

Introduced by: Councilmember Dyballa

CITY OF TAKOMA PARK, MARYLAND

RESOLUTION 2022-2

ADOPTING CITY COUNCIL MEETING RULES AND PROCEDURES

WHEREAS, the City Council's general operating rules and procedures are governed by the City Charter and Code; and

WHEREAS, Robert's Rules of Order is the recognized authority as to any matter or procedure not covered elsewhere; and

WHEREAS, the City Council periodically reviews and updates its meeting procedures; and

WHEREAS, the last update was completed in January 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, that the attached City Council Meeting Rules and Procedures are hereby adopted.

Adopted this 19th day of January, 2022

Attest:

A handwritten signature in cursive script that reads "Jessie Carpenter".

Jessie Carpenter, CMC
City Clerk

**CITY OF TAKOMA PARK, MARYLAND
CITY COUNCIL MEETING RULES AND PROCEDURES**

ADOPTED BY RESOLUTION 2022-2 (January 19, 2022)

PREAMBLE

Council adopts these Meeting Rules and Procedures and updates them periodically with the goal of establishing transparent processes for members of the public, Councilmembers, and City staff in order to enable all to participate in City government meetings and deliberations, while ensuring good decision-making processes are in place.

SECTION 1 - AUTHORITY

1.1 As authorized by Section 307 of the Charter of the City of Takoma Park, the Takoma Park City Council establishes the following procedures for the conduct of its meetings, proceedings, and business.

1.2 Nothing herein shall be construed as conflicting with State Code, the City's Charter, or the City Code.

SECTION 2 - COUNCIL MEETINGS

2.1 Regular Council Meetings Generally. The Council normally meets each Wednesday, except during the months of August and December when the Council is in recess, or if the Council is unable to meet due to closure, weather emergency, or other declared state of emergency.

2.1.1 Unless otherwise determined, the Council shall hold its meetings at the Takoma Park Community Center, Sam Abbott Citizens' Center, located at 7500 Maple Avenue, Takoma Park, Maryland or at the Recreation Center at 7315 New Hampshire Avenue, Takoma Park, Maryland.

2.1.2 Meetings of the Council shall begin at 7:30 p.m., unless otherwise advertised. All Council meetings will adjourn at the conclusion of business.

2.1.3 If the progress of the meeting is such that it appears it may extend past 11:00 p.m., the Mayor, at an appropriate point during the meeting, shall obtain the sense of Council and will confer with the City Manager regarding staff availability and deadlines in order to determine whether to continue the meeting beyond the 11:00 p.m. hour or table some or all of the remaining agenda items for a future meeting. If exceptional circumstances warrant proceeding otherwise, the Mayor may dispense with this requirement.

- i. Regardless of the hour, the Mayor shall not interrupt an ongoing agenda item for the sole purpose of complying with subsection 2.1.3. This provision shall not be read to infringe on the Mayor's authority as the presiding officer.

2.2 Special Meetings. Special meetings may be held as necessary on days other than Wednesdays. Special meetings may be called by the Mayor or by a majority of the Councilmembers. A minimum of twenty-four (24) hours' notice of a special meeting should be given when practicable.

2.3 Adjourned Meetings. Any meeting of the Council may be adjourned from day-to-day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting thereafter.

2.4 Open Sessions. All meetings of the Council, whether regular, special, or work sessions shall be open to the public at all times, but this shall not be construed to prevent the Council from holding closed sessions from which the public is excluded in accordance with Maryland's Open Meetings Act.

2.5 Quorum. A majority of the Council shall constitute a quorum for the purpose of transacting business, except as otherwise provided in the City Charter. Members of the City Council may attend a meeting of the Council (and be present for voting) through electronic communication pursuant to the provisions regarding electronic participation.

2.6 Minutes. A record of all Council meetings shall be kept as required under the Maryland Open Meetings Act. Only the Mayor and Councilmembers have the authority to revise the minutes, subject to a majority vote of the Council. If a resident wishes to suggest a modification or revision, the request must be made through the Mayor or a Councilmember. The minutes of each meeting of the Council shall include, but are not limited to, items considered, actions taken thereon, and each recorded vote.

2.7 Presiding Officer. The Mayor presides over all Council meetings.

2.7.1 The Mayor shall designate a Mayor Pro Tempore who shall preside in the Mayor's absence. In the absence of the Mayor and Mayor Pro Tempore, the senior member shall serve as the presiding officer. In the event there are two or more members possessing the same seniority, the Mayor will appoint the presiding officer. If the Mayor is unable to appoint someone then the most senior member shall be determined by alphabetical order of the members' last names.

2.7.2 The presiding officer has the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct, to place a limit on debate and to enforce the rules of the Council. The presiding officer may also command the assistance of a city police officer to restore order at any meeting.

2.8 Meeting Notices and Agendas.

2.8.1 Reasonable advance notice of open and closed meetings shall be given. Information required by the Open Meetings Act for closed sessions shall be reported in the minutes of the Council's next open meeting.

2.8.2 Whenever reasonable under the circumstances, the notice shall state the date, time, and place of the meeting, shall include a statement that part or all of the meeting may be conducted in a closed session (if applicable).

2.8.3 The required notice may be given by any of the following means:

- i. Publication on the City's website;
- ii. Posting the notice at a convenient location at or near the place of the meeting; and
- iii. Any other method reasonably designed to give public notice.

2.8.4 The City Clerk may notify the public:

- i. That such a method will be regularly employed to give notice of Council Meetings; and
- ii. The location of the public notice and other ways the City will be providing notice.

2.9 Closed Meetings.

2.9.1 The Council may meet in a closed session for the reasons identified in the Maryland Open Meetings Act. *See* Md Code, General Provisions § 3-305(b).

2.9.2 A meeting may be closed upon a majority vote of the Councilmembers present at the meeting. The motion to close a meeting shall be in writing and shall state the reason for closing the meeting, cite the statutory authority for closing the meeting and specify the topic(s) to be discussed. If any person objects to the closing of a meeting, a copy of the written statement shall be forwarded to the State Open meetings Law Compliance Board.

2.9.3 No action shall be taken and no matter shall be discussed unless it directly relates to the purpose for which the meeting was closed.

2.9.4 After a closed meeting has been held, the minutes of the next open meeting or session shall include:

- i. A statement of the time, place, and purpose of the closed meeting;
- ii. The record of the vote of each Councilmember by which the meeting was closed;
- iii. The citation of statutory authority for closing the meeting;

- iv. Topic(s) of discussion, persons present, and each action taken during the session.
- v. The minutes of the closed meeting shall be sealed and maintained by the City Clerk.

2.10 Order of Business at Regular Meetings of the Council. The normal order of business at Regular Meetings, subject to change by the presiding officer, shall be as follows:

2.10.1 Call to Order / Roll Call;

2.10.2 Additional Agenda Items/Agenda Scheduling Update;

2.10.3 Public Hearings (if any);

2.10.4 Adoption of Minutes;

2.10.5 For the Record (reading of proclamations, awards, etc.);

2.10.6 Presentations or Reports (if any);

2.10.7 Public Comments on Voting Items (if there is a voting session);

2.10.8 General Public Comments;

2.10.9 Voting Session;

2.10.10 Council Comments;

2.10.11 City Manager Comments; and

2.10.12 Work Session.

2.11 Recognition of Councilmembers. A councilmember must not speak on a matter until recognized by the presiding officer. The presiding officer must recognize a Councilmember who desires to speak unless recognition is improper under these Procedures. If two (2) or more Councilmembers seek to be recognized at the same time, the presiding officer must select the member who will speak first.

2.12 Consent Agenda. At the discretion of the Mayor, resolutions or single reading ordinances may be voted on as part of a consent agenda without Council comment or discussion.

2.12.1 At the request of any Councilmember, an item on the consent agenda shall be removed from the consent agenda and placed on the regular agenda for that meeting

2.12.2 If Councilmembers plan to request that an item be removed from the consent agenda, it is best to do so several days before a meeting to allow time for

the City Manager to respond to questions or have a staff member available to respond at the meeting, if necessary.

2.12.3 The consent agenda may be approved by motion, by majority vote, without the necessity of reading the title or the body of the communications, and motions on the consent agenda.

2.13 Council Discussions and Decision Making.

2.13.1 Councilmembers should ask the presiding officer to be recognized, speak one at a time, ask questions to clarify information, and be conscious of time limits during discussions.

2.13.2 During decision making, there should be full discussion of opinions and differences. Councilmembers who disagree with a decision should avoid personal attacks and express disagreement with fellow Councilmembers or staff for acting on the Council decision in a respectful and professional manner.

2.13.3 When the Council concurs or agrees on an item that does not require a formal motion, the presiding officer will summarize the agreement at the conclusion of discussion.

2.13.4 Councilmembers may clarify their views on a particular item prior to taking a formal vote on an item.

2.14 Voting. All voting, except as otherwise permitted under these Procedures, shall be by roll call. In any roll call, the Clerk shall call the roll of members by ward. The presiding officer shall be called last.

2.14.1 Pursuant to the City Code, the affirmative vote of a majority of Councilmembers present at a meeting shall be required for adoption of an ordinance or resolution. Unless stated otherwise, a majority vote is more than one-half the votes cast by the Councilmembers present at a meeting. In some instances, certain action by the Council may only proceed upon a two-thirds vote of the entire Council.

2.15 Voting Sessions.

2.15.1 At voting sessions, the Council votes on ordinances and resolutions after they are moved and duly seconded. With the exception of consent agenda items, any time the Council votes on legislation there is time for Council discussion before the vote.

2.15.2 Councilmembers are encouraged to provide text of proposed amendments in writing in advance of the meeting or at the meeting, and to work with City staff before Council meetings to make editorial changes to ordinances

or resolutions. To the extent possible, during Council meetings, Councilmembers shall keep editorial changes to a minimum.

2.15.3 For all but very routine items, work sessions are generally scheduled at a meeting at least one week before the meeting at which the Council will vote on an ordinance or resolution. This enables the public to hear a discussion and learn about an issue before commenting on a voting item.

2.16 Public Comments. The public is invited to comment at each regular weekly meeting of the Council. Advance sign-up is not required unless noted otherwise in the meeting agenda.

2.16.1 Public Comments—Procedure.

- i. When the time for public comment is announced, speakers who wish to address the Council should come to the podium and state their name and ward for the record. For speakers who are unable to stand at the podium, they will be recognized by the Mayor and provided a microphone to speak. In addition, hearing assistance devices will be available upon request.
- ii. Comments are limited to three minutes each. Speakers may not cede their time to others.
- iii. To ensure that everyone who wants to comment has the time to do so, members of the public are expected to only speak once during general public comments. However, a speaker representing a committee or an organization may speak twice in order to present their personal comment if different from the position of the committee or organization.
- iv. Those present at Council meetings shall respectfully permit speakers to express their opinions without interruption.
- v. When a speaker asks questions or raises a topic during public comments, to the extent possible, acknowledgment or responses will be provided later in the meeting, after the meeting in writing, or at a future meeting in City Manager Comments.
- vi. Public comment made in support of or opposition to an agenda item set for public hearing will be heard at the time set for the hearing.

2.16.2 Use of Visual or Audiovisual Materials. Requests to show visual or audiovisual materials during public comments or hearings must be submitted to the City Clerk at least twenty-four (24) hours in advance. If the request is approved, the digital file or link to the file must be emailed to the City Clerk (clerk@takomaparkmd.gov) no later than noon the day of the meeting or hearing. Those wishing to use visual or audiovisual materials

will not be permitted to utilize flash drives (thumb drives) at any meeting of the Council. The intent of this section is to safeguard the City's information technology systems. Nothing in this section shall be construed as preventing a speaker from utilizing a visual aide while speaking, i.e., chart, placard, or something similar.

2.16.3 Written or Audio Testimony. Written comments and testimony are always welcome, either in lieu of or in addition to spoken testimony. Any written materials should be submitted to the City Clerk (preferably in electronic form), prior to the start of the relevant Council meeting. Written testimony will be copied to the Council and included in the official record of the meeting or hearing.

2.16.4 Public Hearings. The City Council may hold scheduled formal public hearings during its regularly scheduled meetings or at another time in order to accept testimony on an issue.

- i. In certain circumstances, formal public hearings may be required by federal or State law, the City Charter, or the City Code.
- ii. A public hearing is more structured than other public comment periods. Speakers are asked to sign up at the beginning of the meeting. When a large number of people are expected to address the Council on an issue, speakers may be asked to sign up in advance of the meeting.
- iii. When the speaker's name is called, the speaker should come to the podium and state their name and ward for the record.
- iv. Comments are limited to three minutes each. Speakers may not cede their time to others. To ensure that everyone who wants to comment has the time to do so, members of the public are expected to only speak once during a public hearing. However, a speaker representing a committee or an organization may speak twice in order to present their personal comment if different from the position of the committee.
- v. All those present at public hearings shall respectfully permit speakers to express their opinions without interruption.

2.16.5 Public Comment at Special Meetings. Meetings outside of Regular Meetings of the Council, for example, Budget Work Sessions or Work Sessions on special topics, may not have time allotted for public comments, or in some instances, may require sign up ahead of time.

2.17 Council Comments. For the agenda item identified as Council Comments, Councilmembers shall be limited to three minutes each. Councilmembers may not cede their time to others. This time limitation applies only to the agenda item identified as Council Comments.

2.18 Announcement by Councilmembers of Proposed Introduction of Ordinances or Resolutions. When a Councilmember wishes to publicly announce the proposed introduction of an ordinance or resolution for consideration at a future meeting, the Councilmember may announce it during Council comments. The Councilmember may then request that the Mayor schedule a work session to discuss the item or request that the Mayor schedule the ordinance or resolution for a vote at a future meeting.

2.19 Motions or Hand Votes outside of Voting Sessions. During any meeting or work session at which a quorum is present, the Mayor may call for hand votes or motions may be made by Councilmembers: a) to request the Mayor to schedule an item on a future agenda; b) to make requests of or clearly articulate direction being provided to the City Manager; or c) to clarify whether the Council wishes to move forward with an issue under discussion. After discussion of a motion that has been made and duly seconded, the Council may vote on the matter.

2.20 Video Recording. Council meetings will ordinarily be recorded by City TV. These recordings may become part of the permanent record of Council proceedings. Meetings will be simultaneously cablecast on the Takoma Park cable channel and streamed and archived online. Copies are available upon request from City TV if costs are paid by the recipient.

2.21 ADA Notice. The City of Takoma Park is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone with a disability who 1) wishes to receive auxiliary aids, services, or accommodations at a City of Takoma Park public meeting or public hearing; or 2) cannot attend a public meeting but would like to record an audio comment to be played during the public comment period of the meeting, is invited to contact the City Clerk at clerk@takomaparkmd.gov or 301-891-7267 at least forty-eight (48) hours in advance.

2.22 Language Interpretation and Development of a Language Access Plan. On matters of broad, general interest or upon request by residents, the City Clerk may arrange for language interpretation during a meeting or hearing. A minimum of one week's notice is required to provide interpretation services.

2.22.1 City staff will develop for Council approval a Language Access Plan for City Council and board and committee meetings. The plan should include guidelines for deciding when to provide interpretation and translation of materials for meetings.

SECTION 3 - AGENDA

3.1 Agenda Packets. Agenda packets for Council meetings are prepared by City staff and approved by the City Manager.

3.1.1 To allow sufficient time for Council and public review, the agenda packet should generally be posted to the City website on Tuesday of the week before a meeting. If this deadline is not met, the information must be posted as soon thereafter as possible. When the Mayor determines that the Council or public has not had sufficient time to review information, an agenda item may be removed from the agenda and rescheduled.

3.1.2 At times when the City Council is expected to make a decision or vote on a matter at a meeting, every effort should be made to provide the information to the Council at least twenty-four (24) hours in advance of the meeting where the vote is scheduled to take place.

3.2 Agenda Content. Agendas for Council Meetings will generally contain the following categories:

- 3.2.1** Call to order;
- 3.2.2** Changes to the agenda/agenda scheduling update;
- 3.2.3** Public comments;
- 3.2.4** Council comments;
- 3.2.5** City manager comments;
- 3.2.6** Adoption of minutes;
- 3.2.7** Voting session;
- 3.2.8** Consent agenda;
- 3.2.9** Work session; and
- 3.2.10** Adjournment.

3.3 Agenda Preparation. The City Clerk, with the consent of the presiding officer, shall prepare an agenda for meetings of the Council and provide it to all members prior to Council meetings.

3.3.1 The City Manager may establish and provide to the City Clerk a consent agenda for any regular or special meeting. If, at any time prior to the adoption of the consent agenda at the regular meeting or special meeting, any member of the Council objects to the existence of any item on the

consent agenda, the matter shall be removed from the consent agenda and shall be voted on separately.

**SECTION 4 - ELECTRONIC PARTICIPATION & CONDUCT OF COUNCIL
MEETINGS BY VIRTUAL/HYBRID MEANS**

4.1 Electronic Participation by Members of the Council.¹ Members of the City Council may attend a meeting of the Council through electronic communication as follows, unless otherwise directed by the Council:

- 4.1.1 Prior to the Meeting.** The Councilmember shall give notice to the Mayor and City Clerk of their desire to attend a meeting from a remote location and indicate from where the member will participate. Notice should be provided one week in advance of any meeting of the Council, when practicable. Upon receipt of notice, the City Clerk will confirm that the City TV staff is able to manage the request. Once confirmation has been received, the City Clerk will note the remote participation on the City Council agenda. Emergency requests due to illness, unexpected travel for work, or similar unforeseen circumstances will be accommodated when possible.
- 4.1.2 During the Meeting.** The Mayor will announce the member's remote participation at the beginning of the meeting. During roll call, the Councilmember shall respond that they are present. If the Councilmember leaves the meeting, they shall announce the departure unless the meeting has been paused for a break or has been adjourned. After a break, the Mayor will confirm that the Councilmember is still present at the meeting. The Councilmember attending electronically shall ask for recognition from the Mayor if he or she desires to speak. When a Councilmember is attending electronically, all votes taken during the meeting shall be by roll call. The vote of the remote participant must be audible.
- 4.1.3 Limitations.** Remote participation will be limited by the technology available. No more than two members may participate remotely in a meeting unless additional members are needed in order to achieve a quorum. Requests shall be accommodated in the order that they are received. If the remote connection fails or the participating member cannot hear the proceedings or be heard by all those present, the Councilmember shall depart the meeting until the connection can be properly restored. In this event, the Mayor will announce the departure and, when applicable, subsequent rejoining at the meeting. Electronic participation is always contingent upon the ability of staff to make arrangements for the voice of the remote participant to be heard by all persons at the meeting and for the remote participant to hear all Councilmembers in attendance.

¹ Pursuant to Section 301(a) of the Charter, the Mayor is a member of the Council.

4.2 Staff and Consultants. The City Manager, after consultation with the Mayor, may authorize staff members and/or consultants to participate remotely.

4.3 City Attorney. The Mayor, after consultation with the City Manager, may authorize the City Attorney to participate remotely.

4.4 Public. The public shall be allowed to comment remotely during scheduled public comment periods or during public hearings. Advance sign up will be required for remote comments. Generally, remote comments will be taken after those present have spoken. As always, the Mayor or presiding officer has discretion to change the order of public comments depending upon circumstances.

4.5 Virtual/Hybrid Meetings. In the event of emergencies, circumstances that limit public gatherings, or at the Council's discretion, the Council may meet in a virtual/hybrid setting using technology such as Zoom that enables video and audio participation by Council, staff, and the public.

4.5.1 All votes shall be conducted by roll call.

4.5.2 Advance sign up is required for public comments.

SECTION 5 - COUNCIL RELATIONS AND COMMUNICATIONS WITH CITY STAFF

5.1 Staff Support. The City Manager will assign the staff necessary to provide clerical and administrative support for the Mayor and Council.

5.2 Treat all Staff as Professionals. Council will engage in clear, honest communication that respects the abilities, experience and dignity of each individual.

5.3 Administrative and Operational Questions to be Directed to City Management. Questions of city staff and/or requests for additional information should generally be directed to the City Manager, their designee, the City Attorney, or a Department Director. The City Manager should be copied on requests to staff, unless circumstances require otherwise. Generally, and as appropriate, information supplied to a Council member in response to a request will be made available to all members of the Council so that all have equal access to information.

5.4 Direction to Staff. A majority of the Mayor and Council, consistent with established policy, may issue directives to the City Manager for implementation.

5.5 Limit Disruption to Work of City Staff. Council will make every effort to avoid disrupting or interrupting staff while they are in meetings, on the phone, or engrossed in performing their job functions.

5.6 Criticism of an Individual Employee. Council members should not express concerns about the performance of a city employee in public or to the employee directly. Comments about staff performance should be made to the City Manager through private

correspondence or conversation. Comments about staff in the City Attorney's Office should be made directly to the City Attorney.

5.7 Council Influence or Involvement in Administrative Functions. Council will not attempt to interfere with or influence City staff, including the City Manager, in making appointments, awarding city contracts, consultant selection, processing development actions, granting licenses or permits, or in the application of operating rules or practices of any city department.

5.8 Interference with City Management. Council recognizes that the City Manager is responsible for the proper administration of all day-to-day affairs of the city. The City Manager is directed to bring possible violations of this provision by Councilmembers to the attention of the Mayor or City Attorney for review, investigation, and any necessary action.

5.9 Correspondence on Staff Work and Projects. Before sending correspondence on a matter or inquiry, it is advisable for Council to coordinate with the City Manager and relevant city department directors to determine if an official city response has already been sent or is in progress.

5.10 No Surprise. City Staff and Councilmembers should use best efforts to advise one another of emerging issues as soon as they are aware of them. All should provide advance notice of questions, concerns, or substantial amendments/revisions to agenda items prior to the meeting, when feasible.

SECTION 6 - COUNCILMEMBER RELATIONS WITH ONE ANOTHER

6.1 Use Formal Titles. Councilmembers should refer to one another formally during public meetings.

6.2 No Delay or Interruption. During meetings of the Council, Councilmembers shall preserve order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings or refuse to obey the orders of the presiding officer or the rules of the Council.

6.3 Speaking During Meetings. Every member desiring to speak shall address the presiding officer and, upon recognition by the presiding officer, shall confine himself or herself to the questions under debate. A member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer, unless a point of order is raised by another Councilmember or unless the speaker chooses to yield to questions from another members.

6.4 Calls to Order. If a member of the Council is called to order while speaking, said member shall cease speaking immediately until the question of order is determined. If ruled to be in order, said member shall be permitted to proceed. If ruled to be out of order, the member shall remain silent or shall alter any remarks so as to comply with the rules of the Council.

SECTION 7 - RULES OF PROCEDURE

7.1 Unless otherwise set forth herein, all meetings of the Council shall be conducted in accordance with the latest published addition of Robert's Rules of Order, Newly Revised, except where they are inconsistent or conflict with these Procedures or the City Charter or Code. A copy of these Rules and the latest edition of Robert's Rules of Order, Newly Revised shall be maintained by the City Clerk.

7.2 An action of the Council that is otherwise valid is not invalid because of the failure to follow these rules or Robert's Rules of Order, Newly Revised.

SECTION 8 – COUNCIL WORKING GROUPS

8.1 The Mayor may request volunteers from the City Council to participate in a working group of the City Council to address a particular project and prepare a recommendation for consideration by the full Council.

8.2 The working groups are temporary and shall not continue beyond the completion of the special project.

8.3 The working group may consist of at least two, but no more than three members of the Council. The Mayor may serve as a member of the working group as one of the two or three elected officials.

8.3.1 The City Manager may participate and may assign other staff to work with a working group.

8.3.2 At the discretion of the Mayor, the working group may include the City Attorney.

8.4 Working groups should be careful not to represent the position of the working group to be the position of the full Council. Similarly, individual Councilmembers on a working group should be careful not to represent individual positions as a position of the working group.