consent Items
- Citizen Participation
- Citizen Participation Follow-up
- Consent Calendar
- Consent Calendar Follow-up
- Staff Reports
- Councilmember Reports

Councilmember Reports  
Council-Pulled Consent Items  
Items Needing Individual Consideration  
Citizen-Pulled Consent Items  
Other Business  
Adjournment

**Section 2. Length of Meetings**

- a. Council meetings will begin at 6:00 p.m. Proclamations will be presented prior to the meeting at approximately 5:30 p.m. or such earlier time as may be necessary in order for the presentation of proclamations to end by 6:00 p.m.
- b. No more than two (2) short breaks will be planned per meeting. All Councilmembers and staff will return to their seats in the Council Chambers at the conclusion of each ten-minute break. The presiding officer will resume the meeting at the prescribed time.
- c. Every Council meeting will end no later than 10:30 p.m., except that: (1) any item of business commenced before 10:30 p.m. may be concluded before the meeting is adjourned and (2) the Council may, by majority vote, extend a meeting until no later than 12:00 a.m. for the purpose of considering additional items of business. Any matter which has been commenced and is still pending at the conclusion of the Council meeting, and all matters scheduled for consideration at the meeting which have not yet been considered by the Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.

**Section 3. Citizen Comment.**

- a. Comment during Citizen Participation. During the "Citizen Participation" segment of each meeting, citizen comment will be allowed on matters of interest or concern to citizens other than the following:
  - (1) items to be considered by the Council under the discussion agenda for that night's meeting;
  - (2) matters that are the subject of an application that has been filed with the City when the approval or disapproval of the application is appealable to the Council.

A maximum of five (5) minutes will be allowed per speaker. In order to determine the actual amount of time to be allotted to each speaker, the presiding officer will ask for a show of hands by all persons intending to

speak. If the number of persons intending to speak is more than six (6), the presiding officer will shorten the allotted time in order to allow as many people as possible to address the Council within a reasonable period of time given the scheduled agenda.

- b. Comment on Agenda Items. Citizen input will be received with regard to: (i) each item on the discussion agenda, (ii) each item pulled from the consent agenda, and (iii) any item that is addressed by formal Council action under the "Other Business" segment of the meeting that may directly affect the rights or obligations of any member of the general public. Such citizen input will be permitted only once per item regardless of the number of motions made during Council's consideration of the item.

The time limits for individual citizen comments regarding agenda items will be established by the presiding officer prior to each such item. In order to determine the amount of time to be allotted to each speaker, the presiding officer will ask for a show of hands by all persons intending to speak to the item. If the number of persons indicating an intent to speak to an item is twelve (12) or less, each speaker will generally be allowed five (5) minutes. If the number of persons indicating an intent to speak to an item is thirteen (13) or more, each speaker will generally be limited to three (3) minutes per item. However, the presiding officer may increase or decrease the time limits per speaker as he or she deems necessary to facilitate the Council's understanding of the item, or to allow the Council to consider and act upon the item in a timely fashion.

- c. Time Limits Subject to Modification by Council. Any determination of the presiding officer with regard to the foregoing time limits may be overridden by a majority vote of the Council.
- d. Manner of Addressing the Council. Comment and testimony are to be directed to the Council. Unless otherwise directed by the presiding officer, all comments must be made into the microphone.
- e. Yielding the Lectern. Each speaker shall promptly cease his or her comments and yield the lectern immediately upon the expiration of the time allotted by the presiding officer.
- f. Yielding of Time. No speaker may yield part or all of his or her time to another, and no speaker will be credited with time requested but not used by another.
- g. Expressions of Support or Opposition. Members of the audience shall not engage in expressions of support or opposition that disturb, disrupt, or

impede the meeting or any recognized speaker, such as clapping, whistling, cheering, foot stomping, booing, hissing, speaking out or yelling.

- h. **Signs and Props.** Signs and props no larger than 11" x 17" are permitted in the City Council Chambers. Such signs or props must be held directly in front of one's body so as not to impede the view of others. Signs or props may not be waved, held by more than one person at a time, or used in a manner that, in the judgment of the presiding officer, disrupts the orderly conduct of business. Signs or props may not be left unattended anywhere in the Council Chambers. Signs or props attached to sticks, poles, or other objects are prohibited in the Council Chambers.
  
- j. **Distribution of Literature.** Distribution of fliers or other literature is permitted in the public lobby areas of City Hall only when City Hall is open for a public event. Distribution of fliers and other literature is permitted on the sidewalks and grounds around City Hall. Persons wishing to engage in such activities may do so only in a manner that does not interfere with the movement of persons or obstruct the passage of pedestrians or vehicles.
  
- k. **Video and Audio Recording.** Video and audio recording by the press or other members of the public is permitted in the Council Chambers only if the person making the recording is seated in the Chambers, standing in a side aisle, or standing in the back of the Chambers behind all seated persons.

#### **Section 4. Council Questions and Debate.**

Council questions and debate regarding an agenda item will occur immediately following citizen input and prior to entertaining any main motion related to the item. Except when raising a point of order, Councilmembers seeking to ask questions or participate in debate will do so only when called upon by the presiding officer. The presiding officer may limit or curtail questions or debate as he or she deems necessary for the orderly conduct of business, except as overridden by a majority of Councilmembers present and voting, pursuant to a point of order. No Councilmember will speak to an item more than once until all other Councilmembers have had an opportunity to be heard.

#### **Section 5. Basic Rules of Order.**

The following commonly used rules of order will govern the conduct of City Council business. Except as specifically noted, all motions require a second. These rules of order are based upon Robert's Rules of Order Newly Revised and have been modified as necessary to conform to existing practices of the Council and to the requirements of the City Charter. For example, while a two-thirds vote is necessary for the passage of some of the motions listed below under Robert's Rules of Order, all motions of the Council, except a motion to go into executive session or a motion to adopt an emergency ordinance, may be adopted upon approval of a majority vote of the members present at a Council meeting, pursuant to Art. II, Sec. 11 of the City Charter.

If there is a question of procedure not addressed by these rules, reference shall be made to Robert's Rules of Order for any needed clarification or direction. In the event of any conflict between these rules of order and Robert's Rules of Order, these rules of order shall prevail. In the event of any conflict between these rules of order or Robert's Rules of Order and the City Charter or City Code provisions, the City Charter or City Code provision shall prevail.

## MAIN MOTIONS

Main motions are used to bring business before the Council for consideration and action. A main motion can be introduced only if no other business is pending. All main motions require a second and may be adopted by majority vote of those Councilmembers present and voting, except that: (1) a motion to go into executive session requires a two-thirds vote of those present and voting and (2) a motion to adopt an emergency ordinance requires the affirmative vote of at least five (5) Councilmembers for approval. A main motion may be made by any Councilmember, including the presiding officer. It is debatable and may be amended.

## SUBSIDIARY MOTIONS

These are motions that may be applied to another motion for the purpose of modifying it, delaying action on it, or disposing of it.

1. Motion to Amend. A motion to amend, once seconded, is debatable and may itself be amended once. However, a "secondary amendment," which is a change to a pending "primary amendment," cannot be amended. The point of a motion to amend is to modify the wording - and, within certain limits, the meaning - of a pending motion before the pending motion itself is acted upon. Therefore, once a motion to amend has been seconded and debated, it is decided before the main motion is decided. Certain motions to amend are improper. For example, an amendment must be "germane" to be an order. To be germane, an amendment must in some way involve the same question that is raised by the motion to which it is applied. Also, some motions to amend are improper, for example, a motion that would merely make the adoption of the amended question equivalent to a rejection of the original motion, or one that would make the question as amended identical with, or contrary to, one previously decided by the Council during the same session. "Friendly" amendments acceptable to the maker and the seconder of the main motion do not require a second and are permissible at any time before a vote is taken on the main motion.

2. Withdrawal or Modification of a Motion. In the brief interval between the making of a motion and the time when the presiding officer places the Motion before the Council by stating it, the maker can withdraw or modify the motion. After a motion has been seconded and stated by the presiding officer it belongs to the Council as a whole and the maker must request the Council's permission to withdraw or modify his or her motion.

3. Motion to Lay on the Table. A motion to table is intended to enable the Council to lay the pending question aside temporarily, but only when something else of immediate urgency has arisen. By adopting a motion to lay on the table, a majority has the power to immediately halt the consideration of a question, since a motion to table is neither debatable nor amendable.

4. Motion to Postpone Indefinitely. A motion to postpone indefinitely is, in effect, a motion that the Council decline to take a position on an agenda item or main motion. Its adoption kills the agenda item or main motion for the duration of the meeting and avoids a direct vote on the item or motion. It is useful in disposing of an item or motion that cannot either be adopted or expressly rejected without undesirable consequences. It is debatable but not amendable.

5. Motion to Postpone to a Certain Time (or Definitely). This is the motion by which action on an agenda item or a pending motion can be put off to a definite day, meeting or hour, or until after a certain event has occurred. This motion can be debated only to the extent necessary to enable the Council to determine whether the main question should be postponed and, if so, to what date or time. Similarly, it is amendable only as to the date or time to which the main question should be postponed.

6. "Calling the Question". "Calling the question" may sometimes motivate unanimous consent to end debate. If it does not, however, then debate does not automatically end. Instead, if any member objects to ending the debate, the presiding officer should ask if there is a second to the motion and, if so, he must immediately take a vote on whether to end debate. The motion is not debatable or amendable.

### **INCIDENTAL MOTIONS.**

These are motions which usually apply to the method of conducting business rather to the business itself.

1. Point of Order. If a Councilmember thinks that the rules of order are being violated, he or she can make a point of order, thereby calling upon the presiding officer for a ruling and an enforcement of the regular rules. Such a motion takes precedence over any pending question out of which it may arise. *This motion does not require a second*. It is not amendable and, technically, it is not debatable. However, with the presiding officer's consent, the member raising the point of order may be permitted to explain his or her point. In response to a point of order, the presiding officer can either immediately rule, subject to appeal to the Council, or the presiding officer can refer the point of order to the judgment of the Council, in which case the point becomes debatable. In making his or her ruling, the presiding officer can also consult the parliamentarian, if there is one, or can request the advice of experienced members of the Council. However, no member has the right to express an opinion unless requested to do so by the presiding officer. When the presiding officer has made a ruling, any two Councilmembers can appeal the ruling (one making the appeal and the other seconding it). When an appeal is taken, the matter is decided by majority vote of the Council. A tie vote sustains the decision of the presiding officer. If a point of order is to be raised, it must be raised promptly at the time the perceived violation of the rules occurs.

2. Motion to Divide a Question. If a motion relating to a single subject contains several parts, each of which is capable of standing as a complete proposition by itself, the parts of the motion can be separated for consideration and voted on as if they were distinct questions by the adoption of a motion for division of the question. This motion, if seconded, takes precedence over the main motion and is not debatable. However, the motion to divide must clearly state the manner in which

the question is to be divided, and while the motion to divide is pending, another member can propose a different division by moving an amendment, in which case the amended form of the motion, if seconded, would be decided first. Often, little formality is involved in dividing a question, and it is arranged by unanimous consent.

3. Motion to Suspend the Rules. When the Council wishes to do something that it cannot do without violating one or more of its regular rules, it can adopt a motion to suspend the rules that interfere with the proposed action. This motion can be made at any time that no question is pending and can be applied to any rule except those that are fundamental principles of the City Charter, City Code or other applicable laws. This motion is neither debatable nor amendable.

### **RESTORATIVE MOTIONS**

These are motions that bring a question again before the Council for its consideration.

1. Motion to Take from the Table. The object of this motion is to take from the table and make pending again before the Council a motion or series of adhering motions that previously had been laid on the table. This motion is neither debatable nor amendable. When a question is taken from the table, it is before the Council with everything adhering to it, exactly as it was when laid on the table.

2. Motion to Reconsider. This motion enables a majority of the Council to bring back for further consideration a motion which has already been voted on. This motion is in order only if made on the same date that the vote to be reconsidered was taken. The purpose of reconsidering a vote is to permit the correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of a vote. This motion can be made only by a member who voted with the prevailing side. When a member who cannot make a motion for reconsideration believes that there are valid reasons for one, he or she can try, if there is time or opportunity, to persuade someone who voted with the prevailing side to make such a motion. This motion is debatable whenever the motion proposed to be reconsidered was debatable. And, when debatable, opens to debate the merits of the question to be reconsidered. It is not amendable. The effect of the adoption of a motion to reconsider is that the question on which the vote was reconsidered is immediately placed before the Council in the exact position it occupied the moment before it was voted on originally.

3. Motion to Rescind or Amend Something Previously Adopted. By means of the motions to rescind or to amend something previously adopted, the Council can change an action previously taken or ordered. This motion is debatable and amendable. In contrast to a motion to reconsider, there is no time limit on making a motion to rescind or a motion to amend something previously adopted (provided that no action has been taken by anyone in the interim that cannot be undone), and these motions can be moved by any member of the Council, regardless of how he or she voted on the original question. The effect of passage of this motion is not to place the matter back before the assembly as it was just prior to a vote being taken. Instead, it either entirely nullifies the previous action or modifies it, depending upon which motion is used. For that reason, this motion should not made if third parties have relied to their detriment on the previous action.

## PRIVILEGED MOTIONS


These motions are of such urgency or importance that they are entitled to immediate consideration, even when another motion is pending. This is because these motions do not relate to the pending business but have to do with special matters of immediate and overriding importance which, without debate, should be allowed to interrupt the consideration of anything else.

1. Motion to Adjourn. A motion to adjourn is always a privileged motion except when the motion is conditioned in some way, as in the case of a motion to adjourn at, or to, a future time. Such a conditional motion is not privileged and is treated just as any other main motion. A conditional motion to adjourn at or to a future time is always out of order while business is pending. However, an unconditioned, privileged motion to adjourn takes precedence over most other motions. The privileged motion to adjourn is neither debatable nor amendable, while a conditioned motion to adjourn is debatable and may be amended.

2. Motion to Recess. A motion to recess that is made when no question is pending is a main motion and should be treated as any other main motion. A motion to recess is said to be privileged if it is made when another question is pending, in which case it takes precedence over all subsidiary and incidental motions and most other privileged motions. It is not debatable and is amendable only as to the length of the recess.

Section 2. That the foregoing Rules of Procedure shall supercede all previous rules of procedure that may heretofore have been adopted by the City Council.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 5th day of February, A.D. 2013.

  
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Mayor

ATTEST:

  
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City Clerk

