



CITY COUNCIL AGENDA

DEPT.: City Council

CONTACT: Josh Cohn, Mayor

AGENDA ITEM: Resolution adopting rules for agenda setting and conducting business at Council meetings.

FOR THE MEETING OF:

April 17, 2024

RECOMMENDATION: That the Council consider adopting the resolution.

IMPACT: Environmental Fiscal Neighborhood Other:

BACKGROUND:

See attached.

RYE CITY COUNCIL

RESOLUTION

[_____], 2024

Rules for Agenda Setting and Conducting Business at Council Meetings

WHEREAS, under Rye City Charter Section C6-7(G) the City Council may prescribe rules to govern its proceedings; and

WHEREAS, the City Council has not previously adopted rules to govern how the Council sets agendas, conducts meetings, and acts on agenda items; and

WHEREAS, the Council finds that adopting the rules set forth below will enhance good governance, transparency, and civil discourse in conducting Council business;

NOW, THEREFORE, BE IT RESOLVED THAT, The Council hereby adopts the following rules to govern its proceedings:

COUNCIL RULES

A. City Council Meetings

1. Regularly Scheduled Meetings:

- a. **Schedule:** The annual schedule of all regularly scheduled meetings of the City Council shall be prepared by the City Manager in accordance with City Charter Section C6-7A and approved by the Council before December 31 of the preceding year.
- b. **Required Agenda Items:** Each regularly scheduled meeting shall, at a minimum, include the following agenda items:
 - Pledge of Allegiance.
 - Roll Call.
 - Approval of Minutes.
 - Report of the City Manager.
 - Members of the public may be heard on matters for Council consideration that do not appear on the agenda.
 - Old Business/New Business.

2. **Special Meetings:** Special meetings of the City Council may be called for by the Mayor or two or more Councilmembers as set forth in City Charter Section C6-7A and in accordance with New York State Open Meetings Law § 104. The purpose of the meeting must be specified by the person(s) calling the special meeting. In scheduling a special

meeting, attempts should be made to maximize participation of all Councilmembers where possible. In accordance with the Open Meetings Law, unless there is an emergency necessitating immediate action, notice shall be provided at least 72 hours before such special meeting.

B. Preparation of Agendas for Regularly Scheduled Meetings

1. **Preliminary Agenda:** A preliminary agenda, including topics for executive session, shall be drafted by the City Manager, and circulated to all Councilmembers by or before 6:00pm the Wednesday one week prior to the Council meeting.
2. **Final Agenda:** Two or more Councilmembers may add items to the agenda by making a written request for such to be added for the public session or the executive session. The Mayor may add or subtract items to or from the agenda at his sole discretion but may not strike any items added by other Councilmembers. Amendments by Councilpersons or the Mayor must be made by or before 5:00pm of the Thursday prior to the Council meeting.
3. **Concerning Executive Session Agenda Items:**
 - a. **For Councilmembers:** Any item to be discussed in executive session shall be set forth on an executive session agenda describing with specificity the item to be considered and the basis for discussion in executive session and shall include any relevant materials in an executive session packet as part of the Friday distribution set forth below.
 - b. **For the Public:** The public agenda, to be posted as set forth below, shall include a general description of the topics to be discussed in executive session and the basis for discussion in executive session in accordance with New York State Open Meetings Law.
4. **Concerning Mayoral and Council Appointments:** The names and biographical descriptions of proposed appointments to City Boards, Commissions, and Committees under the City Council shall be included in the Friday distribution and agenda posting set forth below. Absent additional Council action, no appointments shall be approved if such requirements are not met¹
5. **Distribution and Posting of the Final Agenda:** The City Manager shall send the final agenda and information packet to Councilmembers and post the agenda and related public materials on the City's website by close of business on the Friday prior to the Council meeting.
6. **Amendments to the Final Agenda:** Absent exigent circumstances, no substantive amendments to the final agenda, including items to be discussed in executive session, shall be made after the Friday prior to the Council meeting. All Councilmembers are to be notified immediately by email of any amendments made following the Friday distribution and posting and such amended agenda shall be posted on the City's website as promptly as practicable.

¹ A synopsis of the Mayor and Council's powers of appointment is attached at Exhibit A.

C. **Conducting Council Business**

1. **Meeting Guidelines:** The following guidelines shall be observed in all City Council meetings:
 - a. The Mayor shall preside over all meetings of the Council. In the Mayor's absence, the Deputy Mayor shall preside. In the absence of both the Mayor and the Deputy Mayor, the Council shall select a Councilmember to preside over the meeting.
 - b. All Councilmembers and members of the public shall be respected, permitted to speak without undue interruption, are expected to act with decorum, and shall refrain from any personal attacks against Councilmembers or members of the public.
 - c. All Councilmembers may request by motion or resolution that the Council act on any matter under consideration. For Council action to carry, the motion must be seconded or made by joint motion of two Councilmembers and approved by a majority of the Council unless otherwise required by law.
 - d. After a motion is seconded (or jointly made), the Councilmember(s) making the motion shall have the courtesy of the floor first, followed by any other Councilmember wishing to speak. All Councilmembers shall be given an opportunity to speak on the issue and no vote shall be commenced until the discussion is completed.
 - e. Any Councilmember can request a roll call vote on any matter requiring Council action even if a roll call vote is not required by law. Upon such request, a roll call vote shall take place.
2. **New Business/Old Business:** Councilmembers may, at their individual discretion, raise items not on the Meeting Agenda for Council consideration and action in the "New Business/Old Business" portion of the agenda.
3. **Public Input and Participation:** At the Council's discretion, members of the public wishing to speak during a Council meeting may do so for up to three minutes. The Mayor (or other Councilmember presiding over the meeting) shall advise the speaker when the three minutes has run. The Council also may, at its discretion, allow the speaker to continue past three minutes. Members of the public may address the Council more than once on the same topic at the Council's discretion. **[The current use of an alarm buzzer signaling a speaker's time has expired is to be discontinued.]**
4. **Hearing of the Public on Non-Agenda Items:** For the convenience of the public, at all regularly scheduled City Council meetings, the agenda segment "Members of the public may be heard on matters for Council consideration that do not appear on the agenda," shall take place as the fifth item on the City Council Agenda, following the Pledge of Allegiance, Roll Call, the Approval of the prior meeting's minutes, and the City Manager's Report. The Council may, at its discretion, adjust the agenda where a number of speakers are scheduled in advance to present on a specific agenda item or topic.

5. **Consent Agenda Items:** Any matter appearing on the consent agenda may be moved to the regular agenda for a discussion at the request of any one Councilmember.
6. **Changing the Agenda:** Upon a majority vote of the Council, an agenda item may be moved, taken out of order, or tabled.

D. Significant Council Action - Opportunity for Public Discussion:

It is the Council's intent to conduct business in a manner that is open, transparent, and welcoming of public dialogue. Items of significant public interest should be fully vetted, and the public given an adequate opportunity to weigh in. Accordingly, the following guidelines shall apply for all legislative action by the Council and significant non-legislative action except where process (e.g., budget hearings), law (e.g., telecom shot-clock rules), or exigent circumstances (e.g., storm recovery actions) require otherwise.

1. **Legislative Action - Minimum of Three Meetings:** When the Council is considering non-emergency legislation or amendments to legislation, there shall be at least three public meetings during which the legislation is addressed as follows:
 - a. At the first meeting:
 - Presentation introducing and explaining such proposed legislation and/or amendments thereto,
 - Council questions and discussion, if any, and
 - Noticing of a public hearing if the Council desires to proceed with considering the proposed legislation.
 - b. At the second meeting:
 - Recap presentation of the proposed legislation,
 - Council questions and discussion,
 - Opening of a public hearing if the Council desires to proceed with considering the legislation, and
 - Hearing from the public.
 - c. At the third or subsequent meetings:
 - Further hearing from the public on the final version of the legislation, if any,
 - The Council may close the public hearing,
 - Council discussion, and
 - The Council may vote on the proposed legislation.

- d. Any substantive changes to the proposed legislation made during the course of the public hearing shall cause (i) the revised proposed legislation to be posted on the City’s website, and (ii) the public hearing to remain open through, and no vote taken until, the following meeting,
- e. A separate majority vote of the Council is necessary prior to any vote on the proposed legislation if there is a desire to act more expeditiously on proposed legislation (i.e., action taken prior to three meetings).

2. Significant Non-Legislative Actions – Minimum of Two Meetings: When the Council is considering a non-emergency matter that requires Council action and where two or more Councilmembers deem such matter to be of “significant public interest” there shall be at least two public meetings during which the matter is addressed as follows:

- a. At the first meeting:
 - Presentation introducing and explaining the matter and the proposed Council action,
 - Council questions and discussion,
 - The Council may choose to notice such other workshops, work sessions, or formal public hearings on the matter as the Council may deem appropriate,
 - Hearing from the public, either informally or in a formal public hearing.
- b. At the second meeting:
 - Recap presentation of the matter and the proposed Council action,
 - Council questions and discussion,
 - Hearing from the public (formally or informally) if requested by the Council, and
 - The Council may vote on the proposed action.
- c. Any substantive changes to the language of the proposed action made during the course of Council discussions or the public hearing shall cause (i) the revised language to be posted on the City’s website, and (ii) the hearing to continue to a subsequent meeting prior to a vote being taken.
- d. A separate majority vote of the Council is necessary prior to any vote on the proposed action item if there is a desire to act more expeditiously on non-legislative action of significant public interest.

E. Reservation of Rights and Waiver:

These Council Rules are not intended to override existing law or regulations of the City of Rye or the State of New York and should be interpreted in a manner consistent with such laws and regulations. The City Council, by majority vote, may choose to modify or waive any of the above provisions with respect to any matter at any time.

F. Review:

These Council Rules shall be reviewed by the Council at a regularly scheduled meeting within 12 months of their adoption and thereafter as the Council may desire.

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