

City of Golden Colorado  
City Council  
**RULES OF PROCEDURE**

Adopted December 12, 2023

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ARTICLE 1: Authority & Suspension of Rules	Section 1: <u>Charter and Municipal Code Authorities</u> A) These Rules of Procedures are adopted by the Golden City Council (Council) pursuant to the authority vested in <a href="#">Chapter 5.1 of the City of Golden Home Rule Charter</a> (Charter). B) These Rules are intended to supplement those set forth in <a href="#">Chapter V of the Charter</a> and <a href="#">Chapter 2.04 of the Golden Municipal Code</a> . C) Any provision of these rules not governed by the Charter or Municipal Code may be temporarily suspended at any meeting of Council by a majority vote of all councilors. D) When making a motion to suspend the rules, the councilor shall specify which rule or part of such rule being temporarily suspended and the purpose for which the rule is to be suspended.	

<p>ARTICLE 2: Meetings and Sessions</p>	<p>Section 1:     <u>Regular Meetings</u></p> <ul style="list-style-type: none"> <li>A) Regular meetings of Council shall consist of business meetings and study sessions. <ul style="list-style-type: none"> <li>1) Business meetings present the appropriate forum for public hearings, formal Council action, and general public comment.</li> <li>2) Study sessions shall be to hear, study, and discuss matters in a forum that allows for more dialog and a deeper discussion than a business meeting. No formal action regarding motions, resolutions, or ordinances may occur at a study session.</li> </ul> </li> <li>B) As a general proposition, a combined study session and business meeting will be held on the second Tuesday of each month and an additional business meeting will be held on the fourth Tuesday of each month.</li> <li>C) Council will adopt, on an annual basis, a resolution establishing its meeting schedule for the ensuing year.</li> </ul> <p>Section 2:     <u>Special Meetings</u></p> <ul style="list-style-type: none"> <li>A) A special meeting is any meeting that is called, but which is not scheduled pursuant to the annual resolution referenced in Section A.1 above.</li> <li>B) Special meetings may be either a business meeting or study session.</li> </ul> <p>Section 3:     <u>Executive Sessions</u></p> <ul style="list-style-type: none"> <li>A) Executive sessions shall be recorded, in compliance with applicable law and/or ordinance.</li> <li>B) An executive session shall be placed on the agenda in such order as the Mayor or Chair deems appropriate.</li> <li>C) The motion and vote to convene an executive session shall take place in the Council Chambers, or such other location as has been posted on the public notice of the meeting.</li> <li>D) Councilors who are absent from an executive session, but who have not exercised the option of non-participation pursuant to <a href="#">Section 1.03.060 of the Golden Municipal Code</a>, may listen to the recording of such session at the City Clerk's Office without further authorization from Council.</li> </ul>
<p>ARTICLE 3: Agenda and Council Packets</p>	<p>Section 1:     <u>Agenda</u></p> <ul style="list-style-type: none"> <li>A) The City Manager shall prepare and set the Council agenda in consultation with Mayor.</li> </ul> <p>Section 2:     <u>Council Packets</u></p> <ul style="list-style-type: none"> <li>A) Council packets containing the agenda and applicable documents shall be distributed to councilors on the Thursday proceeding the Tuesday business meeting or study session, or 3 days before a special meeting</li> <li>B) Delayed materials will be noted when the packet is distributed and provided prior to the Tuesday meeting.</li> </ul>

<p>ARTICLE 4: Mayor, Chair, and Councilor Duties</p>	<p>Section 1:     <u>Mayoral Duties and Designating a Chair</u></p> <ul style="list-style-type: none"> <li>A) As a general proposition and except as provided in Article 5 Section 2 of these rules, the Mayor shall act as Chair of Council meetings.</li> <li>B) If the Mayor is absent or unavailable     , the Mayor Pro Tempore shall serve as Chair.</li> <li>C) If both the Mayor and Mayor Pro Tempore will be absent from a meeting or session, the Mayor may designate an acting Chair in advance of the meeting.</li> <li>D) If the Mayor and Mayor Pro Tempore are absent and the Mayor has not designated an acting Chair, then the City Clerk or clerk's deputy shall call the Council to order, and the first order of business shall be the election by all councilors by a majority of those present of a councilor who shall be the acting Chair for the duration of that meeting.</li> </ul> <p>Section 2:     <u>Chair's Duties</u></p> <ul style="list-style-type: none"> <li>A) The Chair shall, at the designated date and time, call the Council to order and upon ascertainment of a quorum proceed with business.</li> <li>B) The Chair is responsible for conducting the meeting in an orderly and democratic fashion, in accordance with any adopted Council policies, to include: <ul style="list-style-type: none"> <li>1) Shall decide all questions of order, subject to a councilor's right to appeal to the Council as a whole.</li> <li>2) May speak to points of order in preference to other councilors.</li> <li>3) May speak on questions to the Chair;</li> <li>4) Shall appoint, where applicable, all committees, whether standing, joint or special, unless Council provides otherwise or otherwise provided by policy.</li> <li>5) May call a recess at any time during a meeting.</li> <li>6) Ensure that all discussions are related to the topic at issue consistent with Policy 1 Rules of Decorum.</li> </ul> </li> </ul> <p>Section 3:     <u>Councilor Duties</u></p> <ul style="list-style-type: none"> <li>A) Each councilor is responsible for thoroughly reviewing all material within the packet prior to the applicable meeting.</li> <li>B) If a councilor has a question or issue for the staff, City Manager or City Attorney, the councilor should contact only the City Manager, appropriate department head or City Attorney, unless directed otherwise by the City Manager. The contact should be made within a reasonable time prior to the meeting so they may prepare a response or be prepared to respond. When contacting department heads, the City Manager shall be copied.</li> <li>C) Any written responses provided prior to a meeting shall be copied to all councilors and shall be made available to the public and part of the public record unless attorney-client privilege applies.</li> <li>D) If it is necessary for a councilor to be absent from a scheduled meeting, it is the responsibility of that councilor to notify the office of the City Clerk, City Manager and the Chair for that meeting.</li> </ul>
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	E) Councilors should be on time for all meetings and promptly return from any recess or break.
ARTICLE 5: Order of Business for Business Meetings and Study Sessions	<p>Section 1: <u>Business Meetings</u></p> <p>A) Council will generally consider business in the following order:</p> <ol style="list-style-type: none"> <li>1) Call to order</li> <li>2) Roll call</li> <li>3) Pledge of allegiance</li> <li>4) Public comment and council and staff response</li> <li>5) Reports from visiting elected officials, dignitaries, and other stakeholders</li> <li>6) Reports from City Boards, Commissions, Committees, and Authorities (hereafter referred to as boards) if included by the City Manager in the prepared agenda</li> <li>7) Council committee reports</li> <li>8) Councilor and staff reports</li> <li>9) Consent matters</li> <li>10) Items removed from consent agenda</li> <li>11) Proclamations, recognitions, awards, and presentations</li> <li>12) Unfinished business from a previous council meeting</li> <li>13) New business</li> <li>14) Adjournment</li> </ol> <p>B) Adjustments to the order of business</p> <ol style="list-style-type: none"> <li>1) In order to consider items in a manner that is most convenient for the public, staff, and Council, a councilor may offer a motion to adjust the order of business.</li> <li>2) Such a motion shall be adopted if approved by the majority of councilors present.</li> </ol> <p>C) Approval of consent matters</p> <ol style="list-style-type: none"> <li>1) Consent matters shall be adopted by voice vote upon a single motion.</li> <li>2) Items may be taken off of the consent agenda by any one councilor or staff and discussed under part 9 of the agenda, "Items Removed from the Consent Agenda".</li> <li>3) Councilors are encouraged to inform the City Manager and Mayor of their intent to remove an item from the consent agenda at least 24 hours in advance to accommodate relevant staff attendance at the meeting.</li> </ol> <p>D) Councilor Reports</p> <ol style="list-style-type: none"> <li>1) Councilors are encouraged to keep their remarks brief, and share lengthy or detailed reports on Council Connects.</li> <li>2) Council reports should be limited to information obtained at outside meetings, events, or conferences which may impact the City; or announcements of general interest to draw awareness to Council communications.</li> </ol>

	<p>Section 2: <u>Study Sessions</u></p> <ul style="list-style-type: none"> <li>A) Council will generally consider study session agenda items in the following order, unless adjusted by the Chair: <ul style="list-style-type: none"> <li>1) Study session topics</li> <li>2) Consider proposals for New Business per adopted Council Policy 2 and 3</li> <li>3) Review council planning calendar</li> <li>4) General comments of council and staff</li> <li>5) Adjournment</li> </ul> </li> <li>B) Councilors shall chair study sessions on a rotating basis as designated by the Mayor and shall exercise the duties and powers of the Chair.</li> <li>C) Unless an objection is raised by a councilor, the Chair may adjust the order of business and allow scheduled presentations at a time and in a manner that is most convenient for the public, staff, and Council. If an objection is raised, the Chair will not adjust the order of business unless approved by a majority of the councilors present.</li> <li>D) The study session Chair may establish their own procedures for recognition at the meeting to streamline discussions.</li> <li>E) A quorum of Council is not required to hold a study session.</li> <li>F) Study sessions shall be properly noticed and open to the public but public comment will not be taken. Testimony other than staff, such as consultants or subject-matter experts as designated by the City Manager or Mayor may be allowed.</li> <li>G) No business shall be transacted and no formal action regarding motions, resolutions, or ordinances shall be taken in a study session.</li> <li>H) The Council may by consensus provide staff with direction concerning study session topics.</li> </ul>
ARTICLE 6: General Meeting Rules	<p>Section 1: <u>Timely Adjournment</u></p> <ul style="list-style-type: none"> <li>A) All meetings shall adjourn no later than 10 p.m., or as soon thereafter as the hour may be brought to the attention of the Chair, unless: <ul style="list-style-type: none"> <li>1) A majority of councilors present approve a motion to extend the meeting to 10:30 p.m.; or</li> <li>2) A majority of councilors present approve a motion “to suspend the Timely Adjournment rule”, in which case the meeting may extend past 10:30 p.m.</li> </ul> </li> </ul> <p>Section 2: <u>Recognition</u></p> <ul style="list-style-type: none"> <li>A) No councilor shall speak until such member has addressed and been recognized by the Chair, except in the case of a ‘point of order’ question which can be addressed without being recognized by the Chair.</li> <li>B) When a councilor is speaking, no other councilor shall interrupt, conduct a private conversation, or engage in any conduct that interferes with the ability of the recognized speaker to be heard by those present.</li> </ul> <p>Section 3: <u>Decorum as applied to councilors</u></p>

- A) No councilor shall leave the dais while the Chair is putting a question or other form of business to Council, unless such councilor is not voting on the question or other form of business in accordance with Section 7 below.
- B) No councilor shall engage in conversation or commit any other act which may distract the attention of another councilor from the business before Council.
- C) During quasi-judicial meetings, councilors shall not use electronic devices except to review the agenda, meeting packet and supplemental materials provided by staff or for the purposes of calendaring or calculating.
- D) During non-quasi-judicial matters, councilors may use electronic devices to look up relevant factual background material, as appropriate.
- E) Council recognizes that a councilor may need to respond to an emergency unrelated to Council business; if an emergency arises, the councilor shall advise the Chair and shall request a recess.

Section 4: Protest

- A) Any councilor has the right to protest any action of the Council, stating the reasons therefore and have same entered on the record, provided such reasons do not impugn the motives or personal character of any councilor.

Section 5: Limitation of Debate

- A) No councilor shall speak more than twice before all councilors who wish to speak have spoken at least once.
- B) In all other instances, the Chair will make the best effort to hear from all councilors interested in speaking.

Section 6: Appeal

- A) An appeal may be taken from any decision of the Chair by motion and second, in which event the councilor bringing the appeal shall state the reason therefore, to which the Chair may respond.
- B) A motion to appeal shall be debatable.
- C) Such appeals shall be acted upon immediately and no other motion shall be entertained until the question: "Shall the decision of the Chair be overruled?" be decided by the vote of all the members present.
- D) The affirmative vote of a majority of the members' present shall be necessary to overrule the decision of the Chair.

Section 7: Voting

- A) A voice vote shall be allowed at the discretion of the Chair, however, roll call vote or electronic voting system (in the event such technology becomes available) can be utilized.
- B) In accordance with Section 5.7 of the Charter, every councilor must vote unless:

	<ol style="list-style-type: none"> <li>1) They have a personal or financial interest (or the appearance of personal or financial interest) other than the common public interest; or</li> <li>2) The issue on which a vote is to occur involves a question concerning the councilor's own conduct; or</li> <li>3) The councilor is excused by the unanimous consent of all Councilors present prior to the call for a vote; or</li> <li>4) A councilor's impartiality might reasonably be questioned, in the case of a quasi-judicial matter, including but not limited to a personal bias, a close relationship, or a prejudice concerning facts in the question.</li> </ol> <p>Section 8: <u>Tie Vote/Absence</u></p> <p>A) In case of a tie vote on any motion, the motion shall be considered defeated.</p> <p>Section 9: <u>Excusal from Attendance at Council Meetings</u></p> <p>A) Except in the event of a personal need or emergency, no member may leave the dais while a meeting is in progress without the permission of the Chair.</p> <p>B) In such event, the Chair may delay Council action, or proceed without the absent member(s) unless the matter before Council is quasi-judicial in which case a recess would be required or the matter would need to be delayed.</p>
ARTICLE 7: Public Comment and Public Hearings Procedures	<p>Section 1: <u>Public Comments</u></p> <ol style="list-style-type: none"> <li>A) All persons desiring to speak before Council may be requested to register with the City Clerk.</li> <li>B) All persons speaking before Council shall provide their names and addresses or neighborhoods.</li> <li>C) Members of the public are permitted to speak during public comment on issues that are not related to an agenda item with a corresponding public hearing.</li> <li>D) As a general proposition, public comments shall be limited to 3 minutes per speaker.</li> <li>E) The Chair has the authority to set a different time limit per speaker, provided that all speakers present are provided equal time.</li> <li>F) Any councilor may make inquiries of a speaker after their time has expired, but before they have left the podium.</li> <li>G) Councilors and staff may respond to public comments after all member of the public have had an opportunity to speak.</li> <li>H) The Chair has discretion to determine the order of the responses to public comment.</li> </ol> <p>Section 2: <u>Public Hearing Procedures on Quasi-Judicial Matters Other than Appeals Based on the Record</u></p> <p>A) The hearing shall be conducted in accordance with the procedures set forth in Chapter 2.35 of the Municipal Code to provide a reasonable</p>

	<p>opportunity for all interested parties to express themselves, as long as the testimony or evidence presented is reasonably related to the purpose of the public hearing.</p> <p>B) Notwithstanding this purpose, the Chair has the authority to limit comments to a specific period of time.</p> <p>C) At the outset of the public hearing the Chair shall generally advise the public of the rules governing public comment.</p> <p>D) Any councilor may make inquiries of a speaker after their time has expired, but before they have left the podium.</p> <p>E) Staff's duties are to</p> <ol style="list-style-type: none"> <li>1) enter, as part of the record, a copy of the matter's public notice; all application documents for the proposed project and copies of any other information and documents that are an appropriate part of the public hearing record;</li> <li>2) to provide a synopsis or summary of the issues before Council including issues considered in prior public meetings/hearings of boards;</li> <li>3) make recommendations as to the matters to be determined by Council; and</li> <li>4) answer specific questions as requested by Council or the parties to the hearing.</li> </ol> <p>F) The property owner, applicant or proponent or representative(s) of the project/issue before Council, shall describe the nature of the request and present evidence and arguments in support of the request.</p> <p>G) The burden of presenting the case for the proponent of the project/issue is upon such proponent or its representative, not staff.</p> <p>H) All comments in support, opposition or questions shall be directed through the Chair, who will direct the appropriate person to respond.</p> <p>I) The property owner, applicant or proponent or representative(s) of the project/issue will be afforded an opportunity for brief rebuttal statements/evidence following public input.</p> <p>J) If final action is not to be taken at the same time as the public hearing because of a continuance, the Chair will advise the audience/public when the matter will be considered.</p> <p>K) If a councilor is absent during a public hearing, they shall not be eligible to vote on the matter unless they have listened to and reviewed the entire record of the hearing.</p> <p>Section 3: <u>Non Quasi-Judicial Public Hearings' Procedures</u></p> <p>A) At the outset of the public hearing the Chair shall generally advise the public of the rules governing public comment.</p> <p>B) Persons wishing to speak may do so whether in favor, opposed or neutral, in no particular order.</p> <p>C) With the advice of the City Attorney, the Chair shall conduct the hearing in such manner as to provide for free speech and expression of opinion of all persons speaking, as long as related to the public hearing.</p> <p>D) The Chair has the authority to limit comments to a specific length of time.</p>
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	<p>E) Any person speaking may be questioned by members of Council or by staff after public comment.</p> <p>F) The Chair shall rule upon all disputed matters or procedures, unless, by motion, second and debate, he/she is overruled by a majority vote of the Councilors present.</p> <p>Section 4: <u>Public Hearing Procedures on Matters Relating to Appeals on the Record</u></p> <p>A) Any matter appealed to Council according to the Golden Municipal Code that requires Council to consider the appeal based solely on the record created at the lower tribunal should not include, nor should Council consider, the presentation of new testimony or evidence.</p> <p>B) Public testimony before Council should not be allowed with such an appeal.</p> <p>C) Any party to the appeal may present arguments to Council in support of, or opposition to, the appeal, but such arguments must be based on the factual record previously created.</p> <p>D) The Chair may place reasonable restrictions on such arguments, including a limitation to written argument and/or limitations on the length of written or oral arguments.</p> <p>E) Council may, in its discretion, refer the appeal to the lower tribunal if consideration of addition facts or evidence is appropriate.</p>
ARTICLE 8: Amendment	<p>Section 1: <u>Amendment of the Rules</u></p> <p>A) These rules may be amended, or new rules adopted by a majority vote of all councilors.</p> <p>B) Any such amendments shall be submitted in writing at a meeting preceding formal action to amend, provided that</p> <ol style="list-style-type: none"> <li>1) The amendments shall be placed on the next agenda with a resolution under the title of "New Business"; and</li> <li>2) This requirement may be waived by unanimous consent with a recorded vote of all councilors present.</li> </ol>
ARTICLE 9: Electronic Participation in Council Meetings	<p>Section 1: <u>Purpose</u>. The purpose of this rule is to specify the circumstances under which a member of the Council may participate in regular, study or special meetings by telephone or other electronic means of participation, such as videoconferencing ("Electronic Participation").</p> <p>Section 2: <u>Policy</u>. A member of the Council may participate by Electronic Participation in a Council meeting in accordance with this rule and only under the following circumstances:</p> <p>A) Emergency Situations: In the event one or more members of Council are unable to meet at the day, hour, and place fixed by the rules and procedures of the Council because meeting in-person is not practical or prudent due to an emergency resulting from, for example, an accident, illness, weather condition or other natural disaster, epidemic or pandemic,</p>

	<p>meetings when necessary to conduct City business may be conducted by Electronic Participation only if all of the following conditions are met:</p> <ol style="list-style-type: none"> <li>1) The City Manager or the Mayor determines that meeting in person is not practical or prudent, because of an emergency; and</li> <li>2) All members of the Council, at least one staff member, and applicant and witnesses in quasi-judicial matters can hear one another or otherwise communicate with one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation; and</li> <li>3) Members of the public present at the regular meeting location can hear or read all discussion, testimony and votes, unless not feasible due to the emergency. In the event that the nature of the emergency precludes allowing the physical attendance of members of the public, appropriate arrangements, if feasible, will be made to allow the public to remotely observe or listen to the meeting, and provide public input, if public input is otherwise allowed, at the meeting, while it is occurring; and</li> <li>4) At least one member of the Council is present at the regular meeting location, unless not feasible due to the emergency; and</li> <li>5) All votes are conducted by roll call; and</li> <li>6) Minutes of the regular or special meeting are taken and promptly recorded, and such records are open to public inspection; and</li> <li>7) To the extent possible, full and timely notice is given to the public setting forth the time of the meeting, advising that some, or all, members of the Council may participate electronically, and if feasible, the right of the public to monitor the meeting from another location.</li> </ol> <p>B) Business or Personal Exigency: In the event one or more members of Council are unable to meet because of business or personal exigency that results in not being able to attend a meeting in person, such member(s) may participate in Council meetings by Electronic Participation, only if all of the following conditions are met:</p> <ol style="list-style-type: none"> <li>1) The member participating via Electronic Participation shall not be the Chair of said meeting; and</li> <li>2) The member participating via Electronic Participation may listen to, but shall not discuss, influence, nor vote on, quasi-judicial matters unless the applicant in a quasi-judicial matter waives any objection to the member participating via Electronic Participation; and</li> <li>3) The member may participate in Executive Sessions provided the member's location does not permit other individuals to view, hear, or otherwise access or ascertain information discussed during the Executive Session and if such sessions otherwise conform to the requirements of Colorado law. Except as required by the Colorado Open Meetings Law, no attendees of an executive session shall record executive session discussions; and</li> <li>4) A sufficient number of Council members are present in person at the regular meeting location to establish a quorum.</li> </ol>
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	<p>Section 3: <u>Electronic Participation due to exigency is intended to be an infrequent substitute for physical attendance.</u> The Council may, by majority vote of a quorum present, declare a Councilor's repeated use of Electronic Participation for this purpose to be excessive and deny a Councilor's privilege to use Electronic Participation for a specific meeting or meetings.</p> <p>Section 4: <u>Arranging for Electronic Participation</u></p> <p>A) To arrange to participate via Electronic Participation, a Council member shall:</p> <ol style="list-style-type: none"> <li>1) Contact the Mayor, City Manager, and City Clerk in advance of the meeting to determine if arrangement for Electronic Participation is possible. Council members shall endeavor to advise the City of their intent to participate via Electronic Participation at the earliest possible time and absent a true emergency, not less than twenty-four (24) hours prior to the requested participation.</li> <li>2) The City shall to the extent feasible initiate the Electronic Participation not more than ten (10) minutes prior to the scheduled time of the meeting. Upon disconnection during a meeting, the City Clerk shall attempt to re-initiate the connection. The Chair may discontinue the use of Electronic Participation by members or citizens during a meeting where such connection or participation results in delays or interference in the meeting.</li> </ol> <p>Section 5: <u>Applicability of Electronic Participation Policy</u></p> <p>A) This Policy shall apply to regular, study sessions and special meetings of the Council and boards meetings that are not Quasi-Judicial.</p> <p>B) During local emergencies declared by the Mayor or City Manager, Council and Council's appointed boards may participate and vote in quasi-judicial matters within the scope of their authority at meetings conducted via Electronic Participation in accordance with these rules.</p> <p>Section 6: <u>Reasonable Accommodations</u></p> <p>A) The City shall provide reasonable accommodation and may modify provisions of these rules to provide disabled members of the Council or public access to Council meetings.</p>
ARTICLE 10: Rules of Order	<p>Section 1: <u>Bob's Rules of Order</u></p> <p>A) The Council shall follow Bob's Rules of Order as the official parliamentary procedure of Council. A copy of Bob's Rules of Order can be found on the Council website at <a href="https://www.cityofgolden.net/government/city-council">https://www.cityofgolden.net/government/city-council</a></p> <p>Section 2: <u>Procedure in Absence of Rule</u></p> <p>A) In the absence of a rule to govern a point of procedure from Bob's Rules of Order, reference shall be to Robert's Rules of Order.</p> <p>B) The principles and provisions of Robert's Rules of Order shall apply only to the extent that they are appropriate to a governing assembly such as Council, with consideration being given to the size of Council, as well as its political and legal status.</p>

	<p>C) In the event of a conflict between the Charter, Code, or these Rules, the Charter, Code, and these Rules shall prevail in such order stated herein.</p>
<p>ARTICLE 11: Rules of Decorum at City Meetings</p>	<p>Section 1: <u>Statement of Purpose:</u></p> <ul style="list-style-type: none"> <li>A) The important business of the City is conducted at public meetings of the Council and boards.</li> <li>B) Rules of decorum are needed in order for meetings to proceed in an efficient manner that ensures public participation and collaborative decision-making.</li> <li>C) These rules clarify expectations for the behavior of all participants and define consequences for failure to adhere to these expectations.</li> </ul> <p>Section 2: <u>Council Intent:</u></p> <ul style="list-style-type: none"> <li>A) Provide a safe and secure setting for meetings as a forum to attend to the city's business.</li> <li>B) Enable the Council and boards to conduct deliberative processes without interruption in a manner that can be heard and viewed the public.</li> <li>C) Ensure that the public has a full opportunity to be heard during public hearings and open comment periods of meetings.</li> <li>D) Facilitate transparency in the conduct of city meetings so that all persons have the opportunity to observe and hear all of the discussion and votes.</li> <li>E) Limit interruptions, unreasonable delay, or duplication of comments, presentations, or discussion.</li> <li>F) Develop an atmosphere of productive civic discourse that is respectful of diverse opinions and allows presentation of positions that vary from the position of others at the meeting without insults or intimidation.</li> <li>G) Balance the need for the Council and boards to conduct effective meetings without the meetings extending late into the night or early morning with the need to give a full opportunity for the public to be heard.</li> <li>H) Adopt these rules of decorum as the standard for conduct of meetings of the Council and boards.</li> </ul> <p>Section 3: <u>General Rules of Decorum:</u> During all times a meeting is being conducted, the following rules shall apply:</p> <ul style="list-style-type: none"> <li>A) All remarks to the Council and boards shall be only after the speaker is acknowledged by the Chair of the meeting.</li> <li>B) While in attendance at a city meeting, no attendee shall disrupt, disturb, or otherwise impede the orderly conduct of any meeting by any means including speech that creates an actual disruption and in a manner that obstructs the business of the meeting. Disorderly conduct also includes failing to obey any lawful order of the Chair to leave the meeting room or refrain from addressing the council.</li> <li>C) No attendee shall make threats or other forms of intimidation against any person in a city meeting.</li> <li>D) All persons participating in a meeting, including, without limitation, council members, board members, staff, and attendees, shall silence all cell phones, pagers, and other electronic devices to prevent disruption at the meeting.</li> </ul>

- E) No person participating in any meeting shall be in a state of intoxication caused by the person's use of alcohol or drugs.
- F) All remarks shall be limited to matters related to the business of the city. Disruptive speech as described in 3.B. above are prohibited.

Section 4: Enforcement of Decorum:

- A) The Chair of the Council or board meeting, with the assistance of staff shall be responsible for maintaining the order and decorum of meetings.
- B) The Chair may order that any person who fails to observe these rules of decorum be removed from the meeting:
- C) The Chair may interrupt any speaker who is violating these rules of decorum if they are causing an actual disruption as described in 3.B. above.
- D) The Chair shall attempt to provide a verbal warning to any attendee or particular speaker that may be violating these rules of decorum, but such verbal warning shall not be required as a condition of removing an offender from the council chambers or meeting room.
- E) These enforcement provisions are in addition to the authority held by the sergeant-at-arms or any other peace officer in attendance, to maintain order pursuant to the officer's lawful authority.
- F) Any person removed from city meeting shall be excluded from further attendance at the meeting from which the person has been removed, unless permission to attend is granted upon the motion adopted by a majority vote of the Council or board.
- G) Any person who has been removed from a meeting may be charged with violation of the applicable provision of the Golden Municipal Code.
- H) In addition to any other authority of the Chair, the Chair may call a recess during which time the members of the council or board, shall leave the meeting room.

Section 5: Rules of Decorum for Members of Council and Boards.

- A) Members of the Council and boards shall attempt to balance the right of the public to know positions of the members and rationale for decisions with the need for balanced discussion and timely adjournment of the meeting.
- B) In order to realize this balance, members shall endeavor to:
  - 1) Articulate succinctly questions, opinions, comments and reasons for votes;
  - 2) Exercise self-discipline by avoiding repeating statements of others, being verbose in expressing opinions or straying off the topic;
  - 3) Allow the Chair to manage the meeting and call on members before speaking;
  - 4) Support the Chair in enforcement of these rules;
  - 5) Permit other members an opportunity to speak once on an issue before speaking a second time on the same issue;
  - 6) Focus on the issue being discussed rather than disagreement of ideas by using "I" statements and avoiding personal attacks or assuming motives of another;

	<p>7) Consider the adopted council strategic action plan, board and commission work plans, staff work plans, and limited resources when making requests for delay or additional information;</p> <p>8) Acknowledge that new topics raised during a meeting by a member of the public, the council or board may not have the benefit of all of the necessary background information, may not be presented from a balanced perspective, and decisions in such situations are more often emotionally driven .Council and board members may wish to consider using the Councilor New Business Proposal or the Board and Commission New Business Proposal to address new topics raised during a meeting..</p> <p>Section 6:     <u>Interpretation of the Rules of Decorum:</u></p> <p>A) These rules are intended to support the intent of the council set forth above.</p> <p>B) These rules are not to be used to limit debate or public participation, but to enable the effective functioning of the council.</p> <p>C) These rules are not intended to restrict an individual's right to constitutionally protected speech.</p> <p>D) The Chair may temporarily suspend these rules or grant exceptions in order to effectuate their intent.</p>
Revision History	<ul style="list-style-type: none"> <li>• 12/12/23 Resolution 3036</li> <li>• 1/25/22 Resolution 2842</li> </ul>

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**Policy 1: Councilor New Business Proposal**

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**Councilor New Business Proposal**

- 1) A councilor who wishes to propose a new policy or legislative idea to Council should complete the Council New Business Proposal Form and solicit the support of one additional councilor. If help or assistance is needed, the councilor may consult the City Manager, their designee, or members of the Rules Subcommittee. To the extent practicable, the form should detail the procedural steps necessary to see the proposal through to its completion. Once the form is complete, the councilor advancing the proposal submits the form to the City Manager or their designee.
- 2) The City Manager or their designee will review the proposal and consult with the City Attorney and staff as necessary to evaluate and document on the form the estimated impacts to staff resources, fiscal resources, the Council Strategic Action Plan, and the annual workplans of boards and commissions. The City Manager or their designee will arrange to meet with the proponents of the proposal and discuss the proposal impacts and any suggested revisions to the procedural steps necessary to see the proposal process through to completion.
  - a) The City Manager may also suggest alternative approaches to address the policy proposal topic and the proponents may elect to withdraw their policy proposal from further review by staff and consideration at a Council meeting.
- 3) Following discussions with the proponent(s) and the full staff and legal review, the City Manager will forward the New Business Proposal Form to the entire Council for consideration at a Council study session.
- 4) After a brief discussion at the Council meeting, the Chair will end discussion. To advance the proposal further, three or more councilors must approve, otherwise the proposal is declined. A Councilor whose proposal has been declined may refine the proposal and again submit a New Business Proposal Form, per the process described in step 1.
- 5) The City Manager or their designee will meet with the councilors advancing the proposal and determine next steps in light of council feedback and other ongoing work, priorities, and initiatives.
- 6) Until the proposal is completed or returns to the Council agenda for final resolution, the City Manager will provide a status summary of proposals approved by three or more councilors in Step 4 in the quarterly updates to council on the progress in implementing projects in the Strategic Action Plan.

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**Policy 2: Board and Commission New Business Proposal**

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**Board and Commission New Business Proposal**

- 1) A City board, commission, or authority (hereafter board) that wishes to propose a new policy or legislative idea to Council should follow the adopted rules of procedure for that board to complete and approve through a vote of the members, a Golden Board and Commission New Business Proposal Form. To the extent practicable, the form should detail the procedural steps necessary to see the proposal through to its completion. The staff liaison for the board will submit the completed and approved New Business Proposal Form to the City Manager or their designee.
- 2) The City Manager or their designee will review the proposal and consult with the City Attorney and staff as necessary to evaluate and document the estimated impacts to staff resources, fiscal resources, the Council Strategic Action Plan, and the annual workplans of boards and commissions. As necessary, the City Manager or their designee will arrange to meet and discuss with the board Chair the proposal's impacts and any suggested revisions to the procedural steps necessary to see the proposal process through to the associated presentation to Council.
  - a) The City Manager or designee may also suggest alternative approaches to address the policy proposal topic and the proponents may elect to withdraw their policy proposal from further review by staff and consideration at a Council meeting.
- 3) The City Manager will forward the New Business Proposal Form to the entire Council for consideration at a Council study session.
- 4) After a brief discussion at the Council meeting, the Chair will end discussion. To advance the proposal further, three or more Councilors must approve, otherwise the proposal is declined.
- 5) As necessary, the City Manager or their designee will meet with the staff liaison, the Chair of the board advancing the proposal, and the Rules Subcommittee to determine next steps in light of Council feedback and other ongoing work, priorities, and initiatives.
- 6) Until the proposal is completed or returns to the Council agenda for final resolution, the City Manager will provide a status summary of proposals approved by three or more Councilors in Step 4 in the quarterly updates to Council on the progress in implementing projects in the Strategic Action Plan. .



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**Policy 3: City Council Committees**

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A. Formation

1. The Council may, by resolution, create committee(s) consisting of two or more of its members upon determining that continuing advice or interaction is necessary or advisable on a subject or range of subjects.
2. The resolution creating the committee shall set forth the scope and duration of the committee, as well as any other terms and conditions as applicable.
3. Each committee shall consider and review matters in its area of responsibility that are referred to it by the Mayor, Council, or the City Manager.

B. Appointment

1. The Mayor, with the consent of Council, shall make all appointments to each Committee and shall appoint the Chair thereof as appropriate.
2. The City Manager, or their designee, shall serve as an ex officio member to each committee.
3. The term of each appointment shall continue until new appointments are made at the organizational meeting of Council, or as provided in subsection 4 below.
4. The Mayor, with the consent of Council, may remove and/or reassign members to and from the various Committees.

C. Committee Meetings

1. Committee meetings shall be held at such time and place as determined by the Committee.
2. Committee meetings must be conducted in accordance with all Open Meetings Law requirements if the Committee has more than two Council members.
3. Committees will give regular reports to Council on discussions.

D. Termination of a committee

1. Council may terminate a committee by resolution.

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**Policy 4: Council Use of Social Media**

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**A. Purpose**

The purpose of this policy is to describe the way individual councilors are authorized to use social media in their official capacities as councilors and to set forth the rules and limitations that govern such use. This policy also sets forth the extent to which a councilor's personal use of social media may bring that personal use within the purview of City policies.

**B. Scope**

This policy applies to the use of social media by any councilor when that social media use is in their official capacity as a councilor.

This policy is intended to protect the rights of the public in their ability to access public forums, and to ensure that the City can comply with its requirements under the laws of the State of Colorado and the United States of America.

**C. Definitions**

1. **Account:** A councilor's presence on social media either through a City-provided social media account, or otherwise in the Councilor's official capacity as a councilor.

2. **City:** The City of Golden, acting through its City Manager or its public information officer, or their designee(s).

3. **Personal Use:** A councilor's use of social media that does not make use of their City email address, position, title or official capacity, and is consistent with section D.8.(c) below.

4. **Personally Identifiable Information:** Information that can be used to distinguish or trace an individual's identity, such as date and place of birth, personal addresses or telephone numbers, Social Security number, driver's license number or records that contain genetic, medical or psychological data or information. Personally identifiable information also includes personal financial information and other information maintained because of the employer-employee relationship, pursuant to Section 24-72-202, C.R.S. For purposes of this section, "personal information" does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.

5. **Social Media:** Social media websites create and foster online social communities for a specific purpose and connect users from various locations and interest areas. These websites and platforms offer many ways for users to interact with one another, such as instant messaging, blogging and commenting, microblogging, events, status updates, online communities, discussion forums, message boards, podcasts, website link sharing, wikis, video conferencing and sharing photos and videos. The City acknowledges that this type of technology changes rapidly and, therefore, this list is intended to be illustrative rather than

comprehensive, and this definition should in no way be construed to limit the applicability of this policy.

#### **D. Limitations on Use of Social Media**

1. **Social Media Accounts:** Councilors shall not establish, operate, maintain or use any social media accounts in their official capacity as a councilor other than in accordance with this policy. Any social media accounts created, operated, maintained or used by a councilor for the purpose of conducting City-related business, including, without limitation constituent communication, that is not operated, maintained or used in compliance with this policy, shall be considered as having been undertaken, maintained and used outside of their official capacity as councilors and, therefore, the City shall bear no responsibility for what transpires on, or because of those accounts.

2. **Separate Accounts:** Any social media account established, operated, maintained or used by a councilor in their official capacity must be separate and distinct from personal social media accounts of such councilors.

3. **City Created Accounts:** The City does not currently create, operate or maintain social media accounts for the use of councilors in their official capacity. If the City does create, operate or maintain such accounts in the future, all such accounts created are the property of the City; therefore, those councilors utilizing such accounts must provide the City Manager or their designee with all information required to access those accounts, such as user names, passwords and the like. Councilors who exceed their authorization or who violate this policy may have their privileges to use such accounts revoked.

4. **First Amendment Protection:** Neither the City, nor councilors unless exempted by C.R.S. 24-18.3-101, may restrict any person's ability to view or post comments on social media pages that are maintained or operated in a councilor's official capacity, based in any way, upon the viewpoint of that person or the content of that person's speech. Councilors are encouraged to reach out to the City Attorney for advice as to whether they would be eligible for an exemption under C.R.S. 24-18.3-101 prior to blocking, censoring, or otherwise restricting access to their social media page.

5. **No Expectation of Privacy:** All participation in social media by councilors in their official capacity may be open to public inspection in accordance with the Colorado Open Records Law (C.R.S. § 24-72-101 *et seq.*), and councilors do not have an expectation of privacy concerning such participation. The City may monitor all use of such accounts and require removal of any content that violates any law.

6. **Councilor to Councilor Discussion:** In order to assure compliance with the Colorado Open Meetings Law (CRS § 24-6-402 *et seq.*), councilors shall refrain from engaging in discussions with other councilors through social media, including personal social media accounts, regarding City of Golden public business.

7. **Confidentiality:** Councilors shall not, when acting on social media in their official capacity, post or release proprietary, confidential, sensitive or personally identifiable information.

**8. Personal Use of Social Media Outside of a Councilor's official capacity:**

- a) Councilors who engage in personal use of social media outside of their official capacity may not use the trademark, or logo of the City, or that of any City department or program.
- b) Councilors may not speak as a representative of the City in the course of their personal use of social media.
- c) Councilors are not prohibited from identifying themselves as holding the office of councilor, however, in cases where a councilor's personal use of social media may be perceived as being on behalf of the City, such as if a councilor identifies themselves as a councilor or when a councilor is addressing a matter that concerns the Council, the councilor shall include a visible disclaimer on their account to inform other users that their opinions are their own and do not represent those of the City of Golden, such as "The postings on this site are my own and do not necessarily represent the City of Golden's positions or opinions."

**E. Requirements for Official Capacity Use of Social Media by Councilors**

Councilors who participate in social media in their official capacities shall abide by the following requirements.

- 1. Councilors are required to read and understand the terms of service and any other policies established by social media websites. Councilors are expected to stay current regarding any changes to these terms and policies.
- 2. Councilors must identify themselves by name and position title and use their city email address when participating in social media websites in their official capacities. Such accounts shall be clearly designated as "official capacity" accounts.
- 3. Councilors may not claim to speak on behalf of the City of Golden when participating in social media, unless authorized to do so by the Council.
- 4. Online statements by councilors in their official capacities shall be respectful, legal and ethical. False and defamatory statements are not permitted, and councilors making such statements may have their privileges to use City established accounts revoked.
- 5. Councilors using social media in their official capacities shall not use ethnic slurs, profanity or personal insults.
- 6. Councilors using social media in their official capacities are prohibited from posting, using, or otherwise infringing upon material that is copyrighted or trademarked by third parties. In addition, councilors using social media in their official capacities are required to credit other authors for borrowed content and to protect the intellectual property of others.

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**Policy 5: Council Communications and Guiding Golden**

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**A. Guiding Golden / Council Connects as Authorized Communication Channel**

The Council Connects on the website Guiding Golden is an informational resource for members of the Council that is a component of, and administered through, the City's internet page. Council Connects provides an avenue for councilor to exchange information amongst themselves or to request specific information from staff, all in a public venue. The intent of Council Connects is to provide councilors with a prompt reply to their questions regarding City policy, services and agenda items at times in response to a resident inquiry.

Council Connects is a semi-automated tracking database. Councilors or staff can generate messages via a designated login. While members of the public may subscribe to and view Council Connects postings, they may not post messages (if citizens would like to respond to a matter that they see on Council Connects, they are invited to send an email to all members of Council at: [CityCouncil@Cityofgolden.net](mailto:CityCouncil@Cityofgolden.net)).

Council Connects is not intended, nor should it be used, as a replacement for Council meetings where public business is discussed and where formal action may be taken. It is intended, however, to be a useful venue for seeking additional information about meeting agenda items.

This policy is intended to provide guidelines as to use of Council Connects by Council in a manner that is within the scope, and consistent with, both the Colorado Open Meetings Law and Chapter 1.03 of the Golden Municipal Code ("Open Meetings").

**B. Discussions and Decisions Prohibited**

In order to comply with applicable state and municipal open meetings laws, Council Connects may not be used to carry out a discussion regarding public business amongst, or between, councilors. Likewise, Council Connects may not be used to facilitate formal action by Council, as formal action may occur only at regular Council meetings. To this end:

1. Councilors' communications posted on Council Connects should be drafted as one-way communications (i.e., not intended to bring a response from other councilors).
2. Councilors should not engage in "back and forth" discussions on Council Connects with respect to policy matters.
3. In order to avoid an appearance of an attempt to gather some type of consensus, councilors should avoid stating opinions or value judgments with respect to matters posted on Council Connects. (These are appropriately expressed at public meetings.)

### **C. Council Connects Uses**

The following are examples of some appropriate uses of Council Connects:

1. First reading questions for upcoming agenda items.
2. General information requests in which the entire Council may benefit from staff response.
3. To inform colleagues of issues that will be raised during an upcoming Council meeting.
4. To inform colleagues of issues of interest raised at outside meetings.

Please note: Research requests are an inappropriate use of Council Connects. Any matters that would require extensive staff work should not be the subject of Council Connects, but rather should be sent directly to the City Manager or raised during a Council meeting.

### **D. Open Records**

All postings to Council Connects should be presumed by councilors to be public records that will be available for inspection by the general public pursuant to the applicable Open Records laws. Confidential information must not be posted to Council Connects.

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**Policy 6: Councilor Code of Ethics and Conduct**

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**A. Council Code of Ethics**

In addition to these Council Rules of Procedure, councilors are obligated to comply with the provisions of the Code of Ethics for City Officials contained in the [Golden Municipal Code](#).

**B. Anti-Violence and Harassment Policies**

Council is committed to a civil and respectful relationship with each other, staff and the community. To that end, Council will comply with the harassment and anti-violence policies adopted by the City for city employees and contained in the City of Golden Employee Handbook, as it may be amended from time to time. Concerns regarding such provisions shall be reported to the Mayor and City Manager.