

Chapter 1-02

COUNCIL

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Section 1-02-01 PARLIAMENTARY RULES

Except as may be inconsistent with the provisions of this Chapter, the parliamentary rules and law for the conducting of regularly scheduled Council meetings shall be as set forth in Robert's Rules of Order.

(5874, Amended, 12/01/1998)

Section 1-02-02 QUORUM

A majority of the Council Members elected shall constitute a quorum. A less number may adjourn from time to time and compel the attendance of absent members.

(5247, Amended, 07/10/1990)

Section 1-02-03 REGULAR MEETINGS

The Council shall hold regular meetings every Tuesday of each month. Meetings will be held at City Hall at the hour of six o'clock (6:00) P.M., except the fourth Tuesday, which meeting will be at twelve o'clock (12:00) P.M., unless notice indicates otherwise in the manner provided by statute.

(6469, Amended, 05/16/2006; 5772, Amended, 12/17/1996; 5704, Amended, 03/05/1996; 4903, Amended, 02/24/1986)

Section 1-02-04 SPECIAL MEETINGS

A special meeting of the Council may be called at any time by the Mayor or a majority of the members of the Council in the manner provided by Statute.

Section 1-02-05 COMMUNICATIONS

The presiding officer shall announce at each meeting of the Council the business in order agreeable to the rules, and no business shall be taken up or considered until the class to which it belongs shall be declared in order; provided, that communications from the Mayor may be read at any time.

Section 1-02-06 ORDER OF BUSINESS; AGENDA

- A. Evening Meeting. Following the call to order at an evening meeting, the business of the City Council shall be considered in the following order, whenever practicable:
 - 1. Opening Ceremonies (Invocation, Pledge of Allegiance, and Roll Call)
 - 2. Reading and Approval of Minutes
 - 3. Special Business
 - 4. Consent Agenda
 - 5. Subdivisions
 - 6. Resolutions
 - 7. Ordinances
 - 8. Unfinished Business
 - 9. New Business

- B. Daytime Meeting. Following the call to order at a daytime meeting, the business of the City Council shall be considered in the following order, whenever practicable:
 - 1. Opening Ceremonies (Invocation, Pledge of Allegiance, and Roll Call)
 - 2. Reading and Approval of Minutes
 - 3. Consent Agenda
 - 4. Subdivisions
 - 5. Resolutions
 - 6. Ordinances
 - 7. Special Business
 - 8. Unfinished Business
 - 9. New Business

- C. Agenda.

1. An agenda shall be prepared and posted for every meeting of the City Council, pursuant to Idaho Code § 74-204.
2. An agenda may be amended using the procedures listed in Idaho Code § 74-204.
(Ord-31-15, Amended 7/28/2015; Ord-18-13, Repealing & Enacting, 07/02/2013; 5287, Amended, 01/15/1991; 5279, Amended, 12/04/1990)

Section 1-02-07 PRESIDING OFFICER

The presiding officer shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all questions of order, subject to an appeal to the Council, on which appeal no member shall speak more than once without leave of the Council.

Section 1-02-08 PRIORITY OF BUSINESS

All questions relating to priority of business shall be decided without debate.

Section 1-02-09 RECOGNITION BY PRESIDING OFFICER

When two (2) or more members happen to request recognition at once the presiding officer shall name who is to speak first.
(5247, Amended, 07/10/1990)

Section 1-02-10 PRIVILEGES OF MEMBERS

No member shall speak more than twice on the same question without leave of the Council, nor more than once until every member choosing to speak shall have spoken.

Section 1-02-11 MOTIONS

When a motion is under debate, no motion shall be received except to adjourn, to lay on the table, to postpone to a day certain, to refer or amend, to postpone indefinitely, which several motions shall have precedence in the order in which they are stated.

Section 1-02-12 ADJOURNMENT

A motion to adjourn shall always be in order, except when once put and voted down; the same shall not again be in order until some other business shall have been taken up, and shall be always decided without debate.

Section 1-02-13 MEMBERS ADDRESSING THE CHAIR

When any member is about to speak in debate or deliver any matter to the Council, he shall respectfully address the presiding officer, and shall confine himself to the question in debate and avoid personalities.
(5247, Amended, 07/10/1990)

Section 1-02-14 MEMBERS MUST VOTE; EXCEPTIONS

Every member who shall be present when a question is put shall vote for or against the same, unless the Council shall excuse him; but no member shall be permitted to vote on a question when the yeas and nays are called for, unless present when his name is called in its regular order.

Section 1-02-15 MOTION MUST BE RECORDED

No motion shall be considered unless the same shall be recorded. When a motion is recorded, it shall be stated by the presiding officer before debate. It shall be reduced to writing, but the mover may withdraw it at any time before a decision or amendment is made to it.

Section 1-02-16 RECONSIDERATION

When a question has been once decided, it shall be in order for any member who voted in the affirmative to move for a reconsideration thereof, but no motion for a reconsideration of a vote shall be made after adjournment of the next regularly scheduled meeting following the final reading of any ordinance or resolution to be reconsidered or any vote to be reconsidered. No motion for such reconsideration shall be made more than once.

Section 1-02-17 SUSPENSION OF RULES

No rule of order shall be suspended except by an affirmative vote of 2/3 of the members of Council, provided, however, that no formal motion to suspend a rule of order shall be required if the Council member requesting suspension of the rule of order receives unanimous consent for the suspension of the rule of order. Standing rules (those rules adopted without previous notice and by a majority vote) may be suspended by an affirmative vote of 2/3 of the members of the Council.

Section 1-02-18 CLASSIFICATION AND READING OF ORDINANCES AND RESOLUTIONS AND PROVIDING FOR CONSENT AGENDA PROCEDURES

- A. Classifications of Ordinances and Resolutions. All actions of the Council involving the exercise of the City's legislative and police power functions, or actions otherwise required by law to be in ordinance form, shall be designated as ordinances and appear in the form required by law. All other actions of the Council of a ministerial nature relating to the administrative business of the City and requiring written findings or statements shall be designated as resolutions.
- B. Reading of Ordinances and Resolutions.
 - 1. Except as hereinafter provided, prior to final passage, all ordinances shall be read on three (3) different days, two (2) readings of which may be by title only and one reading of which shall be in full.
 - 2. Prior to final passage, all resolutions shall be read on one day, the reading of which may be by title only.
- C. Consent Agenda.
 - 1. Definition; Consent Agenda: Those items on the consent agenda which are considered routine by the City Clerk, including but not limited to those items hereinafter specified, shall be marked with an asterisk (*) and, each item so marked shall be approved,

accepted, etc., by motion of the Council and roll call vote. Those items so approved under the heading "Consent Agenda" will appear in the Council minutes in their proper form as if acted upon separately. Such items to be included in the "Consent Agenda" include:

- a. Grant deeds;
- b. Grants of easements;
- c. Reading of ordinances and resolutions;
- d. Auditors' reports as to cash count;
- e. Call for bids and bid results;
- f. Reports and minutes of administrative actions and proposals;
- g. Leases and agreements previously approved in principle;
- h. Claims against Boise City;
- i. Approval of warrants and checks;
- j. Approval of licenses and permits; and
- k. Subdivision Final Plats.

2. Removal of Item From Consent Agenda: Upon the request of the Mayor, any Council member, or any interested citizen, any item on the Agenda marked for consent consideration shall be removed there from and considered separately.

- D. Procedure for Consent Agenda. A motion for approval or adoption of all "Consent Agenda" items shall pass on affirmative vote of a majority of those Council members constituting a quorum. If, however, any item on the "Consent Agenda" includes the reading of any ordinance by title, in full, or on an emergency basis, the maker of the motion must so indicate, specifying each such item, and in the motion include a request to dispense with the rule hereinbefore stated in subsection B.1 of this Section. Such rule shall not be dispensed with except by affirmative vote on one-half (1/2) plus one of the members of the full Council.

(6449, Amended, 01/31/2006)

Section 1-02-19 PASSAGE OF ORDINANCES AND RESOLUTIONS

The passage of every ordinance and resolution shall be by roll call of the Council with the yea or nay of each member present being recorded, with the majority vote of the Council members constituting a quorum being required for passage. For purposes of such passage, however, it shall be permissible for any Council member to move for the roll call, recording of votes, and passage of all or any number of ordinances or resolutions appearing on the agenda for final passage. The maker of such a motion must specify by agenda number or classification, which ordinances or resolutions appearing on the agenda are to be included for purposes of the motion. Upon the objection of the Mayor or any Council member, any ordinance or resolution so included may be removed from the motion and considered separately. In the absence of such an objection, all ordinances and resolutions included in the motion shall be subject to consideration for final passage, and upon such consideration, the minutes shall reflect the yea or nay votes of each Council member on each ordinance or resolution so considered.

Section 1-02-20 QUESTIONS

All questions shall be put in the order in which they are moved.

Section 1-02-21 LAY ON THE TABLE

The motion to lay on the table shall be decided without debate.
(4291, Added, 10/02/1978, Original chapters 1 thru 21)

Section 1-02-22 FAILURE TO APPEAR

Any person who shall fail to appear before the City Council pursuant to a subpoena, validly issued by the Mayor pursuant to 50-116, Idaho Code, at the place and time recited in the subpoena to give testimony before the City Council, shall be guilty of a misdemeanor.
(5275, Added, 11/27/1990)

Section 1-02-23 ADMINISTRATIVE STAFF TO THE CITY COUNCIL

The City Council may appoint Administrative Staff in accordance with the City's personnel procedures and within budgeted appropriations. Administrative staff work at the pleasure of the City Council and are designated employees at-will.
(6543, Amended, 02/20/2007; 6439, Added, 12/06/2005)