



CITY OF CEDAR HILLS

CITY COUNCIL
PROCEDURE POLICIES

TABLE OF CONTENTS

1. PURPOSE	
1.1 Procedure Policies	1
2. AUTHORITY	
2.1 Utah State Code	1
3. GENERAL RULES	
3.1 Public Meetings	1
3.2 Location	1
3.3 Quorum	1
3.4 Recognition by the Presiding Officer	1
3.5 Minutes	1
3.6 Audio Recordings	1
3.7 Written Requests and/or Notices	1
4. TYPES OF MEETINGS	
4.1 Regular Meetings	2
4.2 Special Meetings	2
4.3 Emergency Meetings	2
4.4 Closed Meetings	2
4.5 Work Sessions	2
4.6 Retreats	2
4.7 Electronic Meetings	2
5. ORDER OF BUSINESS	
5.1 Regular, Electronic, and Special Meetings	3
5.2 Emergency Meetings	4
5.3 Work Sessions	4
5.4 Retreats	4
6. PRESIDING OFFICER AND DUTIES	
6.1 Mayor as the Presiding Officer	5
6.2 Call to Order	5
6.3 Preservation of Order	5
6.4 Points of Order	5
6.5 Time Limits	5
6.6 Substitution for Presiding Officer	5
6.7 Motions to be Clear	5
6.8 Call for Vote	5

7.	TYPES OF MOTIONS AND RECONSIDERATION	
7.1	Motions Require a Second	5
7.2	Motions Requiring a Two-Thirds Vote	6
7.3	Motions	6
7.4	Motions to Amend	6
7.5	Motions to Continue	6
7.6	Motions to Table	6
7.7	Motions to Reconsider a Decision	6
8.	ORDINANCES, RESOLUTIONS, AND AGREEMENTS	
8.1	Ordinances	6
8.2	Resolutions	6
8.3	Agreements	7
8.4	Form	7
8.5	Funding	7
9.	CREATION OF COMMITTEES, BOARDS, AND COMMISSIONS	
9.1	Citizen Committees, Boards, and Commission	7
9.2	Member Approval	7
9.3	Ad Hoc Citizen Committees	7
10.	PUBLIC HEARINGS	
10.1	Purpose	7
10.2	Time Limited	7
10.3	Order of Comment	7
10.4	Procedures	8
10.5	Manner of Addressing the City Council	8
10.6	Questions from Council Members	8
11.	RULES OF CONDUCT	
11.1	Disorderly Citizens	8
11.2	Disorderly Council Members	8
12.	AGENDA-SETTING	
12.1	Procedure	8
12.2	Agenda Collateral	10
12.3	Meeting Follow-Up	10

CITY COUNCIL PROCEDURE POLICIES

1. PURPOSE

- 1.1 Procedure Policies: These Procedure Policies of the City Council of the City of Cedar Hills are intended for the government of the City Council, the preservation of order, and the orderly transaction of Council business.

2. AUTHORITY

- 2.1 Utah State Code: (UCA 10-3-606)

3. GENERAL RULES

- 3.1 Public Meetings: All official meetings of the City Council (except where State or local law allows for closed sessions) shall be open to the public. (UCA 52-4-201 & 52-4-205)
- 3.2 Location: (City Code 1-5-5A) The location may be changed by the Mayor, or at the written request of at least three (3) Council Members.
- 3.3 Quorum: (UCA 10-3-504)
- 3.4 Recognition by the Presiding Officer: All Council Members, staff, and individuals from the general public must be recognized by the Presiding Officer before addressing the City Council on any issue. The Presiding Officer shall recognize Council Members and city staff in the order requested, and shall recognize members of the general public at the request of a Council Member.
- 3.5 Minutes: (UCA 52-4-203) Minutes of the proceedings of these open meetings shall be available for public inspection and posted to the City's Web site after approval.
- 3.6 Audio Recordings: Audio recordings of all meetings shall be made available on the City's web site as soon as practical after the conclusion of the meeting, generally within two (2) days following the meeting.
- 3.7 Written Requests and/or Notices: For purposes of written requests and/or notices, an e-mail sent by each required party to the official e-mail address(es) of the City Recorder, City Manager, Mayor, and all Council Members shall substitute for a written request or signed written statement.

4. TYPES OF MEETINGS

- 4.1 Regular Meetings: The City Council shall meet in accordance with the annual meeting schedule as approved or as amended.
- 4.2 Special Meetings: Special City Council meetings may be called by the Mayor or any two (2) Council Members by giving written notice to the City Recorder and City Manager. (UCA 10-3-502)
- 4.3 Emergency Meetings: Emergency Meetings may be called by the Mayor or any two (2) Council Members to consider matters of an emergency or otherwise urgent nature. The best practicable public notice shall be given. (UCA 52-4-202)
- 4.4 Closed Meetings: The City Council may adjourn to a Closed Meeting (also known as an Executive Session) to discuss topics provided for under state law. Adjournment to a Closed Meeting requires a two-thirds (2/3) vote of the City Council present. (UCA 52-4-204 & 5-4-205)
- 4.5 Work Sessions: The City Council may meet informally in Work Sessions (open to the public) to review upcoming programs of the City, to receive progress reports on current programs or projects, and to discuss policy issues. No final action may be taken in a Work Session.
- 4.6 Retreats: The City Council may meet informally in Retreats (open to the public) to discuss a variety of issues facing the City. While broad general direction may be given, no final action may be taken in a Retreat.
- 4.7 Electronic Meetings: The City Council may conduct electronic meetings where one (1) or more of its members participate by means of a telephonic or telecommunications conference. (UCA 52-4-207)
 - A. Members so participating shall be considered present at the meeting for all purposes, and shall be afforded every opportunity to participate in the discussion of the items on the agenda and cast their vote on issues coming to the Council for a vote.
 - B. The anchor location shall be as specified in Section 3.2.
 - C. No council meeting may be held electronically unless at least two (2) Council Members are present at the anchor location. The meeting shall be conducted from the anchor location by the Presiding Officer. However, if the Presiding Officer is not present at the anchor location, the Council shall select from its membership at the anchor location a Presiding Officer for the sole purpose of conducting the electronic meeting.

- D. Immediately prior to opening the meeting, the Presiding Officer shall communicate with the person who is participating electronically and insure that he or she is prepared to go forward. From that time forward until the adjournment of the meeting, the communication line shall be kept open, unless the Council Member participating electronically wishes to withdraw from the meeting.

5. ORDER OF BUSINESS

5.1 Regular, Electronic, and Special Meetings: The General rule as to the order of business in regular, electronic, and special meetings shall be as follows:

- A. Call to Order - by the Presiding Officer
- B. Pledge of Allegiance - as designated by the Presiding Officer
- C. Invocation - as designated by the Presiding Officer
- D. Public Comments - Time is set aside for the public to express their ideas, concerns and comments on items NOT on the agenda. Any person desiring to address the City Council shall have written their name on the sign-up sheet provided by the City entitled "Public Comment" and shall be recognized to speak to the City Council by the Presiding Officer. No formal action is taken on items brought up during public comments, but the City Council may direct staff to follow-up on items and/or schedule them with necessary public notice for future meetings.
- E. CONSENT ITEMS - Minutes of preceding meetings, items that have previously received a preliminary approval by the City Council, and other items that are fairly routine but require final approval by the City Council.
- F. CITY REPORTS - These items do not have formal City Council action and may include any of the following:
 - (1) Presentations and Commendations.
 - (2) Reports by Council Members on issues of importance to the City Council and the public.
 - (3) Announcements.
 - (4) Upcoming Community Events.
 - (5) Reports by Council Members on assignments.
 - (6) Reports by the City Manager

G. SCHEDULED ITEMS AND PUBLIC HEARINGS - Items that the City Council may wish to discuss or approve including comment for public hearings or for which a presentation would be made. This section may include the following:

- (1) Formal Items - Ordinances, resolutions, agreements and other obligations of the City that must be approved.
- (2) Discussion Items - Policy, procedural, or other legislative or consensus building deliberations that do not include a formal action by the City Council, but may include direction given to staff for future formal consideration.
- (3) Presentation Items - Informational presentations that do not require formal Council action but may include direction given to staff of future formal consideration.
- (4) Report Items - Final reports or updates of current programs by staff or other representatives that do not require formal action by the City Council.
- (5) Communication Items - Items received by the Mayor, any Council Member, or the City staff that are intended for the entire City Council. Action or discussion on the communication item may take place if the City Council desires.
- (6) Public Hearings – See Section 10.

H. EXECUTIVE SESSION (UCA 52-4-204)

I. ADJOURNMENT - A motion to adjourn requires a second and at least three (3) affirmative votes.

5.2 Emergency Meetings: The general rule as to the order of business in emergency meetings shall be as follows: (UCA 52-4-202)

- A. Call to order - by the Presiding Officer
- B. Scheduled Items
- C. Adjournment

5.3 Work Sessions: In general, work sessions will be held in conjunction with a regular or special meeting and shall be scheduled at the start of these meetings.

5.4 Retreats: Off-site retreats will be scheduled by the City Council as it deems necessary.

6. PRESIDING OFFICER AND DUTIES

- 6.1 Mayor as the Presiding Officer: The Mayor, if present at the anchor location, shall act as the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the City Council shall elect a temporary Mayor Pro Tem who will then preside at the meeting.
- 6.2 Call to Order: Meetings of the City Council shall be called to order by the Presiding Officer. In the absence of both the Mayor and the Mayor Pro Tem, the meeting may be called to order by the City Recorder or Deputy City Recorder for the election of a temporary Mayor Pro Tem.
- 6.3 Preservation of Order: The Presiding Officer shall preserve order and decorum; prevent attacks on personalities or the impugning of members motives; and confine debate to the question under discussion.
- 6.4 Points of Order: The Presiding Officer shall determine all points of order so as to comply with established procedures and policies. The City Council may, with a motion, a second, and at least three (3) affirmative votes, suspend or modify the rules of order for all or a portion of a meeting.
- 6.5 Time Limits: The Presiding Officer shall have the power to set reasonable time limits on input and discussions, ensuring that all Council Members have the opportunity to participate and be heard. When the time limit expires, the City Council may vote to extend the time limit or to take some action on the item.
- 6.6 Substitution for Presiding Officer: In the absence of the Presiding Officer or because of his inability or refusal to act, the City Council may elect a member of the City Council to preside over the meeting as the Presiding Officer.
- 6.7 Motions to be Clear: The Presiding Officer shall ensure that all motions submitted for a vote are clearly understood by the City Council.
- 6.8 Call for Vote: The Presiding Officer shall call for a voice vote unless a member of the City Council requests a roll call vote. The Presiding Officer shall announce the result of the vote. The meeting minutes shall indicate the vote of each Council Member.

7. TYPES OF MOTIONS AND RECONSIDERATION

- 7.1 Motions Require a Second: All motions require a second before they can be discussed or acted upon.

- 7.2 Motions Requiring A Two-Thirds Vote: Motions to adjourn to a closed meeting (UCA 52-4-204, 2/3 present) or expel a member of the City Council (UCA 10-3-607) or the public (UCA 10-3-608) shall require a motion, a second, and two-thirds (2/3) vote of the City Council. (2/3 if 5 present is 4)
- 7.3 Motions: Except for motions where specific requirements are given in State or Municipal code, all motions shall require a second and a minimum of three (3) affirmative votes to be approved. The Presiding Officer shall recognize a motion from a Council Member unless a motion is currently on the floor; in the event two motions are made simultaneously, the Presiding Officer shall recognize the motion that was begun first.
- 7.4 Motions to Amend: Any motion being considered by the City Council may be amended by permission of the maker of the motion and a second from any other Council Member.
- 7.5 Motions to Continue: The City Council may approve a motion to continue any item for further discussion or consideration to the following meeting or to a specific date and time.
- 7.6 Motions to Table: The City Council may motion to table an issue, without scheduling it for future consideration.
- 7.7 Motions to Reconsider a Decision: Any two (2) Council Members who voted in the majority on a motion approved by the City Council may request a reconsideration of the action at the same meeting.

Reconsideration shall follow the two-step process outlined below:

- A. Motion to Reconsider: A motion to reconsider the item must be approved.
- B. Motion on the Item: The discussion and subsequent vote on the item may only take place at the same meeting as the original action. Otherwise, the item must become a new item on a future agenda with appropriate public notice.

8. ORDINANCES, RESOLUTIONS, AND AGREEMENTS

- 8.1 Ordinances: (UCA 10-3-702) Ordinances are generally passed as part of the City Code. The effective date on all Ordinances shall comply with UCA 10-3-712.
- 8.2 Resolutions: The City Council may express a formal opinion or the will of the City Council without it becoming a part of the City Code. The effective date on all Resolutions shall comply with UCA 10-3-719. A resolution may exercise all administrative powers according to UCA 10-3-717.

- 8.3 Agreements: The City Council may enter into an agreement between the City and one (1) or more parties agreeing to do or not to do an act or take a course of action. The effective date on all Agreements shall be the date of execution by the Mayor, unless another effective date is established by the City Council at the time the City Council approves the Agreement.
- 8.4 Form: Ordinances, Resolutions, and Agreements shall be in written form at the time they are passed. (UCA 10-3-507)
- 8.5 Funding: All Ordinances, Resolutions, and Agreements authorizing an expenditure of money shall include the amount, source, and purpose of the expenditure. The budget shall be amended as soon as reasonably possible after the beginning of each quarter so as to include all known and/or projected revenue and expense adjustments.

9. CREATION OF COMMITTEES, BOARDS, AND COMMISSIONS

- 9.1 Citizen Committees, Boards, and Commissions: The City Council may create policy advisory committees, boards, and commissions with such duties as the City Council may specify that are not inconsistent with the City Code and State Law.
- 9.2 Member Approval: The members of the policy advisory committees, boards, and commissions are appointed by the Mayor with the advice and consent of the City Council in accordance with the bylaws of the committee, board, or commission.
- 9.3 Ad Hoc Citizen Committees: The Mayor may appoint Ad Hoc Citizen Committees to address policy issues of specific concern. Ad Hoc Committees shall continue for a temporary and limited duration.

10. PUBLIC HEARINGS

- 10.1 Purpose: Public hearings provide public input to the City Council on issues on a specific day and time in order for the City Council to be better informed prior to making a decision on the issue.
- 10.2 Time Limited: The Presiding Officer shall determine a reasonable amount of time for each person to address the City Council.
- 10.3 Order of Comment:
- A. The City Council shall first be addressed by the appropriate staff member who will present and discuss with the City Council the issue at hand.
 - B. Next, if there is an applicant, the applicant shall discuss with the City Council the issue at hand and present additional or more specific information.

- C. Finally, any person desiring to address the City Council shall have written their name on the sign-up sheet provided by the City for that specific public hearing and shall be recognized to speak to the City Council by the Presiding Officer. The Council Members may request clarification on comments from any speaker, and the speaker shall be allowed to respond.

10.4 Procedures:

- A. The Presiding Officer shall conduct all public hearings and should review the rules for public hearings prior to comment.
- B. The Presiding Officer should courteously limit repetition and retain flexibility for additional comments but only on new information.
- C. Under the discretion and the authority of the Presiding Officer, the public hearing shall be closed after hearing the public comment unless the City Council wishes to continue the hearing to another specific date and time. No further remarks by the public will be heard once the hearing is closed unless specifically requested by the City Council.
- D. The City Council may continue a public hearing or continue City Council consideration to another specific date and time.
- E. Upon completion of the public hearing, the City Council may discuss and take appropriate action on the issue.

10.5 Manner of Addressing the City Council: Each person addressing the City Council shall come forward and shall state their name and address of residence in an audible tone of voice for the record. All remarks shall be addressed to the City Council as a body, and not to any specific member(s) thereof.

10.6 Questions from Council Members: The Council Members may request clarification or additional input from the staff, applicants, or the general public through the Presiding Officer during the scheduled item.

11. RULES OF CONDUCT

11.1 Disorderly Citizens: (UCA 10-3-608)

11.2 Disorderly Council Members: (UCA 10-3-607)

12. AGENDAS

12.1 Procedure:

- A. Generally the Mayor and staff work together to create the agenda as dictated by the needs of the City.
- B. Two (2) or more Council Members may add any item to the agenda by providing a written request to the Mayor, City Manager, and City Recorder at least seven (7) days prior to the scheduled Council meeting.
- C. Two (2) or more Council Members may add any item to the agenda of a future Council meeting by formally requesting the item during a prior Council meeting. The request should appear in the minutes including the names of the supporting Council Members.
- D. Requested items requiring research or additional work from the Mayor or staff will be added to the agenda when the work is complete. Work and research items shall be completed within a reasonable time period. The Mayor or City Manager will, upon request, provide a meeting date for which the item will appear on the agenda.
- E. For ordinances or resolutions, the requesting Council Members should work with the City Manager to complete the requested text and memos one (1) week prior to the meeting.
- F. For items of great urgency and where it is in the City's best interests, the Mayor may add items to the agenda in accordance with established legal requirements for public notice.
- G. Up to two (2) days prior to the scheduled meeting, the Mayor may, at his or her discretion and upon immediate notification in writing to all Council Members, the City Recorder, and the City Manager, remove items from the agenda when any of the following apply:
 - (1) There are no longer at least two (2) requesting Council Members that want the item to be on the agenda.
 - (2) Additional required information or related documents (such as plat maps, research reports, approval documents, etc.) are not complete six (6) days prior to the Council meeting.
 - (3) The Mayor deems it in the best interests of the City to postpone the item on the agenda.

Two (2) or more Council Members may override the Mayor's removal of an item and force the item onto the agenda by providing written notice to the Mayor, City Manager, and City Recorder. Once overridden, the Mayor may not again remove the item except at the written request of both overriding Council Members.

12.2 Agenda Collateral:

- A. Staff shall, whenever possible, provide Council Members with the relevant meeting collateral, including memos, plat maps, reports, and written copies of resolutions, ordinances, and agreements within a reasonable amount of time prior to a scheduled meeting, generally five (5) days prior to the meeting.
- B. Whenever possible, an electronic and publicly available copy of the agenda collateral shall also be published on the City's website within a reasonable amount of time prior to a scheduled meeting, generally two (2) days prior to the meeting.

12.3 Meeting Follow-Up: Staff shall provide a list of follow-up items within a reasonable amount of time following a meeting, generally within two (2) days following the meeting.