

Resolution No. 31-25

A Resolution Repealing and Replacing Resolution 40-18 Concerning City Council Meeting Procedures

Recitals.

With Resolution 40-18 the City Council adopted certain Procedures Governing the Conduct of City Council Meetings and Work Sessions (*Procedures*). The City Council has determined that those *Procedures* need to be updated and accordingly by and with this Resolution adopts the attached policies.

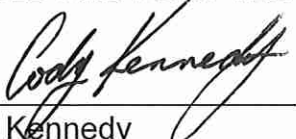
Collectively the *City Council Meeting Policy and Procedure*, the *Study Session Policy and Procedure*, and the *Rules of Conduct for Public Comment at City Council Meetings* are referred to herein as the *Policies*. Among other things the *Policies* reflect changes in how meetings are conducted, including virtual participation, and updating and streamlining parliamentary practices.

After due consideration, and recommendation from the City Staff to update and revise meeting procedures, the City Council finds that adoption of the *Policies*, individually and collectively, will promote effective and efficient meetings of the Council and benefit the administration of the public's business.

NOW, THEREFORE, BE IT RESOLVED BY THE GRAND JUNCTION CITY COUNCIL:

That in consideration and adoption of the Recitals, Resolution 40-20 and the Procedures attached thereto are repealed and replaced by this Resolution and the Policies attached hereto and incorporated by reference as if fully set forth are adopted and approved. The Policies shall remain in effect unless and until amended by subsequent Resolution of the City Council.

PASSED AND ADOPTED THIS 18th DAY OF JUNE 2025.


Cody Kennedy
President of the City Council

ATTEST:


Selestina Sandoval
City Clerk



CITY COUNCIL

CITY COUNCIL MEETING POLICY AND PROCEDURES

CITY COUNCIL MEETINGS

1.1 Presiding Officer

As provided in the Charter, the President (Mayor) of the City Council or the President *pro tem* (Mayor *pro-tem*) of the City Council shall lead Council meetings. If both the Mayor and Mayor *pro-tem* are absent from a Council meeting, the City Clerk shall call the meeting to order and call roll. The Councilmembers in attendance, either in person or virtually as allowed by the *Electronic/Virtual Meetings Policy (included within this policy, line 183)*, so long as a quorum (four members) are present shall then elect a Temporary Chair who shall be the Presiding Officer for that meeting.

1.2. Regular Meetings

The Council shall meet on the first and third Wednesdays of each month at 5:30 p.m. in the Council Chambers at City Hall. The Council may reschedule regular meetings, upon a majority vote of the entire Council at a regular meeting, study session, or by email, and with full and timely notice to the public of the change in schedule. Virtual Participation in accordance with the Virtual Participation policy shall constitute actual attendance for purposes of establishing a quorum and conducting business for any such meeting.

1.3 Special Meetings

Special meetings of the Council may be called in accordance with the Charter and the Colorado Open Meetings law. Virtual Participation by City Council will be in accordance with the Electronic Participation policy and shall constitute actual attendance for purposes of establishing a quorum and conducting business for any meeting.

Study Sessions (See separate *Study Sessions Policy*)

Study sessions may be regularly scheduled for the first and third Monday of any month and at any other day and time determined in accordance with this policy. A separate notice will not be necessary for a study session called at a Council meeting at which a quorum is present. Study sessions of the Council may be called in accordance with the Charter and the Colorado Open Meetings law.

1.4 City Clerk

- a. The City Clerk, or the Clerk's designee, shall attend and shall keep the minutes of each Regular and Special meeting (Meeting) of the Council. Minutes shall kept be in "action plus" form. The City Clerk will maintain a video or audio recording of each Meeting for the term required by the City record retention schedule.
- b. On or before the Friday preceding each Regular meeting of the Council, the City Clerk shall cause to be delivered to each Councilmember a copy of the minutes of the preceding Meeting.

2.1 Order of Business – Agenda – Regular Meetings

- a. The order of business for regular meetings of the Council will generally be:
 - (1) Establishment of a Quorum
 - (2) Pledge of Allegiance
Proclamations
 - (3) Review and Approval of Agenda
 - (4) Councilmember Reports/Filing written Board and Commission report(s)
Quarterly Strategic Plan Review/Discussion
 - (5) Presentations and Scheduled Guests
 - (6) City Manager Report
 - (7) Consent Agenda
 - (8) Regular Agenda
 - (9) Public Comments (*see attached Public Comment Conduct Policy*)
 - (10) Adjournment
- b. The Presiding Officer may vary from the Order of Business. Variance to the Order of Business, including questions about or setting a Consent Agenda item for full consideration, will occur as a function of the Review and Approval of Agenda, item 2 in the Order of Business.
- c. Preceding each Meeting of the Council, the City Manager and City Clerk shall prepare a written Agenda showing the scheduled business of the City Council. The City Clerk shall cause the Agenda to be delivered to each Councilmember by 6:00 p.m. the Friday prior to the meeting and shall post the Agenda in accordance with the Colorado Open Meetings law.
- d. During Council's consideration of any matter, Councilmembers should generally refrain from speaking until recognized, except for Points of Order, Information or

Appeal¹, should generally not speak more than twice on a matter and should not speak again until all Councilmembers have had an opportunity to speak once. The Presiding Officer typically will speak last on a matter but is not required to do so.

1. The Presiding Officer may limit a Councilmember's comments, debate or conversation by and among the members in accordance with the adopted Parliamentary Authority as the same may be amended from time to time by the Council.

2. When a Councilmember speaks for a second time on a matter, he/she should endeavor to make his/her comments succinct and relevant.

e. Councilmember requests for Future Action/Follow-up will be submitted to the City Manager by noon of the Wednesday of the "off week" before the next regular meeting. The City Manager will develop and publish a "Future Topics" agenda for City Council to review and prioritize.

f. On all matters before Council for public hearings as the same are shown on the Agenda, the public may be allowed to speak, subject to reasonable time limits and behavioral expectations imposed by the City Council and the Presiding Officer. Any person speaking or presenting any information to the Council may be questioned by the Council, the City Manager and/or the City Attorney.

g. Addressing Council

¹ Point of Order (or to "raise a question of order" as it is sometimes expressed), is an opportunity for a Member to express an opinion that the rules or procedures of the Council are being violated. The appropriate means of asserting such opportunity is for the member to wait for a break in the discussion and state "Point of Order" and wait to be recognized by the Presiding Officer. Debate or discussion should cease. Upon the Presiding Officer's recognition, the member must succinctly state the general rule or procedure believed to be in violation. A point of order should not interrupt another speaker, does not require a second, is not debatable, is not amendable and cannot be reconsidered.

Point of Information is a request to receive information on a specific question, either about process, meeting conduct, clarification of a motion, or about a fact at any time during a meeting. A Point of Information is not an opportunity for a member to provide information and should not be used as a means of continuously interrupting the debate. Using a Point of Information to provide information or to interrupt debate would be out of order.

Point of Appeal is a request of a member to challenge a decision of the Presiding Officer concerning the application of the rules. A Point of Appeal shall customarily be in order immediately following the Chairperson's decision and may be declared out of order and unavailable where the Council has relied upon the Presiding Officer's decision and continued the proceeding in reliance upon, or in accordance with the decision. The member making the Point of Appeal may briefly state his or her reason for the Point, and the Presiding Officer may briefly explain his or her ruling, but there shall be no further debate on the appeal.

Every person addressing the Council shall give his or her name and city of residence for the record, shall state the subject he or she wishes to address, and shall limit the address to a reasonable time, which is presumptively 3 minutes. The Presiding Officer may reasonably limit or expand the time of any and all addresses, including addresses in public hearings.

Decorum Policy adopted by Res. 40-20 (see attached).

PARLIAMENTARY PROCEDURE

3.1 Parliamentary Authority

Bob's Rules of Order, Simplified Parliamentary Rules of Order for Colorado Local Government (copy attached) will be the parliamentary authority for all meetings of the Council and the rules contained therein will be utilized at such meetings where not inconsistent with the Charter, Ordinances, or these Procedures. The Council may, as determined by the Presiding Officer, relax any parliamentary procedure for the purposes of efficiency of conducting a meeting

3.2 Voting

When a question is called every Councilmember present shall vote either "yes," or "no," unless excused from voting due to an actual or apparent conflict of interest or excused from attendance as provided in the Charter.

3.3 Questions About and/or Amendments to Resolutions and Ordinances

Councilmembers are strongly encouraged to distribute any proposed question(s) on Agenda item(s) and/or amendment(s), or the concept of a proposed amendment(s) to a resolution or ordinance to staff and Council as far in advance as possible.

A Councilmember intending to introduce an amendment to a proposed resolution or ordinance must send an e-mail notification of a contemplated amendment to all members of Council, with a copy to the City Manager and the City Attorney, no later than 12:00 p.m. (Noon) on the day prior to the day of any Council meeting where the resolution or ordinance is scheduled for a vote (including second reading and reconsiderations).

An amendment distributed by the deadline will afford informed consideration and any action thereon may occur only with a motion and a second. An amendment that is not distributed by the deadline may only be introduced by a two-thirds vote of the Councilmembers present at the meeting. If an amendment is not introduced because it failed to get the two-thirds vote required for introduction, the Councilmember is permitted to attempt to reintroduce the amendment at a future meeting, if applicable. All other matters related to amendment shall follow the Robert's Rules of Order.

3.4 Reconsideration

After the decision on any question, any Councilmember who voted with the prevailing side may move for a reconsideration of any action at the same or at the next succeeding regular meeting; provided, however, that an action of the Council authorizing or relating to any contract may be reconsidered at any time prior to the final execution thereof. A motion to reconsider may be seconded by any Councilmember and shall require a majority vote of the Councilmembers in office for adoption. After a motion to reconsider has been once voted on and lost, it shall not be introduced again except by unanimous consent of the Council.

3.5 Recess - During Meeting

The Presiding Officer may, at any point in the Agenda, declare a recess for a specified duration.

3.6 Time of Adjournment

All Council meetings (including regular meetings, special meetings, study sessions, and executive sessions) shall be adjourned by 11:00 p.m. and no new agenda item shall be introduced after 10:30 p.m. Any agenda item(s) that has not (have not) been addressed or that is (are) still under discussion at 11:00 p.m. shall be continued to the next regularly scheduled meeting. Notwithstanding this policy, prior to adjournment four Councilmembers may vote to extend the time for a current discussion or to address additional agenda items.

PUBLIC HEARING – PROCEDURES

Public hearings will be conducted in accordance with the following procedures. These procedures apply to matters for which public hearings are required by City, State, or Federal law, or for other matters as the Council may direct:

1. The Presiding Officer will conduct all public hearings as follows:
 - a. Call the Agenda hearing item(s);
 - b. Open the public hearing and announce the procedures;
 - c. Establish reasonable time limits for the hearing and reasonable time allocations therein;
 - d. Ask for an introductory presentation by the Applicant if other than a City application/item;
 - e. Ask for the Applicant's/Petitioner's presentation (hearings shall be conducted such that the presentation provides the facts about the issue, how the law applies to the facts and the recommendation or outcome requested. Council members may seek clarification during the presentation. Testimony by an Applicant/Petitioner or a representative of the Applicant/Petitioner shall be

presumptively limited to 20 minutes. For good cause additional time may be granted by the Presiding Officer.

- f. Ask for public questions and comment from persons, both for and against, wanting to be heard. City Council may inquire of the Applicant/Petitioner and/or city staff prior to public comment.
2. Speakers for or against an issue will be given a reasonable opportunity to be heard and to present information to Council. Exhibits, flash drives and other written communications shall be filed with the City Clerk.
3. Any person speaking or presenting any information at the hearing may be questioned by the Council, the City Manager and/or the City Attorney.
4. At the conclusion of all evidence and testimony the Presiding Officer will close the public hearing and the matter will be deliberated by the Council.
5. When a public hearing has been closed by the Presiding Officer, no further public comment shall be permitted. Council members, however, may direct questions to the Applicant/Petitioner, the Applicant/Petitioner's representative or to a city staff member for clarification prior to taking any vote, if a vote is in order.
6. The Presiding Officer may ask the Applicant/Petitioner and/or city staff for a brief closing statement or summary of responses to questions posed by the Council.
7. Motion and Second. (A motion and second may be made at any time during the hearing.)
8. Motion to amend (if any). (A motion to amend may be made at any time after the original motion and second.)
9. The presiding Officer shall ask the City Clerk to conduct a roll call vote.

ELECTRONIC/ VIRTUAL MEETINGS

Purpose

These rules specify the circumstances under which regular and special City Council meetings may be held by telephone or other electronic means of participation, such as video-conferencing ("Virtual Participation.") Any Councilmember may participate in a regular, special meeting or study session of the City Council virtually only in accordance with this policy. It is the preferred practice of the City Council that meetings be held in person.

Emergency Situations

If a quorum is unable to meet at the day, hour, and place fixed by the procedures of the City Council because meeting in-person is not practical or prudent due to a health or other emergency affecting the City, meetings may be conducted virtually by telephone, webinar, electronically, or by other means of communication so as to provide maximum practical notice. Meetings may be held entirely virtually if all the following conditions are met:

1. The City Manager or the Mayor determine that meeting in person is not practical or prudent, because of a health or other emergency affecting the City and/or the Council;
2. The Mayor and all Councilmembers can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation;
3. If the regular meeting location is available, members of the public present at the regular meeting location can hear or read all discussion, testimony and votes, unless not feasible due to the emergency;
4. All votes are conducted by roll call;
5. Minutes of the meeting are taken and promptly recorded, and such records are open to public inspection;
6. To the extent possible, full and timely notice is given to the public setting forth the time of the meeting, the fact that the Mayor and Councilmembers may participate virtually, and the right of the public to monitor the meeting from another location; and
7. Members of the public shall be allowed to submit written comments and may be allowed to be heard virtually if feasible, subject to reasonable limits imposed by the Presiding Officer.

Arranging for Virtual Participation.

a. Council. To arrange to participate via Virtual Participation, a Council member shall:

1. Contact the City Clerk in advance of the meeting to determine if an arrangement for such participation via telephone conference or video conference is possible. Council members shall endeavor to advise city staff of their intent to participate via Virtual Participation at the earliest possible time and preferably not less than 12-hours prior to the requested participation.
2. The City shall initiate the Virtual Participation not more than ten (10) minutes prior to the scheduled time of the meeting. Upon inadvertent disconnection during a meeting, the City Clerk shall make one attempt to re-initiate the connection.

b. Public. If feasible, members of the public may participate via Virtual Participation to be seen and heard virtually.

1. Members of the public who wish to comment virtually and that will not be presenting photos, maps or other materials shall be allowed to do so as provided on the agenda published for the meeting. If members of the public will be presenting photos, maps, or other materials those shall be submitted to the City Clerk no less than 12 hours in advance of the meeting and shall be in a/the format specified by the City Clerk. Materials that are not timely filed with the City Clerk and/or in the proper format will not be submitted to the City Council.

2. Applicants or parties making presentations. An applicant or other party that intends to make a presentation shall provide the presentation(s) and other media to be presented virtually by 5:00 p.m. the day before the meeting. Applicants and presenters will be provided information about how to participate virtually in advance of the meeting by the department coordinating with the presenter(s).

Quasi-Judicial Hearings by Virtual Participation.

a. Quasi-judicial hearings shall only be held by virtual participation if all parties are able to participate virtually and members of the public are able to be heard virtually. Written evidence and comments submitted via link, e-mail or PDF shall be accepted and made part of the record.

b. If the City Council schedules a virtual hearing of a quasi-judicial matter the applicant must affirm in writing that either:

1. It has requested the public hearing be conducted virtually and the applicant waives any legal challenge to the hearing being so conducted; or
2. it requests that the public hearing be continued to such time as the City Council schedules an in-person hearing.