

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 26

DATE: May 6, 2003

FROM: John Fischbach/
Steve Roy

SUBJECT:

Resolution 2003-063 Adopting Revised Rules of Procedure Governing the Conduct of City Council Meetings (Option A or Option B).

RECOMMENDATION:

Staff recommends adoption of the Resolution after selecting either Option A or Option B.

EXECUTIVE SUMMARY:

This resolution would establish a new regulation for City Council meetings that would require all such meetings to be concluded no later than 10:30 p.m. except for items commenced before 10:30 p.m. and except for extensions approved by a majority of the Council.

BACKGROUND:

The City Council holds regular meetings on the first and third Tuesdays of each month. Those meetings begin at 6:00 p.m. and the length of each meetings varies according to the overall agenda for the meeting and, in particular, the number of discussion items and hearings scheduled for the meeting.

Occasionally, Council meetings have run past midnight and into the early hours of the morning. While this is the exception rather than the rule, Council and staff agree that the quality of decision making is affected by the lateness of the hour at these meetings, and, as a practical matter, such meetings become difficult for the public to attend or even view on Channel 27.

To address this concern, staff is recommending that Council amend its regulations pertaining to Council meetings so as to establish a rule that all meetings will end no later than 10:30 p.m., except for the conclusion of items commenced before 10:30 p.m. and except for extensions approved by a majority of the Council.

Two versions of the resolution are proposed. Option A would state that no meeting would last later than 11:00 p.m., even if extended past 10:30 p.m. by majority vote, or even if an item of business commenced before 10:30 p.m. remains unfinished at 11:00 p.m.. Option B would state that any item commenced before 10:30 p.m. would be completed regardless of the hour, but no other Council approved extensions could extend the meeting past 11:00 p.m.

Under both options, any matter which has been commenced and which is still pending at the conclusion of the Council meeting, as well as matters scheduled for consideration at the meeting

which have not yet been considered by the Council, would be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.

In preparing the resolution, staff solicited feedback from other Colorado cities and towns as to how they address this concern. Included in the agenda materials is a matrix showing the kinds of regulations that several of those cities and towns have adopted with regard to late meetings.

In conjunction with the adoption of this resolution, the Leadership Planning Team will continue to closely monitor the scheduling of agenda items and will attempt to manage each agenda with an eye toward concluding the meetings at a reasonable hour.

OPTION A

**RESOLUTION 2003-063
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ADOPTING REVISED RULES OF PROCEDURE GOVERNING THE
CONDUCT OF CITY COUNCIL MEETINGS**

WHEREAS, the City Council has previously adopted certain rules of procedure governing the conduct of its meetings; and

WHEREAS, the Council wishes to add a rule of procedure regulating the length of Council meetings so as to ensure that such meetings are, as a practical matter, always open and accessible to the general public, and so as to promote sound decision-making that is unhampered by the fatigue or inattention that can result from extremely late meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS, that the rules of procedure for conducting City Council meetings, as previously adopted by the City Council, are hereby revised so as to read as follows:

Section 1. That Section 1.a. of Resolution 97-67 is hereby amended so as to read in its entirety as follows:

- a. Citizen comment, both during the "citizen participation" segment of each meeting and with regard to agenda items, will generally be limited to a maximum of five (5) minutes per person. If, in the discretion of the Mayor, the number of persons wishing to speak during citizen participation would unduly prolong that portion of the meeting, the Mayor may reduce the time allowed for individual citizen input.
- b. Citizen comment on items not being presented for Council's consideration on that meeting's agenda will be limited to a total of thirty (30) minutes and will be received at the beginning of each meeting.
- c. The time limits for individual citizen comments regarding agenda items will be established by the Mayor prior to each such item. In order to determine the amount of time to be allotted to each speaker, the Mayor 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 Mayor may increase or decrease the time limits per speaker as he or she deems necessary to facilitate the City Council's understanding of the item, or to allow the Council to consider and act upon the item in a timely fashion. Any

determination of the Mayor with regard to such time limits may be overridden by a majority vote of the Council.

- d. All items on the consent agenda that are removed from the consent agenda, either by a member of the public or a member of the City Council, will be considered at the end of the meeting agenda.
- e. Council meetings will begin precisely 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.
- f. No more than two (2) ten-minute 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 Mayor will resume the meeting at the prescribed time.

OPTION A:

- g. 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, and (2) the Council may grant up to two fifteen minute extensions for the purpose of considering other items of business not commenced before 10:30 p.m. In no event, however, shall any meeting continue beyond 11:00 p.m., even if one or more extensions has been approved by majority vote, or even if an item of business commenced before 10:30 p.m. remains unfinished. Any matter which has been commenced and which is still pending at the conclusion of the Council meeting, and any 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 2. That the foregoing rules of procedure shall supersede those established in Resolutions 97-67, 97-110, 97-128 and 2000-6.

Passed and adopted at a regular meeting of the City Council held this 6th day of May, A.D. 2003.

Mayor

ATTEST:

City Clerk

OPTION B

**RESOLUTION 2003-063
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ADOPTING REVISED RULES OF PROCEDURE GOVERNING THE
CONDUCT OF CITY COUNCIL MEETINGS**

WHEREAS, the City Council has previously adopted certain rules of procedure governing the conduct of its meetings; and

WHEREAS, the Council wishes to add a rule of procedure regulating the length of Council meetings so as to ensure that such meetings are, as a practical matter, always open and accessible to the general public, and so as to promote sound decision-making that is unhampered by the fatigue or inattention that can result from extremely late meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS, that the rules of procedure for conducting City Council meetings, as previously adopted by the City Council, are hereby revised so as to read as follows:

Section 1. That Section 1.a. of Resolution 97-67 is hereby amended so as to read in its entirety as follows:

- a. Citizen comment, both during the "citizen participation" segment of each meeting and with regard to agenda items, will generally be limited to a maximum of five (5) minutes per person. If, in the discretion of the Mayor, the number of persons wishing to speak during citizen participation would unduly prolong that portion of the meeting, the Mayor may reduce the time allowed for individual citizen input.
- b. Citizen comment on items not being presented for Council's consideration on that meeting's agenda will be limited to a total of thirty (30) minutes and will be received at the beginning of each meeting.
- c. The time limits for individual citizen comments regarding agenda items will be established by the Mayor prior to each such item. In order to determine the amount of time to be allotted to each speaker, the Mayor 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 Mayor may increase or decrease the time limits per speaker as he or she deems necessary to facilitate the City Council's understanding of the item, or to allow the Council to consider and act upon the item in a timely fashion. Any

determination of the Mayor with regard to such time limits may be overridden by a majority vote of the Council.

- d. All items on the consent agenda that are removed from the consent agenda, either by a member of the public or a member of the City Council, will be considered at the end of the meeting agenda.
- e. Council meetings will begin precisely 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.
- f. No more than two (2) ten-minute 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 Mayor will resume the meeting at the prescribed time.

OPTION B:

- g. Every Council meeting will end no later than 10:30 p.m., except that: (a) any item of business commenced before 10:30 p.m. may be concluded before the meeting is adjourned and (2) the City Council may, by majority vote, extend a meeting until no later than 11:00 p.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 2. That the foregoing rules of procedure shall supersede those established in Resolutions 97-67, 97-110, 97-128 and 2000-6.

Passed and adopted at a regular meeting of the City Council held this 6th day of May, A.D. 2003.

Mayor

ATTEST:

City Clerk

LATE NIGHT MEETING POLICIES

Municipality	Late Mtg Policy	Policy	
Arvada	Yes	Meeting begins at 6:30 p.m. After public comment (of no more than 3 minutes) unfinished business from previous meeting is first item on agenda . Then new business. Public hearing and second readings of ordinances commences at 7 or 7:30. At 11:00 p.m., if regular meeting has not been adjourned, further proceedings are as follows: (1) All public hearings not yet commenced shall be vacated or shall be opened for the sole purpose of setting the hour and day for continuation. (2) Proceedings shall not extend beyond 30 minutes after 11:00 and shall be limited to business under consideration only. <u>NOTE:</u> In making this rule work, staff must anticipate controversial items and won't schedule too many public hearings that will draw many citizens on the same evening.	
Aspen	Yes	Meetings must start at 5 p.m. and end at 9 p.m. A motion must be made and passed in order to extend the meeting beyond 9 p.m. This tends to limit meetings.	
Brighton	Yes	Meetings commence at 7 p.m. Any Council meeting that has not adjourned at or before 11 p.m., shall be continued until 7 p.m. on the following evening. At the discretion of the Council, any regular Council meeting may be extended beyond 11 p.m. for no more than two additional 15 minute-periods, upon motion duly made and passed by the Council. <u>NOTE:</u> Brighton CA believes this process works well. Council evaluates the time spent on various items (especially around the 10-10:30 hour).	Yes
Sedona	Yes	Meetings begin at 7 p.m. No agenda item shall be brought forward after 10 p.m. At 10:30, if the agenda is not complete (which it never is) the Mayor must take a vote every 30 minutes to proceed with the meeting. The Council can vote by a majority to (a) proceed with the meeting or (b) postpone agenda items until another day or to the next regularly scheduled business meeting.	
Buena Vista	Yes	Meetings commence at 7 p.m. and shall adjourn no later than 10 p.m. unless a majority of the members vote prior to the 10 p.m. deadline to extend the meeting for a specified time. If agenda items have not been considered prior to the 10 p.m. deadline, and no extension has been affirmatively approved, all items shall be carried over and/or continued to the next regular or special meeting.	Yes

<i>Municipality</i>	<i>Late Mtg Policy</i>	<i>Policy</i>	<i>Confined</i>
<i>Durango</i>	<i>Yes</i>	<i>No public hearing can extend beyond 10:30 p.m. unless Council votes to go forward to conclusion. Public hearings are at the beginning of the agenda. Citizens who show up are heard, but they know in advance that if the hearing extends beyond 10:30, chances are it will be set over to the next Council meeting. <u>NOTE:</u> Durango CA states that this policy has worked well. Also, not every agenda item that is controversial turns into a public hearing.</i>	<i>No</i>
<i>Parker</i>	<i>Yes</i>	<i>All Council meetings will adjourn by 10 p.m, unless by a <u>unanimous</u> vote of Council to extend meeting up to 1 hour, except to discuss emergency matters. All items not heard will be moved to the following Monday in a "Special Council Meeting."</i>	