



Date January 24, 2022

AMENDING THE PROCEDURAL RULES OF THE DES MOINES CITY COUNCIL

WHEREAS, the Mayor and City Council wish to conduct orderly and efficient meetings and to have items of significance before the City Council where discussion is needed and appropriate; and,

WHEREAS, to avoid confusion about motions and to clarify the record and the minutes required by state statute, a second should be added to any motion prior to a vote; and

WHEREAS, the Mayor and City Council wish to encourage conducting of the meetings in an appropriate fashion to ensure that Des Moines residents and Des Moines property owners and taxpayers are given opportunities to speak within the rules; and,

WHEREAS, amending the Procedural Rules of the Des Moines City Council is necessary to accomplish such objectives.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

That the PROCEDURAL RULES OF DES MOINES CITY COUNCIL are hereby amended by amending the rules specified in the attached changes in the conduct of City Council meetings commencing after adoption and approval of these amendments.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
VOSS				
GATTO				
SHEUMAKER				
MANDELBAUM				
WESTERGAARD				
TOTAL				

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

Mayor

City Clerk

Rule 16. Citizen Agenda Des Moines Residents, Property Owners and City Taxpayers ~~(Comment: Des Moines taxpayer?)~~ Requests to Speak. Any City citizen-resident, property owner or taxpayer may request to ~~have an item placed on the Agenda (including a request to speak on a regular Agenda item)~~ by filing such request in writing with the City Clerk on or after the date ten days preceding a regular Council meeting but prior to 5:00 P.M. on the Tuesday preceding a regular Council meeting. All such speaker requests, up to a maximum of ~~twenty-thirty~~ items, shall be placed under a single item number, but last on the agenda, by lettered paragraph and limited collectively to no more than sixtyforty minutes in duration. Each item shall receive up to two minutes time and shall not be recalculated or additional speakers recognized if the time used by any speaker is less than two minutes or the collective time for all speakers is less than sixtyforty minutes. No other person may speak on any such item. Any requested item not included on the agenda due to the collective time limit and maximum number of items specified herein being exceeded, shall, subject to such time limit and maximum number of items applied to each Agenda for a subsequent regular meeting, move in the same order received by the City Clerk to the Agenda for the next regular meeting or, as necessary, the Agenda for the next subsequent meeting(s), with any new timely requests added to the end of the list of pending speaker ~~Citizen's Agenda~~ items in the order received. Any person

may have no more than one ~~speaker~~Agenda item request pending at a time and the City Clerk shall not accept a new request from a person that has a request pending.

Rule 22. Discussion. A Council member shall not speak ~~only~~ afteruntil being recognized by the presiding officer. After such recognition, the Council member recognized for a specific purpose shall limit remarks to that purpose and to its merits. A Council member, after being recognized shall address their remarks to the presiding officer, maintain a courteous tone and avoid interjecting any personal note into debate and shall not be interrupted except by a point of order raised by another member, by a seconded motion pursuant to Rule 42, or by the presiding officer to enforce these rules.

Rule 24. Limit on Remarks. Each Council member shall limit his or her remarks to a reasonable length, but in no event longer than five minutes without leave of the presiding officer, who may also shorten the time referenced in this rule at the presiding~~said~~ officer's discretion.

Rule 28. Manner of Addressing Council. At each regular Council meeting, if any requests to speak have been received, a person desiring to address the Council shall step to the podium,

state one's address, and group affiliation (if any) and speak clearly into the microphone. In lieu of providing a current residential address at the time of speaking during any non-public hearing item at the meeting, a person may provide one's address via email, written mail, or other writing to the City Clerk on or after the date ten days preceding the meeting but prior to 3:00 P.M. on the day of the meeting at which the requester desires to speak. If the person has provided a current address to the City Clerk as required herein and the City Clerk has verified this address, then the person desiring to speak shall only be required to provide one's name, zip code and ward residency at the time of speaking. If an address is not verified by the City Clerk, then the person submitting the request shall not be recognized to speak. At all public hearings, however, each speaker at each hearing that is a party in interest shall be required to provide one's name, address, and group affiliation (if any). All other speakers may, if an address previously was provided to the City Clerk, only be required to provide one's name, zip code and ward residency at the time of speaking. If the meeting is entirely electronic, the person shall use the prescribed method for comments, but shall not speak on the same item more than once. If the meeting is not entirely electronic, then only those persons in attendance at the physical location of the meeting will be

permitted to speak and only in accordance with these rules and the City Code. The person shall follow these rules and the direction of the presiding officer at all times.

Rule 29. Time Limit on Des Moines Residents, Property Owners and City Taxpayers' Citizen's Remarks. Des Moines residents, property owners and city taxpayers~~Citizens~~ shall be limited to no more than threefive minutes speaking time per Agenda item on which the public is allowed to speak, unless additional or less time is determined by the presiding officer. Total citizen in-put on any subject under Council consideration can be further limited to a fixed period by the presiding officer, but should routinely not exceed fifteen minutes unless varied by the presiding officer. A majority vote of the Council may alter the time limitations of this rule.

Rule 31. Matters Not on the Agenda. The Council may in its discretion and only upon an affirmative vote of a majority of Council allow citizens who wish to raise a matter not on the Agenda and who have not filed a request under Rule 16 to address the Council at the end of the regular Agenda.

Rule 32. Motion Required. All action requiring a vote shall be moved by a member of the Council and seconded by a different

Council Member. Any motion not seconded by a different Council Member shall be deemed failed by the presiding officer.

Rule 33. Motion to Reconsider. A motion to reconsider must be made by a Council ~~m~~Member and seconded by a different Council Member, both or either of whom ~~were~~ either on the prevailing side in the original action or were absent at the time of the original action. The sponsor~~ship~~ing of the reconsideration of a matter by the Mayor, or other presiding officer, has the effect of a motion to reconsider.

Rule 37. Action on Consent Agenda. Except as herein provided the "Consent Agenda" shall be considered in bulk and voted upon in a single motion. Each Council Member shall separately note upon a form provided by the City Clerk any matter on the "Consent Agenda" upon which he or she wishes to speak or to vote no. No Council Mmember may speak on more than four items without the approval of a majority of the council. At the time of consideration of the "Consent Agenda" the ~~Mayor or~~ presiding officer shall announce the items upon which Council ~~M~~members have indicated they wish to speak or vote no. Members of the public may not request ~~via email, written mail or other writing to the City Clerk~~ to remove any consent single item ~~by 3:00 p.m. on the day of the Council meeting, which Council may remove upon majority~~

~~vote, but no oral requests may be made at the meeting.~~ Any four or fewer items upon which any one Council Member wishes to speak, or items exceeding four upon which any one Council Member has requested to speak and be removed and upon which a citizen wishes to speak which have been approved~~removed from the consent agenda~~ by majority vote, shall be removed from the "Consent Agenda" and be considered separately and not as a portion of any motion calling for action upon the remainder of the "Consent Agenda". The City Clerk, on all matters contained in the "Consent Agenda" shall record the yes and no votes on each item separately as if each item had been moved, seconded and voted upon separately. Rule 21 shall not apply. Nothing in this rule shall be construed to prohibit a City resident, taxpayer, or property owner from contacting a Council Member prior to the meeting to request that the Member speak and remove an item from the "Consent Agenda".

Rule 40. Recording Names of Moving Members. The City Clerk shall record the name of the Council Member making each motion and the name of each Council Member who provides the second to the motion. If there is no second, the motion fails.

Rule 41. Consideration of Matters Not on Agenda. Except as to matters s which by law require the publication of notice before

consideration by the Council any member of the Council may, at the close of the regular Agenda, bring a matter not on the Agenda to the Council's attention by making a motion to discuss the matter. If the motion is not seconded, or if seconded but not approved by a majority of the Council for discussion, the motion shall be considered failed and the matter shall not be discussed further. Council may act upon such matters as permitted by law or direct such matter be included upon a later Agenda.

Rule 42. Motions. At any appropriate place on the Agenda, any member of the Council may make a motion followed by a second by a different Council Member for the Council to act upon any matter if the motion is germane to the matter under consideration. Any member of the Council may make a motion to recess or adjourn the meeting followed by a second by a different Council Member at any time during the meeting for any reason.

Rule 42A. Waiver of Ordinance Readings.

A Council member may move the final passage of an ordinance, with waiver and suspension of the requirement that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed, by reciting or paraphrasing the following motion:

"Moved by (insert the moving Council member's name) that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass."

or may move waiver and suspension by reference to the language of this section to be known as "the waiver rule". Either motion shall require a second by a different Council Member or shall be considered to have failed.