



**Request for City Council Committee Action
from the City Attorney's Office**

Date: January 28, 2010

To: The Honorable Council Member Quincy
Chair, Rules Committee

Subject: Council Rule Amendments

Recommendation:

Amend City Council Rules 4, 11, and 19 to create a subcommittee of the Committee of the Whole called the Intergovernmental Relations Subcommittee, provide for the functioning of that subcommittee, update the Standing Committees of the City Council, and remove 'library board member' from the list of positions requiring a public hearing before a city council committee prior to appointment.

Previous Directives:

Prepared by *WCG* Peter W. Ginder, Deputy City Attorney

Approved by: Susan L. Segal, City Attorney *SS*

Presenters in Committee: Susan L. Segal, City Attorney

Financial Impact (Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).
 Action requires an appropriate increase to the ___ Capital Budget or ___ Operating Budget
 Action provides increased revenue for appropriation increase.
 Action requires use of contingency or reserves.
 Business Plan: ___ Action is within the plan. ___ Action requires a change to plan.
 Other financial impact (Explain):
 Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact (select only those category(ies) that apply and delete the others)

- Neighborhood Notification
City Goal(s): (include the applicable goal)
Comprehensive Plan
Zoning Code
Other

Background/Supporting Information

The purpose of the proposed amendments is to have the Council Rules reflect the actions of the Council organizational meeting which created the Intergovernmental Relations Subcommittee of

the Committee of the Whole, update the list of standing committees of the Council and provide some "housekeeping" of the Rules. Please see attached proposed Rule changes.

Rule 4. Committee of the Whole

(A) The council vice-president shall chair committee of the whole meetings.

(B) The rules of the council shall be observed in the committee of the whole so far as they may be applicable, except that the previous question shall not be enforced, nor the number or length of speeches be limited, nor any motion made except to adopt, amend, report or to rise.

(C) Except for those matters for which a public hearing has been held, the committee chair may permit members of the public to speak at the committee of the whole meetings. After consultation with the Council leadership, special events and presentations may be scheduled at the discretion of the council vice-president.

(D) The chair of the committee of the whole shall set the agenda.

(E) The following matters may be directly referred to committee of the whole without first having been referred to one of the other standing committees:

1. Consideration, modification and actions on the City's vision, goals and strategic directions.
2. Major enterprise-wide initiatives, with consent of the relevant committee chair(s).
3. Reports regarding the semi-annual resident survey or employee survey results.
4. Items that are not logically suited for another Council committee, with consent of the relevant committee chair(s).
5. Items that require a simultaneous, initial hearing by all Council members.
6. Emergency or other actions where the regular committee cycle is not adequate to meet sequencing needs.

Any matters considered by the committee of the whole under this paragraph may be referred to another standing committee by motion under the regular rules of debate. Any action of the committee of the whole under this paragraph making a recommendation to the council shall be adopted by a majority of the committee under the regular rules of debate, shall be reduced to writing, and shall be presented to the council at its meeting in the next council cycle. In the event of an emergency or where the regular council cycle is not adequate, the action may be presented at the next meeting of the city council.

(F) There shall be a subcommittee of the committee of the whole called the intergovernmental relations subcommittee which shall be comprised of all council members. That portion of the committee of the whole meeting considering matters before the intergovernmental relations subcommittee shall be chaired by the intergovernmental relations subcommittee chair. Matters before the intergovernmental relations subcommittee shall be governed by Rule 3 of these rules and all actions and reports from the subcommittee shall be presented directly to the council at its meeting in the next council cycle. In the event of an emergency or where the regular council cycle is not adequate, the action may be presented at the next meeting of the city council.

Rule 11. Standing Committees

(A) Standing committees are established as follows and consist of the numbers of appointed members as indicated. Members shall be appointed by majority vote of the council and shall be changed from time to time by a majority vote of the council. Except as otherwise indicated, a majority of the members of a committee shall constitute a quorum. In no case shall a council member serve simultaneously on the Community Development and Ways & Means/Budget committees.

| <u>Council</u> Members | Quorum | |
|--|-----------|------------------------------------|
| <u>3-6 (3 council members, 3 citizens)</u> | <u>24</u> | Audit |
| 5 | 3 | Claims |
| <u>13</u> | <u>7</u> | <u>Committee of the Whole</u> |
| 6 | 4 | Community Development |
| 13 | 7 | Elections |
| 6 | 4 | Intergovernmental Relations |
| 6 | 4 | Public Safety and Health |
| 6 | 4 | Regulatory, Energy and Environment |
| 13 | 7 | Rules |
| 13 | 7 | Taxes |
| 6 | 4 | Transportation and Public Works |
| 6 | 4 | Ways and Means/Budget |
| 6 | 4 | Zoning and Planning |

(B) When the committee on taxes is serving as the board of equalization to consider applications for adjustment of assessed valuation of property, the chair may designate members of the committee to act as a hearing panel to obtain evidence and make recommendations to the entire committee which shall review the evidence and recommendations for purpose of submitting its report as the board of equalization.

(C) Temporary appointments to fill vacancies on committees, including chairs and vice-chairs, may from time to time be made by the president pending action by the council.

(D) When a license or license application has been referred to the committee on ~~Public Safety and Regulatory Services~~ Regulatory, Energy and Environment for action requiring an evidentiary hearing, the chair of the committee may designate three (3) members of the committee to act as a hearing panel, and may appoint one of the members so designated to act as chair of the hearing panel. The hearing panel shall conduct a hearing, obtain evidence, and make a report and recommendation directly to the full council.

Rule 19. Public Hearings - Requirement

(A) Appointments or approvals of persons to the following positions shall be made only after a public hearing by the appropriate council committee for which adequate notice has been provided:

City Assessor

City Attorney

City Clerk

City Coordinator

City Engineer

Civil Rights Commission Member

Civil Rights Department Director

Civil Service Commission Member

Civilian Review Authority Member

Community Planning and Economic Development Department Director

Commissioner of Public Health

Fire Chief

~~Library Board Member~~

Metropolitan Sports Facilities Commission Member

Planning Commission Member

Police Chief