

MEMORANDUM

TO: THE HONORABLE MAYOR AND
MEMBERS OF CITY COUNCIL

FROM: IGNACIO B. PESSOA *IBP*
CITY ATTORNEY

DATE: NOVEMBER 18, 2004

SUBJECT: FIVE MINUTE TIME LIMIT FOR PUBLIC HEARING SPEAKERS
REPRESENTING NEIGHBORHOOD CIVIC AND UNIT OWNERS'
ASSOCIATIONS

ISSUE: Consideration of an amendment to Council's rules of procedure to establish a five minute time limit for public hearing speakers representing neighborhood civic and unit owners' associations.

RECOMMENDATION: That, if City Council wishes to extend the time limit for public hearing speakers representing *bona fide* neighborhood civic and unit owners' associations from three minutes to five minutes, Council adopt the attached resolution to amend Section 3 of Resolution No. 2085, which establishes rules of procedure for Council meetings. The relevant language is:

Section 3. Rules of Procedure for Regular, Public Hearing and Special Meetings. That the following rules of procedure for regular legislative and public hearing, and special, meetings of City Council be, and the same hereby are, adopted and shall be supplemental and in addition to the provisions contained in the Code of the City of Alexandria, Virginia, 1981, as amended:

* * *

7. The first 30 minutes of public hearing meetings will be open for public discussion on any subject not on the public hearing docket. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly significant reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply. Guidelines for the public discussion period shall be as follows:

(a) All speakers must complete a speaker request form and submit the completed form to the City Clerk by the time the item is called by the City Clerk.

(b) No speaker will be allowed more than three minutes, but that time may be extended by the mayor or presiding member; provided, however, that one officer or other designated member speaking on behalf of a *bona fide*

neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes.

(c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor may organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will be allowed to speak during the 30 minute public discussion period.

(d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order in which their request forms were received.

(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

* * *

10. A speaker shall limit his or her remarks to three minutes and shall speak only once on any docket item; provided, however, that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. The mayor or presiding member may allow rebuttal for a total of no more than three minutes, and a proponent may also speak during the time allowed for rebuttal. The mayor or presiding member may allow a speaker a brief extension of time to conclude the speaker's remarks. A speaker requiring more than three or five minutes, as the case may be, for his or her presentation shall notify the City Clerk in writing before 5:00 p.m. of the day preceding the date of the meeting of the additional time required, together with the reasons. Council may, by consent of a majority of those present, grant additional time not to exceed fifteen minutes. A speaker shall be stopped if his or her comments become irrelevant or unnecessarily repetitious.

* * *

DISCUSSION: Mayor Euille and Councilman Krupicka requested that I prepare for Council's consideration an amendment to the rules of procedure to provide an additional two minutes, for a total of five minutes time, for public hearing speakers who are presenting the position of their neighborhood civic or unit owners' association. The rationale for the proposed change is that the members of such associations are often uniquely affected by the outcome of matters pending before council, and that the associations have been constituted, at least in part, to collect, distill, and present to Council the views and consensus of these affected community members. Providing additional time for association speakers is intended to enable their designated representatives better to fulfill this role, thus enhancing the effectiveness of such associations to assist Council in understanding and resolving community issues and concerns.

The proposed amendment would apply both to the public discussion or “open mike” period at the start of public hearing meetings, and to all docket items which have been set for public hearing, either on a Saturday public hearing meeting, or, as occasionally happens, on a Tuesday legislative meeting.

Under the proposed amendment, one speaker per association, who may be either an officer of the association or a member designated by the association to speak on its behalf, is granted five minutes speaking time. Additional representatives would be subject to the three minute rule.

The proposed five minute rule applies only to *bona fide*, neighborhood-based, civic associations or unit owners’ associations. For purposes of applying the rule, a *bona fide* association would generally be one which has the following characteristics: a degree of organizational formality such that an individual can be designated to speak on behalf of the association, membership from a limited and reasonably discernable geographic area of the City, and a commonly recognized history of participating as an entity in civic affairs. The five minute rule would not apply to city-wide organizations, *ad hoc* organizations, or to self-designated speakers.

In order to obtain the five minute period, a speaker must identify him or herself as a designated speaker, and identify the neighborhood civic or unit owners’ association he or she represents, at the start of the speaker’s presentation. The changes to the speaker’s form necessary to implement the proposed amendments are shown at the end of the attached resolution.

Of course, any speaker, including those subject to the proposed five minute rule, can seek the additional fifteen minute speaking time, permitted on a case by case basis with advance request and Council’s approbation, under the current procedures.

In order to adopt the proposed amendment, Council would need to adopt the attached resolution, which amends Resolution No. 2085 to include the new language set forth above. Because this is a resolution, a roll call vote is required.

I will be pleased to answer any questions on Tuesday night.

Attachment: Proposed resolution

cc: Philip Sunderland
City Manager

Jacqueline M. Henderson
City Clerk

Michele Evans
Assistant City Manager

1 RESOLUTION NO. _____
2

3 **WHEREAS**, Resolution No. 2085, adopted October 23, 2003, established rules of
4 procedure, the order of business and a schedule for meetings of the City Council; and
5

6 **WHEREAS**, it is necessary and desirable to amend Resolution No. 2085 to provide a
7 five minute time limit for public hearing speakers representing *bona fide* neighborhood civic and
8 unit owners' associations;
9

10 **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of
11 Alexandria:
12

13 **Section 1. Schedule for Meetings and Official Events.** That the following schedule for
14 City Council meetings and other official events be, and the same hereby is, adopted and shall be
15 supplemental and in addition to the provisions contained in The Code of the City of Alexandria,
16 Virginia, 1981, as amended:
17

18 1. The City Council shall, except during the months of July and August, hold
19 regular legislative meetings on the second and fourth Tuesdays in each month at 7:00 p.m.;
20 provided, however, that when any such day shall fall on a legal holiday, the meeting shall be held
21 on the next succeeding day; and, provided further, that there shall be no regular legislative
22 meeting on the fourth Tuesday in December.
23

24 2. The City Council shall, except during the months of July and August, hold
25 regular public hearing meetings on the Saturday following the second Tuesday in each month at
26 9:30 a.m., provided, however, that when such day shall fall on or within three days of a legal
27 holiday, the meeting may be held on the Saturday preceding the fourth Tuesday of the month.
28

29 3. Special meetings of the City Council, held in lieu of or in addition to regular
30 meetings, may be held at any time as provided for in Sec. 2-1-43 of The Code of the City of
31 Alexandria, Virginia, 1981, as amended.
32

33 4. At the first regular meeting in September of each year, City Council shall
34 approve a calendar of City Council Meetings and other official events, including any
35 neighborhood meetings that are planned, for the entire year from September through June, and
36 may, from time to time, amend the calendar as deemed desirable.
37

38 **Section 2. Order of Business for Regular, Public Hearing and Special Meetings.**
39 That the following Order of Business for City Council Meetings be, and the same hereby is,
40 adopted pursuant to Section 2-1-47 of The Code of the City of Alexandria, Virginia 1981, as
41 amended.
42

43 1. At regular legislative meetings the order of business shall be as follows:
44

45 (a) Calling the roll.

- 1 (b) Moment of silence.
- 2 (c) Pledge of allegiance.
- 3 (d) Reading and acting upon the minutes of the previous meeting.
- 4 (e) Recognition of youth.
- 5 (f) Proclamations.
- 6 (g) Consent calendar:
 - 7 1. Resignations and uncontested appointments.
 - 8 2. Reports and recommendations of the City Manager.
 - 9 3. Ordinances for introduction and first reading.
- 10 (h) Contested appointments.
- 11 (i) Reports and recommendations of the City Manager for discussion.
- 12 (j) Reports and Recommendations from boards, commissions and
- 13 committees.
- 14 (k) Oral reports by members of City Council.
- 15 (l) Oral presentations by members of City Council.
- 16 (m) Oral report by the City Manager.
- 17 (n) Ordinances and resolutions for discussion or adoption without
- 18 public hearing.
- 19 (o) Other business.
- 20 (p) Executive sessions.

21
22 2. At regular public hearing meetings, the order of business shall be as follows:

- 23
- 24 (a) Calling the roll.
- 25 (b) Public discussion period (30 minutes).
- 26 (c) Action consent calendar:
 - 27 1. Reports of boards, commissions and committees.
 - 28 2. Reports and recommendations of the city manager.
- 29 (d) Public hearing on reports and recommendations of the city
- 30 manager.
- 31 (e) Public hearing on reports of boards, commissions and committees.
- 32 (f) Public hearing, second reading and final passage of ordinances, and
- 33 public hearing and adoption of resolutions.
- 34 (g) Deferral/withdrawal consent calendar.
- 35 (h) Other business.
- 36 (i) Executive sessions.
- 37

38 3. At special meetings, the order of business shall conform to the order
 39 established for regular legislative or public hearing meetings, as appropriate, or shall be
 40 established in the notice of the meeting as provided by Sec. 2-1-43 of the Code of the City of
 41 Alexandria, Virginia, 1981, as amended.
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 44

1 **Section 3. Rules of Procedure for Regular, Public Hearing and Special Meetings.**

2 That the following rules of procedure for regular legislative and public hearing, and special,
3 meetings of City Council be, and the same hereby are, adopted and shall be supplemental and in
4 addition to the provisions contained in the Code of the City of Alexandria, Virginia, 1981, as
5 amended:
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7 1. All supporting reports, documents or material shall be delivered to each
8 member of Council at least 48 hours in advance of the meeting. Supporting reports, documents
9 or material may be delivered subsequently when exceptional circumstances so require.
10

11 2. All supporting reports, documents or material, other than material exempt from
12 disclosure under the Freedom of Information Act, shall be made available to the public at the
13 time such material is delivered to the members of council.
14

15 3. The public will normally not be recognized to speak on docket items at regular
16 legislative meetings. The rule with respect to when a person may speak to a docket item at a
17 legislative meeting can be waived by a majority vote of council members present but such a
18 waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers
19 at public hearing meetings shall apply. (See also paragraph 7, below.) If an item is docketed *for*
20 *public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of
21 procedures for speakers at public hearing meetings shall apply.
22

23 4. One or more consent calendars, comprised of docket items deemed to be
24 routine and housekeeping in the discretion of the City Council or City Manager, shall be prepared
25 for each meeting at the direction of the City Manager. Adoption or approval of all items on a
26 consent calendar shall require but a single vote by City Council; except that upon the request of
27 any member of the City Council any item on the consent calendar shall be voted upon separately;
28 and, provided further, that upon the request of a member of the public, any item on a consent
29 calendar for a public hearing meeting shall be heard and voted upon separately. A consent
30 calendar shall not include ordinances docketed for public hearing, second reading and final
31 passage, resolutions or other items requiring a roll-call vote by Council.
32

33 5. If the city clerk, at least two days before the meeting, shall transmit to each
34 member of the City Council, at the member's business or residence address, a copy of the
35 minutes of such previous meeting for inspection, reading thereof before the City Council
36 assembled may, unless a member otherwise requests, be dispensed with and such minutes so
37 inspected may be acted upon without being read.

38 6. At all meetings the city manager shall where reasonably possible arrange the
39 docket so that items covering similar subject matter are grouped together.
40

41 7. The first 30 minutes of public hearing meetings will be open for public
42 discussion on any subject not on the public hearing docket. The mayor may grant permission to a
43 person, who is unable to participate in public discussion at a public hearing meeting for medical,
44 religious, family emergency or other similarly significant reasons, to speak at a regular legislative

1 meeting. When such permission is granted, the rules of procedures for public discussion at
2 public hearing meetings shall apply. Guidelines for the public discussion period shall be as
3 follows:

4 (a) All speakers must complete a speaker request form and submit the
5 completed form to the City Clerk by the time the item is called by the City
6 Clerk.

7
8 (b) No speaker will be allowed more than three minutes, but that time may
9 be extended by the mayor or presiding member; provided, however, that
10 one officer or other designated member speaking on behalf of a bona fide
11 neighborhood civic association or unit owners' association desiring to be
12 heard during the public discussion period shall be allowed five minutes.

13
14 (c) If more speakers are signed up than would be allotted for in 30
15 minutes, the mayor may organize speaker requests by subject or position,
16 and allocate appropriate times, trying to ensure that speakers on unrelated
17 subjects will be allowed to speak during the 30 minuet public discussion
18 period.

19
20 (d) If speakers seeking to address council on the same subject cannot agree
21 on a particular order or method that they would like the speakers to be
22 called on, the speakers shall be called in the chronological order in which
23 their request forms were received.

24
25 (e) Any speakers not called during the public discussion period will have
26 the option to speak at the conclusion of the meeting, after all docketed
27 items have been heard.

28
29 8. Any speaker wishing to address Council shall register his or her intent to do so
30 on a speaker request form filed with the City Clerk in advance of the time that the item about
31 which the speaker wishes to speak is called on the docket, or in advance of the public discussion
32 period. The speaker request form shall be substantially in the form attached hereto.
33

34 9. The order of speakers shall be determined by the mayor or other presiding
35 member of council.

36
37 10. A speaker shall limit his or her remarks to three minutes and shall speak only
38 once on any docket item; provided, however, that one officer or other designated member
39 speaking on behalf of each bona fide neighborhood civic association or unit owners' association
40 desiring to be heard on a docket item shall be allowed five minutes. The mayor or presiding
41 member may allow rebuttal for a total of no more than three minutes, and a proponent may also
42 speak during the time allowed for rebuttal. The mayor or presiding member may allow a speaker
43 a brief extension of time to conclude the speaker's remarks. A speaker requiring more than three
44 or five minutes, as the case may be, for his or her presentation shall notify the City Clerk in

1 writing before 5:00 p.m. of the day preceding the date of the meeting of the additional time
2 required, together with the reasons. Council may, by consent of a majority of those present, grant
3 additional time not to exceed fifteen minutes. A speaker shall be stopped if his or her comments
4 become irrelevant or unnecessarily repetitious.

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6 11. Speakers are encouraged to prepare and deliver to the City Clerk for
7 distribution to the Council written statements of their positions.

8
9 12. The City Clerk shall arrange for a timekeeper to assure that each speaker stays
10 within the allotted speaking time.

11
12 13. When voting on final passage of any ordinance, or on any resolution, the
13 name of each member voting and how the member voted shall be recorded by the City Clerk.

14
15 **Section 4. Miscellaneous provisions.**

16
17 1. That the Schedule of Meetings, Order of Business and Rules of Procedures
18 adopted by this resolution shall not be departed from, except upon the consent of the majority of
19 the Council members present.

20
21 2. That the Schedule of Meetings, Order of Business and Rules of Procedure
22 adopted by this resolution, unless otherwise required by law, shall be directory only, shall not
23 have the force or effect of law, and a departure therefrom shall not be construed to invalidate any
24 Council proceeding or decision.

25
26 3. That this resolution shall become effective on November 1, 2003.

27
28 **Section 5. Repeal.** That Resolution No. 2085, adopted October 23, 2003, relating to
29 rules of procedure, orders of business and schedules for meetings of the City Council be, and the
30 same hereby is, repealed effective November 30, 2004.

31
32 ADOPTED:

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36 _____
WILLIAM D. EUILLE MAYOR

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38 ATTEST:

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JACQUELINE M. HENDERSON, CMC, CITY CLERK

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SPEAKER'S FORM

DOCKET ITEM NO. _____

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.

PLEASE ANNOUNCE THE INFORMATION
SPECIFIED BELOW PRIOR TO SPEAKING.

1. Name _____

2. Address _____

3. Whom do you represent, if other than yourself? _____

4. What is your position on this item? For _____ Against _____

Other _____

5. Nature of your interest in item (property owner, attorney, lobbyist, civic interest, etc.).

6. Are you receiving compensation for this appearance before Council? Yes ____ No ____

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each bona fide neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a

1 legislative meeting can be waived by a majority vote of council members present but such a
2 waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers
3 at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular
4 legislative meeting, the public may speak to that item, and the rules of procedures for speakers at
5 public hearing meetings shall apply.
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7 In addition, the public may speak on matters which are not on the docket during the Public
8 Discussion Period at public hearing meetings. The mayor may grant permission to a person,
9 who is unable to participate in public discussion at a public hearing meeting for medical,
10 religious, family emergency or other similarly substantial reasons, to speak at a regular legislative
11 meeting. When such permission is granted, the rules of procedures for public discussion at
12 public hearing meetings shall apply.
13
14

15 Guidelines for the Public Discussion Period

16
17 (a) All speaker request forms for the public discussion period must be submitted by the
18 time the item is called by the city clerk.
19

20 (b) No speaker will be allowed more than three minutes; except that one officer or other
21 designated member speaking on behalf of each *bona fide* neighborhood civic association
22 or unit owners' association desiring to be heard during the public discussion period shall
23 be allowed five minutes. In order to obtain five minutes, you must identify yourself as a
24 designated speaker, and identify the neighborhood civic association or unit owners'
25 association you represent, at the start of your presentation.
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27 (c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor
28 will organize speaker requests by subject or position, and allocated appropriate times,
29 trying to ensure that speakers on unrelated subjects will also be allowed to speak during
30 the 30 minuet public discussion period.
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32 (d) If speakers seeking to address council on the same subject cannot agree on a particular
33 order or method that they would like the speakers to be called on, the speakers shall be
34 called in the chronological order of their request forms' submission.
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36 (e) Any speakers not called during the public discussion period will have the option to
37 speak at the conclusion of the meeting, after all docketed items have been heard.
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RESOLUTION NO. 2125

WHEREAS, Resolution No. 2085, adopted October 23, 2003, established rules of procedure, the order of business and a schedule for meetings of the City Council; and

WHEREAS, it is necessary and desirable to amend Resolution No. 2085 to provide a five minute time limit for public hearing speakers representing *bona fide* neighborhood civic and unit owners' associations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alexandria:

Section 1. Schedule for Meetings and Official Events. That the following schedule for City Council meetings and other official events be, and the same hereby is, adopted and shall be supplemental and in addition to the provisions contained in The Code of the City of Alexandria, Virginia, 1981, as amended:

1. The City Council shall, except during the months of July and August, hold regular legislative meetings on the second and fourth Tuesdays in each month at 7:00 p.m.; provided, however, that when any such day shall fall on a legal holiday, the meeting shall be held on the next succeeding day; and, provided further, that there shall be no regular legislative meeting on the fourth Tuesday in December.

2. The City Council shall, except during the months of July and August, hold regular public hearing meetings on the Saturday following the second Tuesday in each month at 9:30 a.m., provided, however, that when such day shall fall on or within three days of a legal holiday, the meeting may be held on the Saturday preceding the fourth Tuesday of the month.

3. Special meetings of the City Council, held in lieu of or in addition to regular meetings, may be held at any time as provided for in Sec. 2-1-43 of The Code of the City of Alexandria, Virginia, 1981, as amended.

4. At the first regular meeting in September of each year, City Council shall approve a calendar of City Council Meetings and other official events, including any neighborhood meetings that are planned, for the entire year from September through June, and may, from time to time, amend the calendar as deemed desirable.

Section 2. Order of Business for Regular, Public Hearing and Special Meetings. That the following Order of Business for City Council Meetings be, and the same hereby is, adopted pursuant to Section 2-1-47 of The Code of the City of Alexandria, Virginia 1981, as amended.

1. At regular legislative meetings the order of business shall be as follows:

- (a) Calling the roll.
- (b) Moment of silence.
- (c) Pledge of allegiance.
- (d) Reading and acting upon the minutes of the previous meeting.
- (e) Recognition of youth.
- (f) Proclamations.
- (g) Consent calendar:
 1. Resignations and uncontested appointments.
 2. Reports and recommendations of the City Manager.
 3. Ordinances for introduction and first reading.
- (h) Contested appointments.
- (i) Reports and recommendations of the City Manager for discussion.
- (j) Reports and Recommendations from boards, commissions and committees.
- (k) Oral reports by members of City Council.
- (l) Oral presentations by members of City Council.
- (m) Oral report by the City Manager.

- (n) Ordinances and resolutions for discussion or adoption without public hearing.
- (o) Other business.
- (p) Executive sessions.

2. At regular public hearing meetings, the order of business shall be as follows:

- (a) Calling the roll.
- (b) Public discussion period (30 minutes).
- (c) Action consent calendar:
 - 1. Reports of boards, commissions and committees.
 - 2. Reports and recommendations of the city manager.
- (d) Public hearing on reports and recommendations of the city manager.
- (e) Public hearing on reports of boards, commissions and committees.
- (f) Public hearing, second reading and final passage of ordinances, and public hearing and adoption of resolutions.
- (g) Deferral/withdrawal consent calendar.
- (h) Other business.
- (i) Executive sessions.

3. At special meetings, the order of business shall conform to the order established for regular legislative or public hearing meetings, as appropriate, or shall be established in the notice of the meeting as provided by Sec. 2-1-43 of the Code of the City of Alexandria, Virginia, 1981, as amended.

Section 3. Rules of Procedure for Regular, Public Hearing and Special Meetings. That the following rules of procedure for regular legislative and public hearing, and special, meetings of City Council be, and the same hereby are, adopted and shall be supplemental and in addition to the provisions contained in the Code of the City of Alexandria, Virginia, 1981, as amended:

1. All supporting reports, documents or material shall be delivered to each member of Council at least 48 hours in advance of the meeting. Supporting reports, documents or material may be delivered subsequently when exceptional circumstances so require.

2. All supporting reports, documents or material, other than material exempt from disclosure under the Freedom of Information Act, shall be made available to the public at the time such material is delivered to the members of council.

3. The public will normally not be recognized to speak on docket items at regular legislative meetings. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. (See also paragraph 7, below.) If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

4. One or more consent calendars, comprised of docket items deemed to be routine and housekeeping in the discretion of the City Council or City Manager, shall be prepared for each meeting at the direction of the City Manager. Adoption or approval of all items on a consent calendar shall require but a single vote by City Council; except that upon the request of any member of the City Council any item on the consent calendar shall be voted upon separately; and, provided further, that upon the request of a member of the public, any item on a consent calendar for a public hearing meeting shall be heard and voted upon separately. A consent calendar shall not include ordinances docketed for public hearing, second reading and final passage, resolutions or other items requiring a roll-call vote by Council.

5. If the city clerk, at least two days before the meeting, shall transmit to each member of the City Council, at the member's business or residence address, a copy of the minutes of such previous meeting for inspection, reading thereof before the City Council assembled may, unless a member otherwise requests, be dispensed with and such minutes so inspected may be acted

upon without being read.

6. At all meetings the city manager shall where reasonably possible arrange the docket so that items covering similar subject matter are grouped together.

7. The first 30 minutes of public hearing meetings will be open for public discussion on any subject not on the public hearing docket. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly significant reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply. Guidelines for the public discussion period shall be as follows:

(a) All speakers must complete a speaker request form and submit the completed form to the City Clerk by the time the item is called by the City Clerk.

(b) No speaker will be allowed more than three minutes, but that time may be extended by the mayor or presiding member; provided, however, that one officer or other designated member speaking on behalf of a bona fide neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes.

(c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor may organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will be allowed to speak during the 30 minute public discussion period.

(d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order in which their request forms were received.

(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

8. Any speaker wishing to address Council shall register his or her intent to do so on a speaker request form filed with the City Clerk in advance of the time that the item about which the speaker wishes to speak is called on the docket, or in advance of the public discussion period. The speaker request form shall be substantially in the form attached hereto.

9. The order of speakers shall be determined by the mayor or other presiding member of council.

10. A speaker shall limit his or her remarks to three minutes and shall speak only once on any docket item; provided, however, that one officer or other designated member speaking on behalf of each bona fide neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. The mayor or presiding member may allow rebuttal for a total of no more than three minutes, and a proponent may also speak during the time allowed for rebuttal. The mayor or presiding member may allow a speaker a brief extension of time to conclude the speaker's remarks. A speaker requiring more than three or five minutes, as the case may be, for his or her presentation shall notify the City Clerk in writing before 5:00 p.m. of the day preceding the date of the meeting of the additional time required, together with the reasons. Council may, by consent of a majority of those present, grant additional time not to exceed fifteen minutes. A speaker shall be stopped if his or her comments become irrelevant or unnecessarily repetitious.

11. Speakers are encouraged to prepare and deliver to the City Clerk for distribution to the Council written statements of their positions.

12. The City Clerk shall arrange for a timekeeper to assure that each speaker stays within the allotted speaking time.

13. When voting on final passage of any ordinance, or on any resolution, the name of each member voting and how the member voted shall be recorded by the City Clerk.

Section 4. Miscellaneous provisions.

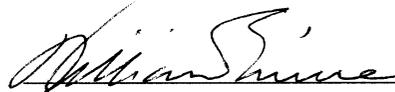
1. That the Schedule of Meetings, Order of Business and Rules of Procedures adopted by this resolution shall not be departed from, except upon the consent of the majority of the Council members present.

2. That the Schedule of Meetings, Order of Business and Rules of Procedure adopted by this resolution, unless otherwise required by law, shall be directory only, shall not have the force or effect of law, and a departure therefrom shall not be construed to invalidate any Council proceeding or decision.

3. That this resolution shall become effective on November 1, 2003.

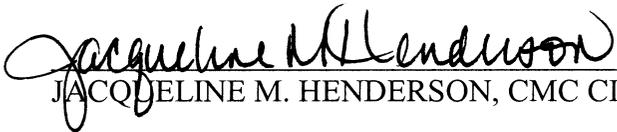
Section 5. Repeal. That Resolution No. 2085, adopted October 23, 2003, relating to rules of procedure, orders of business and schedules for meetings of the City Council be, and the same hereby is, repealed effective November 30, 2004.

ADOPTED: November 23, 2004



WILLIAM D. EULLE MAYOR

ATTEST:



JACQUELINE M. HENDERSON, CMC CITY CLERK

SPEAKER'S FORM

DOCKET ITEM NO. _____

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: _____

2. ADDRESS: _____

TELEPHONE NO. _____ E-MAIL ADDRESS: _____

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____

4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: _____ AGAINST: _____ OTHER: _____

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?
YES _____ NO _____

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

(a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.

(b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.

(c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocated appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minuet public discussion period.

(d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.

(e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.