



## Legislation Text

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**File #:** RES 22-1106, **Version:** 2

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Amending Chapter A-1 of the Appendices to the Administrative Code establishing the Council Rules of Procedure. (Laid over from July 20, 2022)

WHEREAS, Saint Paul City Charter Section 4.02 states that "The council shall determine its own rules and order of business and shall keep minutes of its proceedings;" and

WHEREAS, the Council Rules of Procedure are adopted, and may be amended, by resolution and are thereafter published as an appendix to the Saint Paul Administrative Code; and

WHEREAS, from time to time it is necessary to update the Council Rules of Procedure to accurately reflect changes to Council activities over time; now, therefore, be it

RESOLVED, that the Saint Paul City Council hereby amends the Council Rules of Procedure to thereafter be published as Chapter A-1 of the Appendices to the Administrative Code in the particulars as follows, with ~~strikethrough~~ language removed and underlined language added:

### ***Chapter A-1. Council Rules of Procedure***

#### ORGANIZATION

##### **Rule 1. Parliamentary authority.**

The rules of parliamentary practice embraced in Robert's Rules of Order shall govern the council on any question or point of order not contained in these rules of procedure.

##### **Rule 2. Adoption of rules.**

Adoption of this resolution shall constitute adoption of these rules, which shall remain in effect unless suspended or amended as provided herein.

##### **Rule 3. Suspension of rules.**

~~Except when designated herein by asterisk as a restatement of other applicable law, a~~Any rule may be suspended by the affirmative vote of two-thirds of councilmembers present. Rules relating to the priority of business or to business procedure may be suspended by the presiding officer requesting general consent; provided, that if such consent cannot be obtained, suspension may occur by majority vote of the councilmembers present.

##### **Rule 4. Amendments to rules.**

Proposed amendments to these rules may be made by a council member giving notice to the secretary of the council seven (7) days prior to the submission of an amending resolution, which notice shall contain the specifics of the proposed amendment and the reasons therefor.

**Rule 5. Election of officers at Organizational meeting and officers.**

At the first meeting after taking office, or as soon thereafter as practicable, the council shall elect from its members a president and a vice-president. At the same time, the council shall elect a secretary of the council who shall not be a member of the council, or it may designate the city clerk or other officer or employee to act as secretary. The officers of the council and the secretary of the council shall serve at the pleasure of the council, subject to a vote of the majority of the council.

**Rule 6. Business meetings.**

The council shall hold regular and special meetings in accordance with the provisions of the Saint Paul City Charter. Business meetings may be cancelled no less than ninety (90) days in advance, by five (5) affirmative votes of the council.

**Rule 7. Quorum.**

A majority of the council shall constitute a quorum, but a smaller number may adjourn from time to time and compel the attendance of absent members under such terms and penalties as the council may prescribe.

**Rule 8. Attendance at meetings.**

Unless excused, all members of the council shall take their respective seats at the hour designated for convening the council for all regular or special meetings. No member shall leave the council meeting while in session without permission of the presiding officer. No member shall be excused from attendance at a council meeting without prior notice to each member of the council.

**Rule 9. Convening the council.**

The presiding officer shall take the chair at the hour designated and shall call the council to order and instruct the secretary to call the roll. If neither the president nor the vice-president is present, the council shall be called to order by the secretary, and the first order of business shall be the election of a presiding officer for the particular meeting.

**Rule 10. Order of business.**

The order of business shall be as follows:

- (a) Roll call;
- (b) Pledge of Allegiance;
- (c) Official communications from the mayor;
- (d) Applications and communications if not on the consent agenda;
- (e) Approval of the minutes if not on the consent agenda;
- (f) Consent agenda;
- (g) Discussion items;
- (h) Ordinance readings;
- (i) Public hearings;
- (j) Adjournment.

The consent agenda may consist of approval of the minutes of previous meetings, new resolutions, receive and file items, and preliminary orders. Items shall be removed from the consent agenda to the regular agenda upon the request of any councilmember prior to the adoption of the consent agenda. Discussion items may consist of resolutions, staff reports and such other business as may come before the council. Public hearings involving the Legislative Hearing Officer at which no testimony will be offered and which require no discussion may be adopted as part of a Legislative Hearing consent agenda.

**Rule 11. Powers and duties of president.**

The president shall possess the powers and perform the duties prescribed as follows:

- (a) To appoint the membership of all standing and special committees and their respective chairs.
- (b) Except as otherwise provided, to designate council representatives to other bodies with the consent of the council.
- (c) To have general direction over the agenda and the legislative chamber of the council and to assign seats and offices for the use of the members, public officials, and news media.
- (d) To preserve order and decorum; to recess or adjourn meetings or, subject to be overruled by a majority of the council, to order individuals removed or the chambers cleared when the Council is unable to conduct business due to a disturbance; and in the case of disturbance or disorderly conduct in the chamber or adjacent lobbies to order removed any person whose conduct is deemed objectionable; to order the chamber cleared whenever deemed necessary; to require the appropriate law enforcement officers to be present to assist in preserving order.
- (e) To manage the agenda of the council and decide all questions of order, subject to appeal to the council by any member, and to speak to points of order in priority to the other members.
- (f) To appoint a chair of a committee of the whole.

LEGISLATIVE PROCEDURE

**Rule 12. Conduct of business.**

- (a) All members of the council, including the presiding officer, shall, during the business conducted, restrict their discussion to comments germane to the business before the council.
- (b) Any ruling of the presiding officer may be appealed by any member and, upon request of any member, a roll call vote shall be taken thereon. The vote of at least a majority of the members present shall be required to overrule the presiding officer.
- (c) Subject to the discretion of the president, Only one citizen shall be heard at one time before the council, and those appearing and waiting opportunity to be heard on any matter shall remain seated until the person speaking shall have finished his argument or statement and has seated himself. Each person appearing before the council before commencing an argument or statement shall take a position at the foot of the council table, shall state his their name, address or neighborhood and the subject matter to be discussed and shall continue in such position until he shall have concluded his argument or statement.
- (d) The public may comment on public hearings in person, in writing, or via voicemail. Any comments and materials submitted by 12:00 pm of the day before the hearing will be attached to the public record and available for review by the City councilmembers. When published, the Council agenda will include an email address and telephone number where comments may be submitted.

**Rule 13. Proceedings and motions.**

- (a) *Voting.* Pursuant to Charter, the names of all councilmembers voting for or against ordinances, resolutions, and motions shall be recorded. The vote shall be taken by the voice vote method. In the event of a non-unanimous vote the city clerk shall identify those voting for and against a matter for the record. If any councilmember requests a roll call prior to the vote, or if any councilmember objects to the clerk's identification after the vote, the presiding officer shall take a roll call vote. In all voting, the councilmembers shall audibly respond aye or nay as the case may be. Councilmembers must be at the council table to vote. Roll call votes shall initially be taken in alphabetical order and rotated monthly thereafter, except that the presiding officer shall vote last. A vote shall not be interrupted, but council members may, prior to taking the vote, make comment or explain their vote.
- (b) *Motions during debate.* Any council member shall have the right to bring any motion before the council without a second. After a motion is made by a council member, the presiding officer shall restate such motion and it shall be in the possession of the council, but it may be withdrawn at any time before amendment or action taken thereon by the council member requesting the motion. All motions and amendments thereto shall be entered at large upon the minutes and the vote thereon, whether they be adopted or rejected.
- (c) *Precedence.* When a question is under debate, no motion shall be considered except one of the following, which motions shall take precedence in the order stated and said motion shall be carried by a majority of those present:
  - (1) To adjourn or recess.
  - (2) To lay on the table.
  - (3) ~~For the previous~~ To call the question.
  - (4) To postpone to a time certain.
  - (5) To refer to a committee.
  - (6) To amend.
  - (7) ~~To postpone indefinitely.~~

When a question is under consideration, a motion to amend and a motion to amend that amendment shall be in order until the disposition of the previous motion.

- (d) *~~Previous~~Call the question.*
  - (1) ~~The previous question shall be put in this form: "Shall the main question now be put?" It may be ordered~~ A motion to call the question and end debate must be approved by the affirmative vote of five (5) members of the council and its effect shall be to put an end to all debate and bring the council to a direct vote upon amendments, if any, and then upon the main question.
  - (2) If the question before the council contains several points, any member, upon request, may have it divided and a separate vote taken on each point.
- (e) *Motion to adjourn.* A motion to adjourn or recess shall be in order except:
  - (1) When a member is speaking;
  - (2) While the same item of business is pending during which such a previous motion is defeated;or

- (3) During a roll call.

A motion to recess shall take precedence over a motion to adjourn.

**Rule 14. Stages of consideration.**

(a) *Initiation of resolutions and ordinances.*

(1) Items are initiated by submission to the agenda management system in such manner and on such timelines as the secretary of the council may provide.

(2) The items shall be initiated for consideration by any one (1) ~~member of the council~~ councilmember approving it in the agenda management system. ~~It~~ All ordinances shall also be ~~approved by the appropriate administrative officials and~~ approved as to form by the city attorney in accordance with the Administrative Code.

(3) Items filed with the agenda management system shall be referred to the president of the council prior to placement on the council agenda if not approved by a member of the council, to approve or to refer to another councilmember for approval.

(b) *Introduction of resolutions and ordinances.*

(1) Every proposed ordinance shall be read in full at the meeting at which it is presented; provided, that full reading may be waived if a copy of the ordinance is supplied each member of the council prior to its introduction. Every proposed ordinance shall be read again by title at two (2) separate meetings held not less than a week after the meeting at which it is first presented. After a proposed ordinance is complete in the form in which it is to be finally passed, it shall remain on file in the office of the city clerk for at least one (1) week before final adoption.

(2) Every resolution shall be presented in writing and read in full before a vote is taken unless the reading of the resolution is dispensed with by unanimous consent of the council. Unless otherwise required by law, resolutions shall become effective upon passage by the council and approval by the mayor or council override of a mayoral veto.

(3) Unless waived by the presiding officer, no ordinance or resolution may be considered for introduction under a suspension of the rules unless submitted in the agenda management system, and at least fifteen (15) paper copies are presented to the presiding officer.

(c) *Withdrawal.* Any member of the council introducing an ordinance or resolution may, at any time prior to the vote for final adoption, withdraw said resolution or ordinance on his or her own motion.

(d) ~~*Public hearings.* Whenever any matter, resolution or ordinance is such that by law a notice of hearing must be published for a hearing held before the entire council, the city clerk shall advertise once in the official newspaper the date of hearing set by the presiding officer and the secretary shall place the matter on the agenda for that meeting under the order of business "public hearings" in the order of introduction.~~

(e) *Amendments.* Unless waived by the presiding officer, no amendment to an ordinance shall be in order unless in writing and at least fifteen (15) paper copies presented to the presiding officer and secretary. Any amendment shall be read in full unless waived by the council.

(f) *Reconsideration.* When a question has been voted upon it shall be in order for any member who voted on the prevailing side to move a reconsideration at the same or the next following regular council meeting occurring thereafter.

MISCELLANEOUS

**Rule 15. Appointees.**

Whenever as authorized or required by law there is presented to the council from any source a proposal to elect, appoint, reappoint or ratify the appointment of any person to an official position, the resolution of appointment shall be accompanied by written information fully describing the qualifications of the person so proposed.

**Rule 16. Duties of the secretary.**

In addition to any other duties imposed by law, it shall be the duty of the secretary of the council to keep a journal of the proceedings of the council in accordance with the Administrative Code. Additionally, the secretary shall cause to be recorded the proceedings of all council meetings. The recordings shall be accessible to the public in the office of the secretary of the council under such rules and regulations as the council may from time to time prescribe.

~~**Rule 17. Presentations by members of the public.**~~

~~Any person desiring to appear before the council may do so by submitting a written request to the secretary of the council. This written request shall state briefly the subject matter to be presented. Upon receipt of the same, the secretary shall place the request on the first available council agenda under the "consent agenda" heading for referral to the appropriate council committee as designated by the council president.~~

**Rule 17. Public hearings; council, committees.**

All matters, including ordinances, resolutions, assessments and appeals, which are subject to public hearings shall be conducted by the council as a whole.