

EXHIBIT A

**LOVELAND CITY COUNCIL
RULES OF PROCEDURE**

JANUARY 15, 2013

TABLE OF CONTENTS

I.	Authority and Interpretation	1
II.	Order of Business for Council Meetings	1
	A. Order of Business for Regular Meetings.....	1
	B. Order of Business for Special Meetings.....	1
	C. Order of Business for Study Sessions.....	2
III.	Order of Presentation for Regular and Special Meeting Agenda Items	2
	A. Legislative and Administrative Matters.....	2
	B. Quasi-Judicial Matters (During Public Hearing Meeting)	2
	C. Quasi-Judicial Matters (After Public Hearing Meeting).....	2
IV.	Order of Presentation for Study Session Agenda Items	3
V.	Deviation from and Changes to Order of Business and Order of Presentation	3
VI.	Meeting Agendas.....	3
VII.	Length of Meetings	3
VIII.	Public Comment	3
IX.	Orderly Conduct of Council Meetings	3
X.	Council Questions, Discussion and Comments.....	4
XI.	Council Voting.....	4
XII.	Council Motions	4
	A. Main Motion.....	4
	B. Secondary Motions.....	4
	C. Motion for a Point of Order.....	5
	D. Motion to Reconsider.....	5
	E. Withdrawal and “Friendly Amendment” of Motions.....	6
	F. Motion to Suspend Rules.....	6
XIII.	Council Absences	6
XIV.	Mayor and Mayor Pro Tem	6
XV.	Recess.....	7
XVI.	Adjournment.....	7

LOVELAND CITY COUNCIL RULES OF PROCEDURE

I. Authority and Interpretation

- A. The Loveland City Council (“Council”) is authorized under City Charter Section 4-1(a) to adopt these Rules of Procedure (“Rules”). However, City Charter Section 4-5 and Council Resolution #R-____-2013 adopting these Rules also provide that at any City Council meeting, Council can by motion vote to deviate from or suspend any or all of these Rules when considering a matter.
- B. These Rules are based in part on the Robert’s Rules of Order, but differ from them in many respects. Therefore, it is Council’s intent by the adoption of these Rules that they should control in all Council meetings and not the Robert’s Rules of Order. Nevertheless, if a procedural circumstance arises not addressed by these Rules, the 11th edition of the Robert’s Rules of Order may be used as a guideline to address and resolve that circumstance.
- C. When any provision of these Rules conflicts with any provision of the City Charter, City Code, a City ordinance or any applicable state or federal law, the provision in the City Charter, City Code, the City ordinance or the applicable state or federal law shall control.

II. Order of Business for Council Meetings

- A. Order of Business for Regular Meetings:
 - 1. Call to Order
 - 2. Pledge of Allegiance
 - 3. Roll Call
 - 4. Proclamations and Presentations
 - 5. Consent Agenda
 - 6. Clerk Reads Titles of Ordinances on Consent Agenda
 - 7. Citizen Reports
 - 8. Councilmember Reports
 - 9. City Manager Report
 - 10. City Attorney Report
 - 11. Mayor’s Report
 - 12. Consideration of Pulled Consent Items
 - 13. Regular Agenda
 - 14. Adjournment
- B. Order of Business for Special Meetings:
 - 1. Call to Order
 - 2. Pledge of Allegiance
 - 3. Roll Call
 - 4. Special Meeting Agenda
 - 5. Adjournment

C. Order of Business for Study Sessions:

1. Call to Order
2. Study Session Agenda
3. Adjournment

III. Order of Presentation for Regular and Special Meeting Agenda Items

A. Legislative and Administrative Matters

1. Staff Presentation
2. Presentation by Applicant or Other Directly Affected Party
3. Public Comment, if:
 - a. public hearing required,
 - b. allowed by Mayor, or
 - c. allowed by Council motion
4. Council Questions
5. Motion
6. Council Discussion and Comments
7. Vote on Motion

B. Quasi-Judicial Matters (During Public Hearing Meeting)

1. Staff Presentation
2. Applicant or Appellant Presentation, limited to thirty (30) minutes unless more time allowed by:
 - a. Mayor, or
 - b. Council motion
3. Applicant Response if Applicant not Appellant, limited to thirty (30) minutes unless more time allowed by:
 - a. Mayor, or
 - b. Council motion
4. Public Comment
5. Applicant or Appellant Rebuttal, limited to ten (10) minutes unless more time allowed by:
 - a. Mayor, or
 - b. Council motion
6. Council Questions
7. Motion
8. Council Discussion and Comment
9. Vote on Motion

C. Quasi-Judicial Matters (After Public Hearing Meeting)

1. Staff Presentation
2. Council Questions
3. Motion
4. Council Discussion and Comments
5. Vote on Motion

IV. Order of Presentation for Study Session Agenda Items

- A. Staff Presentation
- B. Council Questions
- C. Public Comment, if allowed by:
 - 1. Mayor, or
 - 2. Council motion
- D. Council Discussion and Comment

V. Deviation from and Changes to Order of Business and Order of Presentation

The Mayor may deviate from and change the order of business set out in Section II above and the order of presentation set out in Section III above when necessary for the fair, orderly or efficient conduct of a Council meeting. However, any such deviation or change in order may be overridden or modified by Council motion.

VI. Meeting Agendas

The agendas for all Council meetings shall be set by the City Manager in consultation with the Mayor, except as otherwise directed by Council motion. In addition, any four members of Council can direct the City Manager to place an item of business on the agenda of an upcoming Council meeting.

VII. Length of Meetings

- A. Every Council meeting shall adjourn no later than _____ p.m., except that any item of business commenced before _____ p.m. may be concluded before the meeting is adjourned or unless by motion Council has extended the meeting adjournment to a later time.
- B. Any agenda item commenced but not concluded by the applicable time limit and all agenda items not yet considered shall be deemed continued to the Council's next regular meeting unless by motion the Council sets another date for consideration of any or all of the continued items.

VIII. Public Comment

When public comment is allowed under these Rules, each person speaking shall be limited to a maximum of three (3) minutes unless more or less time is set by the Mayor or by Council motion. The Mayor may also limit cumulative and redundant public comment.

IX. Orderly Conduct of Council Meetings

Persons attending Council meetings shall refrain from disruptive, vulgar or abusive language, threats of violence, and from applause, heckling and other actions that interfere with the orderly function of the Council. The Mayor may take all reasonable and lawful steps to maintain the order and dignity of Council meetings including, without limitation, ordering removal from Council chambers of any person being disruptive or threatening the safety of others.

X. Council Questions, Discussion and Comments

Except when making a point of order, a councilmember seeking to ask a question, to participate in the discussion, to make a comment or to make a motion shall only do so after being first recognized by the Mayor. No councilmember shall ask a question, participate in the discussion or make a comment on an item more than once until all other councilmembers have had an opportunity to ask a question, participate in the discussion or to make a comment concerning that item. The Mayor may limit or curtail questions, participation and comments as he or she deems necessary for the fair, orderly or efficient conduct of the Council's business, except as overridden by Council motion.

XI. Council Voting

All Council actions under these Rules requiring a vote shall be decided by a majority vote of the Council quorum present, except that a two-thirds (2/3) vote of the Council quorum present shall be required for Council to go into executive session and a two-thirds (2/3) vote of the entire Council (six [6] votes) shall be required to pass an ordinance on second reading, to adopt an emergency ordinance and to terminate the City Manager, City Attorney or Municipal Judge.

XII. Council Motions

In this Section are listed and described below the various types of motions that may be made and considered during Council meetings.

A. Main Motion

1. A main motion may be used to bring an item of business before the Council for consideration and action.
2. A main motion requires a second, is debatable and may be amended, delayed or otherwise disposed of by a secondary motion as provided in Section XII.B. below.

B. Secondary Motions

1. Motion to Amend

- a. A motion to amend may be used to amend a main motion but only in a manner that is germane to the substance of the matter being considered by the main motion.
- b. A motion to amend may itself be amended only once by a second motion to amend, but the second motion to amend may not be amended.
- c. A first motion to amend must be considered before the main motion and a second motion to amend must be considered before the first motion to amend.
- d. Motions to amend are debatable.

2. Motion to Continue to a Date Certain

- a. This motion may be used to delay action on a main motion to a meeting date certain or conditioned on the happening of an event.

- b. This motion is debatable only to the extent necessary for Council to determine whether action on the main motion should be postponed and, if so, to what meeting date or until the happening of what event.
- c. This motion may only be amended as to the date certain or the event.

3. Motion to Call the Question

- a. This motion may be used to end discussion on any pending motion and to require a vote on that motion.
- b. This motion is not debatable or amendable.

C. Motion for a Point of Order

1. If a councilmember thinks that any provision of these Rules is being violated, he or she may make a point of order by calling upon the Mayor for a ruling and enforcement of the provision thought to be violated.
2. This motion does not require a second and is not amendable.
3. A point of order can be made at any time, except that it must be raised promptly at the time the perceived violation occurs.
4. In response to a point of order, the Mayor may:
 - a. immediately rule on the point of order,
 - b. before ruling, request an interpretation of the disputed rule from the City Attorney and then rule, or
 - c. refer the point of order to the Council for its determination.
5. The point of order is not debatable unless it has been referred by the Mayor to the Council for determination or the Mayor's ruling has been appealed as provided in Section XII.C.6. below.
6. The Mayor's ruling on the point of order may be appealed by any two councilmembers, with one councilmember stating the appeal and the other seconding it. Such appeal must be made promptly after the Mayor's challenged ruling is made. When an appeal is so stated, the matter shall be decided by Council motion. If there is a tie vote, the Mayor's ruling is deemed sustained. The Mayor may vote on the appeal.

D. Motion to Reconsider

1. This motion may be used to return to Council for its further consideration a matter that was previously voted on by the Council either during the current meeting or at the immediately preceding Council meeting. However, if the matter to be considered was voted on at the preceding meeting, its reconsideration shall occur at Council's next regular meeting following the meeting where the motion to reconsider is adopted or at a future special meeting set by Council motion.

2. This motion may only be made by a councilmember who was on the prevailing side in the previous vote or who was absent from the meeting when the previous vote occurred. However, this motion may be seconded by any councilmember.
3. This motion is debatable, but may not be amended.
4. This motion may only be made when there are no other pending motions before Council.

E. Withdrawal and “Friendly Amendment” of Motions

1. A councilmember making a motion may withdraw or amend his or her motion at any time before a second is made.
2. Once a second has been made, and provided the vote has not been taken, the councilmember making the motion may only withdraw or amend his or her motion with the consent of the councilmember seconding the motion. If the second does not give his or her consent, the motion, as originally stated and seconded, belongs to the Council.

F. Motion to Suspend Rules

1. This motion may be used to suspend all or any provision(s) of these Rules for all or part of the Council meeting during which the motion is made, except for those provisions that are required of the City Charter, City Code, a City ordinance or applicable state or federal law.
2. This motion can only be made when no other motion is pending.
3. This motion is debatable and can be amended.

XIII. Council Absences

- A. If a member of Council knows he or she will be absent from or late to an upcoming Council meeting, that member should, if practicable, notify the City Clerk or City Manager by email or telephone at least twenty-four (24) hours before the meeting of the member’s upcoming absence or lateness.
- B. In the event a member of Council is absent during the public hearing of a quasi-judicial matter, he or she shall not vote on that matter at a subsequent Council meeting unless he or she has watched the video of the missed public hearing and has reviewed the agenda packet for that matter. Absence from the public hearing of a legislative or administrative matter shall not prevent the absent member from voting on the matter at a subsequent Council meeting regardless of whether or not that member has watched the video of the missed public hearing and reviewed the agenda packet for that matter.

XIV. Mayor and Mayor Pro Tem

- A. The Mayor shall have the same rights under these Rules as the other members of Council

have to make and second motions, to vote and to participate in Council questions, discussion and comments.

- B. In the event the Mayor is absent from any Council meeting, the Mayor Pro Tem shall perform the Mayor's responsibilities under these Rules and shall have the same rights of participation as the Mayor has under these Rules.
- C. In the event that both the Mayor and Mayor Pro Tem are absent from any Council meeting, including study sessions, a majority of the Council quorum present shall appoint one of the councilmembers present as the chairperson of that meeting until either the Mayor or the Mayor Pro Tem is in attendance at that meeting. The chairperson shall perform all of the Mayor's responsibilities under these Rules and shall have the same rights of participation as the Mayor has under these Rules.

XV. Recess

- A. The Mayor may, at any time and without debate, call a recess to the Council's pending proceedings for a reasonable and temporary period of time, which time shall be announced by the Mayor when calling the recess.
- B. Any two councilmembers may object to a recess called by the Mayor, with one councilmember stating the objection and the other seconding it. When such an objection occurs, debate shall be allowed. The Council shall then decide by motion whether the recess shall be taken and, if so, for how long. Such motion may be amended only as to the length of the recess. If there is a tie vote, the Mayor's decision to call a recess and his or her announced length of the recess shall control.
- C. At any time, a councilmember, the City Manager or the City Attorney may ask the Mayor to call a recess. If the Mayor denies the request, any two councilmembers can appeal the Mayor's denial to the Council using the same appeal process as provided in Section XII.C.6. above.

XVI. Adjournment

- A. The Mayor may, at any time and without debate, adjourn a Council meeting unless an objection is made as provided in Section XIV.B. below.
- B. Any two councilmembers may object to an adjournment by the Mayor, with one councilmember stating the objection and the other seconding it. When such an objection occurs, debate shall be allowed. The Council shall then decide by motion whether or not to adjourn. After that motion is made, no further debate shall be allowed and no amendments shall be allowed. If a tie vote occurs, the meeting shall be considered officially adjourned.
- C. At any time, a councilmember, the City Manager or the City Attorney may ask the Mayor to adjourn the meeting. If the Mayor denies the request, any two councilmembers can appeal the Mayor's denial to the Council using the same process as provided in Section XII.C.6. above.