

Effective 2-14-22

RULES OF PROCEDURE
CITY COUNCIL
THE CITY AND COUNTY OF DENVER

RULES OF PROCEDURE
FOR THE DENVER CITY COUNCIL

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**RULES OF PROCEDURE
FOR THE DENVER CITY COUNCIL**

Rule 1. Meetings.

- 1.1 REGULAR MEETINGS. Except as otherwise provided by ordinance, the Denver City Council (“Council”) shall meet each Monday in regular session in the Council Chambers at 1437 Bannock Street, Denver, Colorado, or, if the Council Chambers cannot be used, in a central location in a City office building accessible to the public. The meetings shall begin at 5:30 p.m. Public hearings, if any are scheduled, shall begin at 6:00 p.m. or as soon thereafter as the agenda permits.
- 1.2 SPECIAL MEETINGS. The Council may meet at such other times as it may be called together by the Mayor or any three members upon twenty-four hours written notice. *Charter §3.3.2.*

Rule 2. Quorum - Majority Vote.

- 2.1 QUORUM. Seven members shall constitute a quorum. If there are not enough Council Members present to constitute a quorum, a smaller number may adjourn from time to time, and may compel the attendance of absentees. *Charter §3.3.4.*
- 2.2 FIRST CONSIDERATION. Seven votes shall be necessary to order first publication of a bill; however, the presiding officer may order first publication without a vote if no member of Council objects. If a member objects (calls for separate consideration), the presiding officer shall order a vote on the question of first publication.
- 2.3 FINAL CONSIDERATION. Seven votes shall be necessary to adopt any ordinance or resolution. *Charter §3.3.4.* Bills or resolutions may be adopted in a series (block vote) if no member objects. If a member objects (calls for separate consideration), the presiding officer shall order a separate vote.
- 2.4 AMENDMENTS. Seven votes shall be necessary to amend any bill for an ordinance or resolution.

Rule 3. Order of Business.

- 3.1 The regular meetings shall be called to order at 5:30 p.m.
- 3.2 The President shall call upon a member or citizen to lead the Pledge of Allegiance and the Denver City Council Land Acknowledgement.

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- 3.3 The roll call of the members shall be called and the names of those absent recorded.
- 3.4 If a quorum is present, the minutes of the preceding meeting shall be approved and the Council shall then take up business in the following order:
 - (a) Announcements, presentations, communications, and proclamations.
 - (b) Introduction of new bills and reading of bill titles.
 - (c) Call for separate consideration of resolutions, bills or proclamations.
 - (d) Adoption of resolutions not set for hearing.
 - (e) Final consideration and adoption of bills not set for hearing.
 - (f) Recess for registration of persons wishing to speak at any public hearings.
 - (g) Public hearings and consideration of resolutions or bills set for hearing.
 - (h) Other business.
- 3.5 A bill or resolution may receive separate consideration upon the request of a Council member (also known as “calling out” a bill or resolution). All bills upon final consideration and all resolutions that are not called out for separate consideration shall be voted upon separately in a block.
- 3.6 The Council may, upon the affirmative vote of a majority of the members present and voting, proceed out of order to any order of business or return to any order already passed.

- 3.7 To the extent Council has provided by law for the approval by resolution of any matter submitted to the Council under Sec. 3.2.6 of the Charter, any Council member may individually request a postponement of consideration of the resolution to the next scheduled regular meeting without the need for a formal motion or vote of the Council in order to effect the postponement. After allowing for Council discussion of the resolution, the President shall grant the request unless to do so would cause action on the resolution to be delayed beyond the 30-day deadline for action on the resolution as set forth in subsection 3.2.6 (F) of the Charter. No resolution may be postponed more than once under this Rule 3.7.

Nothing herein shall affect the authority of any Council member to move for postponement of a resolution to a date certain under Rule 6.3 (e), and any such motion shall take precedence over an individual request for postponement made under this Rule 3.7.

Rule 4. Public Hearings.

- 4.1 REGISTERING TO SPEAK. All persons wishing to address Council at a public hearing shall register their intention to do so online, by phone, or in person at the City Council central office. Sign-up closes when Council reconvenes from recess.
- 4.2 TIME LIMITS; EXCEPTIONS. Before the hearing begins, the President shall announce a time limitation of three minutes for individual speakers, and all registered speakers shall strictly adhere to such limitation. Exceptions: 1) A speaker may answer questions from Council members outside the three-minute time limit. 2) A speaker may not yield his or her time to another. 3) Additional time may be given to accommodate disability or language translation. 4) A time limit longer or shorter than three minutes per speaker may be established upon the affirmative vote of a majority of members present.
- 4.3 ORDER OF SPEAKERS. In assigning the floor, the President shall alternate between opposing points of view where possible.

- 4.4 COURTESY PUBLIC HEARINGS. When public hearings not required by law are conducted, the President may limit the public hearing to one hour or such other length of time in the President's discretion that will enable the Council to consider the measure on its merits and permit opposing points of view to be equally and adequately represented, while avoiding repetitious and irrelevant testimony. If a courtesy public hearing is held on the same night as a required public hearing, the required public hearing will be held first unless a majority of the Council votes to hold the courtesy public hearing out of order. Courtesy public hearings are not permitted on an appointment or confirmation of an appointment to any board or commission or to any other office or position of employment for which council is the appointing or consenting authority.
- 4.5 REQUIRED PUBLIC HEARINGS. A Council Member shall not take a position on the merits of a bill during committee or during first reading if the bill is the subject of a required public hearing. Nothing in this rule prohibits a member from taking procedural votes such as moving a bill out of Committee of publishing on first reading.

Rule 5. Course of Bills and Resolutions.

- 5.1 FILING DEADLINE. All proposed resolutions and bills for ordinances shall be filed with the Council Secretary no later than 12:00 Noon on Thursdays (or, if Thursday is a legal holiday, then 12:00 Noon on Wednesday). Any proposed resolution or bill for an ordinance filed after this deadline shall constitute a late filing and shall be subject to Rule 7.6. *Code §13-11.*
- 5.2 INCOMPLETE BILLS AND RESOLUTIONS. The Secretary shall not accept for filing any proposed resolution or any bill for an ordinance unless it is filed in its entirety by the filing deadline; provided, however, that the Secretary shall accept any incomplete resolution or any incomplete bill for an ordinance if the President has approved the filing of such incomplete document before the filing deadline.
- 5.3 EXPLANATION OF BILLS AND RESOLUTIONS. Every bill and resolution shall be accompanied by a written statement from the appropriate department head or the City Attorney clearly explaining its contents, need, and what it is designed to accomplish; provided, however, that any member of Council may file a bill or resolution without such a statement. *Code §13-12.*
- 5.4 POSTING OF AGENDA. All bills or resolutions filed by the deadline in their entirety, or filed in less than their entirety with the approval of the President, shall be assigned a number and be placed on the agenda for the following Monday night meeting. The agenda shall be posted and copies of the agenda shall be distributed to all members of Council no later than Friday.

- 5.5 INTRODUCTION OF BILLS AND RESOLUTIONS. The titles of all bills filed by the deadline, and any late filings approved for consideration as provided for in Rule 7.6, shall be read by the Secretary at the next regularly scheduled meeting.
- 5.6 COMMITTEE ACTION ON BILLS AND RESOLUTIONS. Upon receipt of any request for Council approval of any ordinance or resolution, or upon referral of any bill or resolution by the President as provided in Rule 5.5, the matter shall be assigned to the appropriate Standing Committee established pursuant to Rule 10.
- (a) *Action by consent.* At the discretion of the committee chair, any matter assigned to a committee for action may be approved on consent without convening a meeting of the committee to discuss and act on the matter. Any matter proposed by the chair for approval on consent shall be placed on a publicly available Committee consent agenda and circulated to all members of the committee regularly. If no member of council has requested that the matter be removed from the consent agenda and scheduled for action in a committee meeting, according to current Council protocol, the matter shall be deemed to be approved by unanimous consent of the committee for forwarding to the full Council.
 - (b) *Action by committee vote.* Any matter not approved by consent as provided in subsection (a) of this rule shall be scheduled for action in a committee meeting. After due consideration of the matter by the committee, any member of the committee may move either: to forward the matter for consideration by the full Council; or to postpone the matter for further consideration by the committee until a date certain; whereupon the committee chair shall put the motion to either a voice vote or if requested by the chair or a committee member a roll call vote of the committee members who are present. If a motion to forward the matter to the full Council is approved by the committee, then the Council Secretary shall accept for filing a bill or resolution approving the matter. If a motion to forward the matter to the full Council is not approved by the Committee, then the Council Secretary shall not accept for filing a bill or resolution approving that matter unless: Council votes to take the matter from the committee as provided in Rule 5.7; or any member of Council files the bill or resolution approving the matter as provided in Rule 5.13.

- (c) *Participation in committee meetings by non-members.* Council members who are not duly appointed members of a particular committee are entitled to attend any committee meeting, and shall be recognized by the chair and allowed to speak on any matter pending before any committee. However, non-members shall not be included for purposes of determining a quorum of the committee, and shall not be permitted to vote on any motion made pursuant to subsection (b) of this Rule.
- (d) *Committee Quorum.* A quorum of the appointed members of a committee shall be established before any action can be taken by the appointed members of that committee. Quorum is not needed to start a committee meeting or to conduct a committee meeting when no action by the appointed members is required. A simple majority of the appointed members of any committee shall constitute a quorum for purposes of taking action on any matter pending before a committee. If less than a majority of the appointed members of the committee are present at a meeting of a committee but the President is present at the meeting, the President shall be counted for purposes of establishing a quorum.

- 5.7 TAKING MATTER FROM COMMITTEE. The committees shall take action on all matters referred to them without unnecessary delay. If a committee refuses or neglects to take action on any matter referred to it, the Council, by a vote of a majority of the members present and voting, may take the matter from the committee.
- 5.8 FIRST CONSIDERATION OF BILLS. After the reading of titles of all bills for introduction, the presiding officer may order first publication if no member objects; provided, however, that, if a member objects, the presiding officer shall order a vote on the question of first publication.
- 5.9 RE-REFERRAL TO COMMITTEE. Any matter referred by a committee to Council for action may be re-referred to committee for further discussion or reconsideration by a vote of a majority of the members present and voting.

- 5.10 POSTPONEMENT OF CERTAIN BILLS. To the extent Council has provided by law for the approval by resolution of any matter submitted to the Council under Sec. 3.2.6 of the Charter, any Council member may individually request that the resolution be postponed to the next regularly scheduled Council meeting. After allowing for Council discussion of the resolution, the President shall grant the request unless to do so would cause action on the resolution to be delayed beyond the 30-day deadline as set forth in subsection 3.2.6 (F) of the Charter. No resolution may be postponed more than once. Nothing herein shall affect the authority of any Council member to move for re-referral of a resolution under Rule 5.9, and any such motion shall take precedence over an individual request for postponement under this Rule.
- 5.11 SECOND AND FINAL CONSIDERATION OF BILLS. All bills which have been previously ordered published shall, after publication and after at least five days have elapsed after the bills have been ordered published, be placed on the Council agenda for the regularly scheduled Monday night Council meeting under "Bills for Final Consideration," except bills referring to zoning amendments. Charter §3.3.5(F). Zoning amendments shall not be considered on final reading until the public hearing date is set as required by the Charter; provided, however, that a zoning amendment may be scheduled for final consideration and a public hearing after the soonest date allowed by the Charter. Charter §3.2.9(D).
- 5.12 PUBLICATION. All bills shall be published in accordance with §3.3.5 of the Charter and §13-5 of the Code.
- 5.13 FILING OF BILLS OR RESOLUTIONS BY MEMBERS OF COUNCIL. Notwithstanding any provision of these rules, any member of Council may file a bill or resolution with the Council Secretary or may initiate a bill or a resolution from the floor of Council, and have the same considered by the Council as a whole or referred to the appropriate committee of the Council for its recommendation; except that a bill or resolution filed after the filing deadline or initiated from the floor of Council by a member shall constitute a late filing and shall be subject to the terms of Rule 7.6.

Rule 6. Form of Motions.

- 6.1. INTRODUCTION. All motions shall be made, seconded, and put by the presiding officer before debate shall begin. If requested by any member, the motion shall be reduced to writing, delivered to the Secretary's desk, and read.
- 6.2. WITHDRAWAL. Any motion may be withdrawn or modified by the mover with the consent of the body, at any time before amendment, decision, or vote.

6.3. CONSIDERATION OF MOTIONS. When a question shall be under debate, no other motion shall be entertained except the following procedural motions, which shall take precedence in the order named and which shall require the affirmative vote of a majority of members present and voting:

- (a) To adjourn.
- (b) To take a recess.
- (c) To take up a question out of its proper order.
- (d) For the previous question.
- (e) To postpone to a day certain.
- (f) To re-refer to the committee.
- (g) To amend or substitute for a procedural motion listed above

6.4 FORM. The form of motions shall be substantially as follows:

- (a) *First Publication:* "Mr./Madam President, I move that Council Bill No.____, be ordered published."
- (b) *Final Passage:* "Mr./Madam President, I move that Council Bill No. ____, be placed upon final consideration and do pass."
- (c) *Proclamations:* "Mr./Madam President, I move that Proclamation No. ____, be adopted.
- (d) *Approval of Resolutions:* "Mr./Madam President, I move that Resolution No. ____, be adopted.
- (e) *To Amend:* "Mr./Madam President, I move to amend Council Bill No.____, in the following particulars:"
- (f) *To Override Veto:* "Mr./Madam President, I move that Council Bill No. ____, be passed notwithstanding the disapproval and objections of the Mayor."
- (g) *Suspension of Rules for Late Filings:* "Mr./Madam President, I move that the rules be suspended in order to permit the introduction of Council Bill/Resolution No.____.
- (h) *Reconsideration:* "Mr./Madam President, I move that Council Bill/Resolution No.____, be reconsidered."

- (i) *To Excuse Absentees:* "Mr./Madam President, I move that the absence of Council member _____ be excused."

6.5. RIGHT OF MOVANT. A movant may speak or vote against his or her own motion.

Rule 7. Special Parliamentary Rules.

7.1 AMENDMENTS. Bills may be amended with the following conditions:

- (a) Any bill may be amended; provided, however, that no bill shall be so altered or amended as to change its original subject or purpose.
- (b) A single motion to amend may include amendments to more than one section of the bill being amended.
- (c) Whenever any bill on final consideration is amended, the Council may, after approving the motion to amend, proceed to adopt the bill as amended if the amendment does not change the previously published title or description of the bill. If the amendment changes the previously published title or description, or if in the opinion of a member the amendment should be brought to the attention of the public, the bill shall be published as amended.

Members should provide proposed amendments to central staff and legislative counsel by noon on the Thursday prior to the regular Council meeting where the amendment will be presented or as soon as practicable.

7.2 ROLL CALL VOTES. The following rules shall govern roll call votes:

- (a) Voting shall be in the form of "Aye" or "Nay" and the names of those voting for or against, and shall be entered in the Minutes.
- (b) An abstention shall not be considered as an affirmative or negative vote nor shall it be considered a vote when the rules require a majority present and voting or require a specific percentage of those present and voting. Abstention is proper when a member has a potential or actual legal conflict of interest under city laws.
- (c) Any member may explain his or her vote.

- (d) Any member may pass his or her turn to vote, in which case the member will be called upon before the voting is complete, at which time the member must vote "Aye" or "Nay".

7.3 QUESTIONS OF ORDER. Questions of order shall not be debatable except in the course of an appeal from the decision of the President.

7.4 QUESTIONS DECIDED WITHOUT DEBATE. The following questions shall be decided without debate:

- (a) Adjournment to a date certain.
- (b) Taking a recess.
- (c) Questions relating to the priority of business.

7.5 RECONSIDERATION. A member recorded as having voted with the prevailing side on a motion may move at the same meeting to reconsider the question; provided, however, that no rights have vested by the original act of Council; in which case no reconsideration may be had. A motion to reconsider shall require the affirmative vote of two-thirds of those present and voting.

7.6 SUSPENSION OF RULES FOR LATE FILING. These rules may be suspended in order to permit the introduction of late filings of bills or resolutions by unanimous approval of all members present and voting.

7.7 GENERAL SUSPENSION OF THE RULES. Except for a late filing, these rules may be suspended by a two-thirds vote of all members present and voting.

7.8 VETOED BILLS. In the event of a veto by the Mayor not prohibited by Article XX of the State Constitution and exercised pursuant to the authority granted to the Mayor under §3.3.5 of the Charter, the veto message of the Mayor shall be read by the Secretary. It shall then be in order to proceed to consideration of the ordinance, in which event the motions, if any, shall only be:

- (a) That the ordinance passes notwithstanding the disapproval or objections of the Mayor. The affirmative vote of nine members of Council shall be required for the adoption of the motion;
- (b) That the ordinance be referred to a committee of the Council for further study; or

- (c) That consideration of the ordinance be postponed to a day certain.

The merits of the ordinance may be debated before the vote is taken, but the vote to pass the ordinance, notwithstanding the disapproval and objections of the Mayor, shall not be reconsidered.

- 7.9 PROCLAMATIONS. Any member of Council may sponsor and introduce a proclamation to express the sense of Council on any matter of concern to the body. The sponsoring member must indicate whether the proclamation is of such import that it must be read into the record individually at a Council meeting. All other proclamations must be voted on in block. By way of example, proclamations may be adopted for the honorary recognition of persons and events, or for purpose of communicating the sense of Council on legislative or policy concerns to other government officials or to the public at large. Proclamations may not be used by the Council to take any official action. The title of all proclamations shall be filed by the filing deadline in Rule 5.1 unless the filing deadline is waived by the President. Any proclamation that is intended to communicate the sense of Council on legislative or policy concerns including, by way of example, proclamations that express a position of the Council on any state or federal legislation or on any state or local ballot issue, should be scheduled for discussion in the appropriate committee of reference prior to filing; provided, however, no committee vote shall be taken on the proclamation. The full text of any proclamations shall be distributed to all Council members prior to a vote by Council on the proclamation, and the proclamation shall be read into the record by the Secretary or by the Council member who sponsored and introduced the proclamation. Acceptance remarks are limited to five minutes. No more than two proclamations shall be considered separately at any Council meeting unless the President approves a greater number.
- 7.10 MATTERS NOT COVERED BY THESE RULES. Any matter not covered by these rules shall be governed by Robert's Rules of Order, or, if not covered by Robert's Rules of Order, by the decision of the President, subject to the right of appeal by any member as in these rules provided for.
- 7.11. GENERAL PUBLIC COMMENT SESSION. Before convening the regular meeting, the Council shall conduct a televised one-half hour general public comment session during which persons may address the Council on any matter of city concern, except for any matter that is scheduled for either a formal or a courtesy public hearing at that meeting or any future meeting of Council. Anyone wishing to comment on a matter scheduled for a public hearing shall be requested to reserve their comments until the hearing in question.
 - (a) Persons wishing to address Council at a general public comment session shall register their intention to do online, by

phone, or in person at the City Council central office beginning at 12:00 p.m. on the Friday before the general public comment session. Registration period will end at 4:00 p.m. the day of the general public comment session. Speakers shall be recognized to speak in the order of registration by priority level. Speakers who have not addressed Council during a general public comment session in the previous 90 days will have first priority. Speakers who have not addressed Council at the general public comment session in the previous week shall be given second priority. Those who spoke at the previous week's meeting will have third priority.

- (b) Speakers at a general public comment session shall be limited to a maximum of three minutes unless a shorter time is set by the President in consideration of the number of speakers who have registered for the session. A speaker may not yield his or her time to another speaker. Additional time may be given to speakers to accommodate disability or language translation.
- (c) Speakers at a general public comment session shall direct their remarks to Council as a body and not to any individual Council member. Speakers shall be requested by the President to refrain from any profane or obscene speech; threats of violence or economic reprisal against any public official intended to influence the behavior of the official; or speech which impugns any person on the basis of race, ethnicity, religion, gender, sexual orientation or disability.
- (d) Under no circumstances may members of the public participate from a moving vehicle.

7.12. EXECUTIVE SESSION. In accordance with section 2-34 of the Denver Revised Municipal Code, City Council may enter into an executive session upon a two-thirds vote in open session of those members present. Unless otherwise excluded by the Members of City Council, only the Members of City Council, the Mayor, city attorney(s), and staff who are designated by City Council or the Mayor as essential to the executive session may be present. No staff person may attend in the place of a Council Members. Council Members may not disclose information discussed only in executive session to any person not present during the executive session. If a matter discussed in executive session is subsequently before City Council for formal action, nothing in this rule prohibits a Council Member from stating his or her position or opinion on the matter, but the Council Member may

not divulge confidential information received during the executive session.

7.13. COMMITTEE PROCEDURES FOR RESOLUTIONS SEEKING COUNCIL CONSENT OF MAYORAL APPOINTEES.

- (a) A resolution seeking Council consent of a Mayoral appointee under Charter §2.2.6 (D) shall be placed on the consent agenda.
- (b) In considering a Resolution seeking Council consent of a Mayoral appointee, a member may request that a resolution for consent be scheduled for action at committee provided that:
 - 1. Such member has made every effort to meet with the proposed appointee upon receipt of the proposed appointee's candidate packet and in advance of the committee meeting to resolve outstanding questions as set forth below in subsection 2 below;
 - 2. Any questions of the proposed candidate shall be limited to the Mayoral appointee's academic credentials, training and experience, and qualifications or ability to perform the essential functions of the position for which the consent is sought. The consent process is not intended as a review of the Mayoral appointee selection process;
 - 3. Members asking questions at committee shall each be allotted five minutes for questions of the appointee provided the Chair has discretion to extend such time; and,
 - 4. Members shall keep confidential any information in the proposed appointee's candidate packet to the extent required by law. Any records subject to disclosure under the Colorado Open Records Act will be handled by the appropriate custodian and not unilaterally released by any member in any forum including social media.

Rule 8. Officers.

- 8.1 ELECTION OF OFFICERS. At the meeting on the third Monday of July of each year, except when a Council seat is vacant, the order of business shall be:
- (a) Election of a President as provided in §3.3.1 of the Charter, who shall hold office until the third Monday of July of the ensuing year, or until a successor is duly elected, whichever is later.
 - (b) Election of a President Pro Tempore who shall serve without additional compensation and who shall hold office until the third Monday of July of the ensuing year, or until a successor is duly elected, whichever is later.
 - (c) The election of Council officers shall be conducted as follows:
 - 1. Candidates for the office of President of Council, and of President Pro Tempore, shall be nominated from the floor, separately, before the election for each office.
 - 2. No second to a nomination shall be required.
 - 3. The nominations shall be closed by a declaration by the presiding officer after the presiding officer asks for further nominations and receives no reply.
 - 4. The election for each office shall be in the form of a roll call election in which each member of Council, when called upon, declares his or her vote for a candidate.
 - 5. An eligible person receiving a vote for an office need not have been nominated.
 - 6. No nominee shall be removed from consideration unless he or she withdraws.
 - 7. The candidate receiving at least seven votes for each office will be declared elected to that office by the presiding officer, after the verification by the Council Secretary of the votes cast.
 - (d) If a Council seat is vacant at the time of the regularly scheduled election, the election for President and President Pro Tempore shall take place at the first regular Council meeting after every seat on the Council is filled.

8.2 POWERS AND DUTIES OF PRESIDENT. The President shall be the presiding officer and shall have the following powers and perform the following duties:

- (a) The President shall take the chair, call the members to order, and upon a quorum being present, proceed to business.
- (b) The President shall preserve order and decorum and have general direction of the Council Chambers, and the approaches thereto, and in the event of any disturbance or disorderly conduct therein shall have the power to order the same to be cleared and shall have authority to appoint a member of the Police Department of the City and County of Denver, a member of the Denver Sheriff Department or other person as a temporary sergeant at arms for the purpose of preserving order in and near the Chambers.
- (c) The President shall decide all questions of order, subject to a member's right to appeal to the Council as a whole.
- (d) The President may speak to points of order in preference to other members.
- (e) The President shall announce the result promptly on the completion of every vote.
- (f) The President may speak as other members on general questions from the chair, or when he or she shall call some other member to the chair.
- (g) The President shall refer all bills, resolutions, and memorials, upon introduction, to the appropriate standing committees.
- (h) The President shall receive all messages and communications from other departments and may have them read by the Council Secretary or placed on file at his or her discretion unless the Council, by vote, shall order a message or communication read.
- (i) The President shall sign all bills, resolutions, and memorials passed by the Council, and the Council Secretary shall attest the same.
- (j) The President may vote upon all questions in the same manner as any other Council Members.

- (k) The President shall appoint all committees and determine jurisdiction, whether standing, joint or special, unless Council shall otherwise provide.
- (l) The President shall be an ex-officio member of all committees.
- (m) Within 3 months of the seating of a new City Council, the President of Council must convene a review of the Council Rules of Procedure and Council Commitments with all members.

8.3 PRESIDENT PRO TEMPORE. In the absence of the President, upon his or her inability to act, or upon the request of the President, the President Pro Tempore shall preside and shall have all of the powers and authority of the President.

8.4 OTHER PRESIDING OFFICER.

- (a) For brief periods during meetings the President may designate any member to preside in the temporary absence or inability to act of the President or President Pro Tempore.
- (b) If, at the time of convening the meeting, the President and President Pro Tempore shall be absent, then the Secretary shall call the Council to order, and upon ascertaining a quorum, the first order of business shall be the election of a member as acting President Pro Tempore, who, when elected, shall preside at that meeting with all the powers and authority of the President.

Rule 9. Rights and Restrictions of Members.

9.1 ATTENDANCE OF MEMBERS. If any member of Council shall be absent for three successive regular sessions and fail to attend the fourth meeting, unless excused by a vote of the Council, the member shall cease to be a member and his or her place shall be filled as though a vacancy had occurred. *Charter §3.1.6.*

9.2 RECOGNITION – SPEAKING.

- (a) No member calling to speak, debate, give a notice, make a motion, submit a report, or for any other purpose, shall proceed until the member asks to be recognized and is recognized by the President, whereupon the member may

proceed to address the Council from his or her desk, or from a central microphone.

- (b) When two or more members ask to be recognized at once, the President shall name the one who shall speak first.
- (c) A member shall not be permitted to speak more than once on a matter until every member desiring to be heard has been allowed to speak.

9.3 VOTING - ABSTAINING - CHANGING VOTE.

- (a) Every member within Council Chambers when the President states a question may vote on the question, but a member shall not be obliged to vote on a question unless he or she is in the Council Chambers when the vote is called.
- (b) Any member may abstain from voting on any question. Any member who has an immediate and direct personal or financial interest in any bill or measure pending before the Council shall disclose this fact to the Council and shall abstain from voting on the question. *Charter §1.2.9; Code 2-61.*
- (c) A member may change his or her vote up to the time the result is finally announced, but not thereafter.

9.4 PERSONAL PRIVILEGE.

- (a) Any member may speak for not longer than five minutes on a matter of personal privilege. Personal privilege shall be such matters as may collectively affect the Council, its rights, its dignity, or the integrity of its proceedings, or the rights, reputation, and conduct of its individual members in their respective capacities only.
- (b) Any member may protest any action of the Council, stating the member's reasons therefore, and have the same entered on the Minutes, provided such reasons do not impugn the motives or character of any member of Council.

9.5 APPEAL. Any member may appeal a decision of the President, in which event the member appealing shall state the reason therefore, to which the President may respond. Appeals shall be acted upon immediately and no motion, other than a motion to adjourn, shall be entertained until the question: "Shall the decision of the chair be overruled?" has been decided.

An affirmative vote of two-thirds of those present and voting shall be required to sustain an appeal.

Rule 10. Committees.

- 10.1 FORMATION. The Council President shall determine Standing Committees of the Council, their leadership, and their functions.
- 10.2 MEMBERS. Members of Standing Committees shall be appointed by the President and shall remain constituted until new committees are appointed.
- 10.3 SPECIAL COMMITTEES. Special committees of the Council may be appointed by the President from time to time if found necessary or desirable.
- 10.4 RECORD. An official written record shall be maintained of every committee action, including a record of every matter approved by a committee on consent in accordance with Rule 5.6 (a), and every matter approved by roll-call vote in a committee meeting in accordance with Rule 5.6 (b).
- 10.5 SUBPOENA POWER. For the purpose of gathering information on which to base its reports, any committee duly authorized by Council shall have the power to compel the attendance and testimony of witnesses, and the production of books, records and documents, and to do all things necessary and needful in connection with the preparation and making of such reports. *Charter §3.2.3.*
- 10.6 PUBLIC COMMENT. For committee meetings where proposed changes to the municipal code or policy are discussed, there will be a fifteen-minute public comment period on the measure with two minutes per speaker, unless extended at the discretion of the chair. The order of speakers is determined by the committee chair. Public comment will not be permitted on an appointment or confirmation of an appointment to any board or commission or to any other office or position of employment for which council is the appointing or consenting authority. For all other items scheduled at committee, public comment at a committee meeting is within the discretion of the committee chair if the matter is within the purview of the specific committee or the full council and the matter is not scheduled for a required public hearing.
- 10.7 JURISDICTION. In establishing committees, the President shall identify the subject areas and types of resolutions and bills for ordinances that are intended to be referred to each committee for action in accordance with Rule 5.6. In the event of any dispute about the proper Committee to which a particular resolution should be assigned, the President shall exercise exclusive authority to determine the proper assignment.

Rule 11. Expenditures.

11.1 COUNCIL GENERAL FUND. The members of City Council or staff members authorized by them may spend the money allocated to the member from the Council General Fund budget on the following items:

- (a) Payment for the salaries and benefits of the member and staff;
- (b) Payment for contract employees and consultants;
- (c) Rental of office space or of a facility for a Council meeting or event; parking for the member, staff, and visitors to the office; and items related to the operation of the City office, such as telephone service, utilities, maintenance, cleaning, snow removal, alarm systems, lawn care, and other such expenses;
- (d) Purchase, lease, maintenance, and repair of equipment and furniture for the office;
- (e) Purchase of stamps, office supplies, food items, utensils, coffee cups, napkins, first aid supplies, and similar items needed for the operation of the members City office;
- (f) Preparation, printing, and distribution of official newsletters and mass mailings from the Council or the Council member to the public, provided the mailings do not urge the public to vote for or against a candidate for any office or for or against any ballot question or advocate for or against any matter in which the City has no direct and lawful interest (for example, labor disputes between a private employer and its employees);
- (g) Automobile mileage, leasing and operating City-owned automobiles used in the course of official City business, and other automotive costs related to office functions, provided such expenditures are in compliance with applicable City rules and ordinances;
- (h) Travel by the member or staff to attend conferences, training, meetings, or events, provided such travel is in compliance with the City's fiscal rules and is related to the official or ceremonial duties of the traveler;

- (i) Meals for the member, the member's staff, and guests related to the official or ceremonial functions of the member or staff to the extent permitted by Rule 11.2;
- (j) Admission to and meals at events related to City business or the member's official or ceremonial duties;
- (k) Purchase of books and periodicals;
- (l) Cable television service at the same level as provided in the City and County Building or a similar level of satellite television service, Internet service, and similar services for the Council member's office;
- (m) Publication of notices or advertisements for the purpose or recruiting staff or notifying the public of City events or services;
- (n) Dues for organizations to which the member belongs, provided that the membership must be related to the official or ceremonial duties of the member;
- (o) Payment for the expenses related to participation in the activities of organizations to which the City belongs (by way of example, the Colorado Municipal League);
- (p) Donations and event sponsorships to the extent allowed by Rule 11.4.

11.2 MEAL EXPENDITURES. Money allocated to the member from the Council General Fund budget is not to be used for meals for members or staff if within the Denver metropolitan area. Appropriate food and beverage expenditures are for catering official functions (subject to the completion of any "official function" form as required by the City's Fiscal Accountability Rules), including meals served at an annual planning or budget retreat of the City Council or of individual Council district offices, for official visitors on City business or related to the member's official or ceremonial duties, or when the member or council staff is travelling outside the Denver metropolitan area as a part of the member's official or ceremonial duties. In general, expenditures for meals and reimbursement for meal expenses shall be made in accordance with the city's Fiscal Accountability Rules. Expenditures for meals (except for catering official functions) must be purchased with the member or staff's personal funds and reimbursed by the City. Expenditures for meals when the member or council staff is travelling outside the Denver metropolitan area shall be made via an official travel procurement card.

- 11.3 CAMPAIGN EXPENDITURES. No member of Council or any staff member may use City funds, staff, consultants, equipment, vehicles, or facilities in support of any political action committee or for any purpose related to any ballot issue campaign or any campaign involving the nomination, retention, election, or re-election of any person to any public office.
- 11.4 EVENT EXPENDITURES. Prior to making or committing to make any donation or event sponsorship in any amount, or purchasing a meeting or event ticket or admission valued at more than \$50.00, the member shall complete a form and provide it to the council Executive Director indicating whether the donation, sponsorship, or event ticket or admission is:
- (a) For an identifiable public purpose documented in writing by the member;
 - (b) For the benefit of the City and County of Denver or its citizens;
 - (c) For a non-sectarian purpose;
 - (d) In compliance with all applicable city laws and rules;
 - (e) Not made to any campaign for a candidate or issue;
 - (f) Not made to any political action committee; and
 - (g) Not in support of any litigation or legal action.
- 11.5 DISCLOSURE. By February 1 of each year, members of Council shall disclose in a memorandum to the Clerk and Recorder the amount and the recipient of each donation made during the preceding calendar year as provided in Rule 11.4, and each donation received during the preceding calendar year as provided in Rule 11.7.
- 11.6 RE-APPROPRIATION. Any money allocated to a council member for the purposes set forth in this Rule may, if unspent at the end of the year, be re-appropriated to a special revenue fund and may accumulate in the fund an amount not to exceed \$50,000 for the purpose of making expenditures beneficial to the member's district or to the City as a whole. Any such monies shall be spent solely for capital improvements or capital equipment owned by the City and County of Denver; for travel by the member or staff to attend conferences, training, meetings, or events, provided such travel is in compliance with city fiscal rules and is related to the official or ceremonial duties of the traveler; or to fund the preparation, printing and distribution of official newsletters or mass mailings or other communication from the Council or the Council member to the public, subject to the

limitations set forth in Rule 11.1; or to pay the salary of temporary staff in the event of long-term leave or disability of permanent staff as long as those permanent staff continue to be paid out of the monies allocated to the member out of the council general fund budget.

11.7 CHARITABLE CONTRIBUTIONS. Council members may solicit charitable contributions to the city or to private charitable organization to the extent and in the manner permitted by the city's code of ethics. Any charitable contribution given directly to the city in support of a project, program, service, or public improvement associated with the city council itself or with any individual council member shall be subject to the following limitations:

- (a) Any contribution shall be received and accounted for by the manager of finance in the city council donation fund as established by law;
- (b) The donor shall specify the project, program, service or public improvement to be funded by the contribution;
- (c) Any contribution shall serve a public purpose benefitting the City and County of Denver or its citizens. In no event shall charitable contributions be used to fund normal city council operational expenses of the type itemized in Rule 11.1;
- (d) Anonymous contributions shall not be accepted;
- (e) The city council reserves the right to refuse any unsolicited charitable contributions;
- (f) To the extent it is determined that any charitable contribution is no longer needed for the purpose for which it was given, the contribution shall be returned to the donor;
- (g) The city council shall annually report to the clerk and recorder any and all charitable contributions received as provided in Rule 11.5.

11.8 REQUESTS FOR PROFESSIONAL SERVICES – INFORMAL PROCESS. Council members may invoice for professional services without a Request for Proposal ("RFP") for work that:

- (a) Is within the scope of their official duties;
- (b) Adheres to City ethics rules and laws to avoid a conflict of interest in selecting the service provider;

(c) Utilizes funds from Council office budget(s), or donated funds properly accounted for and disclosed per council rules, as well as the Denver Charter and Denver Revised Municipal Code;

(d) Does not exceed \$10,000 from the member's office budget. For contracts that utilize between \$10,000 to 50,000 of a member's office budget, Council members may utilize the General Services informal procurement process or a Council-specific informal procurement process.

11.9 REQUESTS FOR PROFESSIONAL SERVICES – FORMAL PROCESS. City Council, as a body, may also procure professional services for work within the scope of its duties and obligations under the Charter and Ordinances of the City and County of Denver. A procurement request must be initiated by a minimum of three Council members and be submitted to the President and Executive Director. Council members shall, when practicable, present any requests under this section during the Council budgeting process to ensure funds are available in the central budget.

The request must include a detailed scope of work which identifies the amount of funds requested; the source of funds (either pooled from City Council district budgets or Central Office budget); details on how the contractor will be supervised; how the provider will be selected, including who will make selection and the process that will be utilized. General Services and Legislative Counsel may advise and assist, if requested. The requesting Council members, in addition to any members selected by the Council president, will be included in the development of the procurement documents or RFP, selection process and drafting of any contract, if required.

The procurement contract will be presented to city council as a resolution for majority approval. Contracts that exceed \$50,000 must follow the requirements in Sec. 13-12(b) of the DRMC. On-call contracts for professional services may be used to obtain services under this Rule.

Rule 12. Decorum.

12.1 COUNCIL'S INTENT FOR RULE OF DECORUM. All Council meetings and committee meetings are open to the public. The public's participation is welcomed at Council meetings during the time and in the manner set fourth in these rules. The intent of these rules is to:

- (a) Provide a safe and secure setting for Council, the public, and staff to attend to the city's business;
- (b) Enable Council to conduct its deliberative process without interruption in a manner that can be heard and viewed by all

in attendance and recorded for the simultaneous or later viewing by the public;

- (c) Ensure that the public has a full opportunity to be heard during public hearings and public comment periods during Council meetings and committees;
- (d) Facilitate transparency in the conduct of Council meetings and committees so that all persons have the opportunity to observe and hear all of the Council discussion and votes;
- (e) Limit interruptions, unreasonable delay or duplication of comments, presentations or discussion;
- (f) Develop an atmosphere of civility that is respectful of diverse opinions;
- (g) Balance the need for the Council to conduct effective meetings without the meetings extending late into the night or early morning with the need to give a full opportunity for the public to be heard;
- (h) Public comments at mandatory and courtesy hearings should relate to the matter before Council and, as such, addressed to the Council as a whole; and
- (i) Adopt these rules of decorum as the standard for conduct of meetings of the City Council and staff for the city.

12.2 DECORUM OF MEMBERS.

- (a) When a member is speaking, other members shall not engage in private discourse or commit any other act tending to distract the attention of the Council from the business before it.
- (b) Members and other speakers when speaking on a question shall confine their remarks to the question under discussion, avoid personalities, refrain from unnecessarily repeating points and respect the public's and colleagues' time.
- (c) Where a public hearing distinguishes question and comment periods, members should confine their remarks to questions and during the comment period of the meeting members

should confine their remarks to the comments.

- (d) Questions and comments should be germane and concise, addressing the pending question only. Members should refrain from questioning or commenting on any matter not pending.
- (e) No member shall walk across or out of the Council Chambers while the President is putting the question.
- (f) A member or other speaker may not impugn or demean another member of Council, a city employee or a public speaker.
- (g) All communication with Council members from members of the public must go through the Council Secretary.
- (h) Members will conduct meetings using videoconferencing software in the same professional manner as in-person meetings. Setting aside unanticipated technical issues, members should adhere to the following additional decorum requirements:
 - 1. Members must log on to the remote videoconferencing software at least three minutes prior to the start of the meeting.
 - 2. Members must be live on camera when establishing quorum, when speaking, and when voting. Members are not considered in attendance if using a phone without video capability. All votes must be recorded live or the vote will not be recorded.
 - 3. Members must use the formal digital background provided by Central Staff during remote Council meetings. When not on camera, members should use the formal digital Council photo provided by Central Staff or another professional-looking photo during remote Council meetings.

12.3 DECORUM OF THE PUBLIC. During City Council meetings and committee meetings, the following rules apply to the public:

- (a) Before addressing Council or unless recognized by the Chair, a person must sign up providing information for the Council record.
- (b) The speaker must introduce themselves and make all remarks to Council at the designated microphone and only after the presiding officer recognizes the speaker.
- (c) An attendee at a Council or committee meeting may not disrupt, disturb or otherwise impede the orderly conduct of the meeting, including failing to obey any lawful order of the presiding officer to be seated, to refrain from addressing Council or to leave the meeting room.
- (d) An attendee at a Council or committee meeting may not threaten or attempt to intimidate any other person present at the Council or committee meeting.
- (e) In accordance with the fire code occupancy limits and to allow for a safe exit, unless addressing the Council or entering or leaving the room, an attendee must remain seated in the seats provided for the audience. Examples of safety or code violations include blocking, sitting, lying or standing in a manner that interferes with doors, aisles or ramps or entering the well of the Council meeting Chambers without prior authorization.
- (f) An attendee must silence his or her cell phone, pager, tablet, computer or any other electronic device so as to avoid disrupting the meeting.

12.4 ENFORCEMENT OF PUBLIC DECORUM. The presiding officer of Council or the committee chair, as applicable, is responsible for maintaining the order and decorum of meetings. These enforcement rules are in addition to the authority held by the sergeant-at-arms, if any, or any other peace officer or fire marshal in attendance.

- (a) If an attendee fails to follow Rule 12.3 the presiding officer or chair may order the attendee out of Council Chambers or the committee room.

- (b) The presiding officer or chair may interrupt any speaker who is violating the rules of decorum or otherwise disrupting a meeting.
- (c) The presiding officer or chair should attempt to provide a verbal warning to any attendee that is violating the rules of decorum, but the verbal warning is not required as a condition of removing an offender from the Council Chambers or committee room if there is imminent threat or danger.
- (d) If an attendee is removed from the Council Chambers or committee room, the attendee may not attend any remaining portion of the meeting from which he or she was removed without permission granted upon motion adopted by a majority vote of the Council members in attendance.
- (e) In addition to any other authority of the presiding officer or chair, the presiding officer may call a recess during which time the members of the Council may be instructed by the President to leave the meeting room.
- (f) If necessary for the safety of the Council and public, the presiding officer or chair may order the Council Chambers or committee room cleared of all attendees. The meeting may continue only if the proceedings are televised or otherwise recorded so that they are available to the public.

Rule 13. Censure.

Censure is a disciplinary procedure that may be imposed upon a member of the Denver City Council for violating the Denver Charter, Denver Revised Municipal Code, or an officially adopted Council policy, in accordance with the following process:

- (a) Any member of City Council may request a censure resolution.
- (b) If requested by a councilmember, the Council Secretary, in consultation with legislative counsel, must prepare the censure resolution. The resolution may be accompanied by any reports for the City Council agenda for the next council meeting. The clerk must provide the reports to the councilmember who is the subject of the censure before he or she places the resolution on the agenda.

- (c) At the meeting, any Council member may move to adopt the censure resolution. After the motion is moved and seconded, the council may discuss the censure resolution. Following the discussion, the councilmember subject to the censure may rebut or otherwise comment on the resolution, for a time not to exceed ten minutes. Following the rebuttal, other Council members may respond to the rebuttal or otherwise comment, for a time not to exceed five minutes per member. Following the response period, the council shall vote on the censure resolution. Ten affirmative votes are necessary to pass the resolution.

- (d) If a member of City Council offers an amendment that amends the censure resolution, that amendment must also be subject to debate. A member of the City Council may introduce a resolution of censure upon himself or herself and follow the procedures in this rule. If the Council President is the member subject to the censure, the President Pro-Tem shall preside over the censure resolution portion of the meeting.

Rule 14. Amendment of Rules.

- 14.1 These rules, or any part thereof, may be amended, repealed, altered, or rescinded by the majority vote of Council, but they shall not be amended, repealed, altered, or rescinded without one week's notice of the intended resolution. Such notice shall be given at a regular meeting of Council.

- 14.2 Any amendment to these rules shall, after the notice required above, be filed as a resolution, in the manner prescribed in these rules for resolutions.

APPENDIX A

Statement of Values and Conduct Commitments for Working with Colleagues and Together as a Council.

A. OPENNESS VALUES:

1. We will respect the importance of our process in performing our work and we will ensure that process is transparent, straightforward, and understandable; and used to facilitate participation by all interested parties, and not to exclude or discourage participation.
2. We will actively and regularly reach out to one another so that we can hear what one another are interested in or concerned about, and so that others can hear what is of interest or concern to us, being mindful of considerations such as: creating timely collaboration opportunities with allies; helping others avoid parallel or duplicate efforts, particularly with issues of interest in adjacent districts; limiting “surprises;” and allowing timely use of the committee process while also avoiding premature or undue raising of expectations
3. We will operate with integrity and make our commitments meaningful and reliable; we will not commit to a position until we have explored and can understand the various perspectives that other members may have; and if we move away from a commitment, we will do so only following an explanation and discussion as to why.
4. We will strive to operate on a “no surprises” basis by communicating our concerns to one another in advance and giving sufficient time to others to understand and digest our concerns.
5. We will give one another, and the body as a whole, the time and space to deliberate on and work through decisions together.

B. VALUES FOR WORKING TOGETHER:

1. Individual councilmembers will share their areas of expertise as a resource for decision-making by the body, while being mindful to avoid usurping other members’ decision-making prerogatives by the undue elevation of that expertise as the key or only decision-making criterion, or by excluding other perspectives.

2. We will participate in and encourage working groups of the Council to leverage our limited time, develop subject matter expertise, and build collaboration, as well as utilize our staff members for detailed or intensive research as appropriate; and give and share credit and access where allyship exists.
3. Individual councilmembers will understand when an “I” role is called for, as well as when a “we” (the body as a whole) role is called for. When a position or action is one that is to be taken by the body, we will strive towards a “we” decision on the position or action rather than pursuing our own “I” position or action.
4. We will keep each other informed of our individual initiatives and we will strive to find common ground and opportunities for collaboration and cooperation on those initiatives.
5. We will maintain our own true “north” with respect to the perspectives, experience, and priorities that we bring to decision-making as individual members, and we will respect the same of our colleagues.
6. We will strive to relate to, understand, and treat one another as professional workplace colleagues.
7. Although we come to our positions with varying motivations and backgrounds, we will understand that our role and relationship to “the government” changed once we took our oath of office and we became part of “the government,” and we will comport ourselves accordingly with respect to one another, the people we serve, and those working in the City.
8. We will reach out to one another when we need help, and we will help one another when a colleague reaches out.
9. We will not make assumptions about how others on the body may feel about or view an issue, but we will ask and listen to find out one another’s views.
10. When our individual views appear to place us at the center of the prevailing views on a position, we will seek to encourage the questions and perspectives that will draw those on the edges closer to the center, so that those questions and perspectives can be heard and be acted upon.

11. We will honor the majority will of the body and not seek to undermine it, and we will respect minority views on the body.

C. VALUES FOR RESPECT:

1. As individual members, we will accord respect to one another by virtue of the office that each of us holds.
2. We will seek opportunities to deepen that respect for one another on an individual level by the following means: we will accord each other the presumption that each is acting in good faith in the best interests of the City and the people we serve, and avoid demonizing others because of disagreements we may have; we will recognize that respect for one another applies in public and non-public settings; we will engage with and interact with one another, and seek to do so honestly, forthrightly, and kindly; we will understand that communication is required for trust, and trust is required for respect; and we will recognize and be willing to act when an apology and amends are due.
3. Although we have unique personalities and leadership styles, we will avoid personal attacks, "cheap shots," attempts to guilt or shame one another, and non-forthright comments or criticisms.
4. We will listen to one another with an open mind.
5. We will look for opportunities to get to know one another in settings where we don't necessarily have to discuss policy issues.
6. We will communicate to one another our concerns, and we will acknowledge and share our skepticisms and our initial mindsets, so that we can be understood by others.
7. We will welcome conflict and disagreement as healthy and necessary for decision-making, but we will avoid making disagreements personal. We will not use our conduct expectations as a tool to stifle or to exclude people from the discussion.