

1 BY AUTHORITY

2  
3 RESOLUTION NO. 722  
4 SERIES OF 2010

COMMITTEE OF REFERENCE:  
GOVERNMENT AFFAIRS & FINANCE

5  
6 A RESOLUTION

7  
8 Amending the Denver City Council Rules of Procedure in regard to the  
9 powers and duties of Standing Committees of the Council

10  
11 WHEREAS, § 3.3.2 of the Charter authorizes the City Council to make rules  
12 governing its procedures; and

13  
14 WHEREAS, sec. 13-11.5 (a)(2), D.R.M.C. provides that the Council may adopt or  
15 amend its rules of procedure by resolution.

16  
17 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY AND COUNTY**  
18 **OF DENVER:**

19  
20 **Section 1.** That Rules 3.4 (d) and 3.5 of the Denver City Council Rules of  
21 Procedure shall be amended by adding the language underlined and deleting the language  
22 stricken, to read as follows:

23  
24 **Rule 3. Order of Business.**

25  
26 3.4 If a quorum is present, the minutes of the preceding meeting shall be  
27 approved and the Council shall then take up business in the following order:

28  
29 (d) Recess for ~~committee consideration of resolutions and bills introduced,~~  
30 ~~and for registration of persons wishing to speak at any public hearings.~~

31  
32 3.5 A bill or resolution may receive separate consideration upon the request of a  
33 single Council member (also known as “calling out” a bill or resolution). A  
34 member shall normally make such request immediately following the recess.  
35 ~~At the discretion of the chair, a bill or resolution may be called out and~~  
36 ~~discussed or voted upon prior to the recess or without the need for a recess~~  
37 ~~if the Council has already received a signed committee report on the bill or~~  
38 ~~resolution as provided in Rule 5.6. All bills upon final consideration and all~~

1 resolutions that are not called out for separate consideration shall be voted  
2 upon separately in a block.

3  
4 **Section 2.** That Rules 5.5, 5.6, 5.7 and 5.8 of the Denver City Council Rules of  
5 procedure shall be amended by adding the language underlined and deleting the language  
6 stricken, to read as follows:

7  
8 **Rule 5. Course of Bills and Resolutions.**

9  
10 5.5 Introduction of Bills and Resolutions. The titles of all resolutions and bills filed by  
11 the deadline, and any late filings approved for consideration as provided for in Rule  
12 7.6, shall be read by the Secretary at the next regularly scheduled meeting. After  
13 the Secretary has read the titles of the resolutions and bills, the President shall refer  
14 the resolutions and bills to the appropriate committees of the Council for  
15 consideration to the extent any such bills or resolutions have not previously been  
16 acted upon by a committee as provided in Rule 5.6.

17  
18 ~~5.6 — Reports of Committees. After all resolutions and bills have been referred to~~  
19 ~~the appropriate committees, the resolutions and bills shall be delivered to the~~  
20 ~~appropriate committee members during the recess if committee reports referring the~~  
21 ~~resolutions and bills to the full council have not been signed prior to the meeting.~~  
22 ~~The committee members shall, by the signatures of a majority of the committee,~~  
23 ~~refer bills to the full Council for first publication or resolutions for adoption, or hold~~  
24 ~~any bill or resolution in committee to a date certain for further study. A bill or~~  
25 ~~resolution may be held in committee to a date certain by the committee chair unless~~  
26 ~~a majority of the other committee members choose to refer the bill or resolution to~~  
27 ~~the full Council for its consideration. The President, as an ex-officio member of the~~  
28 ~~committee, may sign the committee report referring a bill or resolution if a majority~~  
29 ~~of the committee does not. If the President does sign, the number of signatures~~  
30 ~~required shall be equal to the number that constitutes a majority of the committee~~  
31 ~~when the President is not counted as a member of the committee.~~

32  
33 5.6 Committee Action on Bills and Resolutions. Upon receipt of any request for Council  
34 approval of any ordinance or resolution, or upon referral of any bill or resolution by  
35 the President as provided in Rule 5.5, the matter shall be assigned to the  
36 appropriate Standing Committee established pursuant to Rule 10.

37  
38 (a) Action by consent. At the discretion of the committee chair, any matter  
39 assigned to a committee for action may be approved on consent without convening  
40 a meeting of the committee to discuss and act on the matter. Any matter proposed  
41 by the chair for approval on consent shall be placed on a consent agenda and  
42 circulated to all members of the committee on Monday of each week. If no member  
43 of council has requested in writing by noon on Thursday of the same week that the  
44 matter be removed from the consent agenda and scheduled for action in a  
45 committee meeting, the matter shall be deemed to be approved by unanimous  
46 consent of the committee for forwarding to the full Council.

47  
48 (b) Action by committee vote. Any matter not approved by consent as provided in

1 subsection (a) of this rule shall be scheduled for action in a committee meeting.  
2 After due consideration of the matter by the committee, any member of the  
3 committee may move either: to forward the matter for consideration by the full  
4 Council; or to postpone the matter for further consideration by the committee until a  
5 date certain; whereupon the committee chair shall put the motion to a roll call vote  
6 of the committee members who are present. If a motion to forward the matter to  
7 the full Council is approved by the committee, then the Council Secretary shall  
8 accept for filing a bill or resolution approving the matter. If a motion to forward the  
9 matter to the full Council is not approved by the Committee, then the Council  
10 Secretary shall not accept for filing a bill or resolution approving that matter unless:  
11 Council votes to take the matter from the committee as provided in Rule 5.7; or any  
12 member of Council files the bill or resolution approving the matter as provided in  
13 Rule 5.12.

14  
15  
16 (c) *Participation in committee meetings by non-members.* Council members who  
17 are not duly appointed members of a particular committee are entitled to attend any  
18 committee meeting, and shall be recognized by the chair and allowed to speak on  
19 any matter pending before any committee. However, non-members shall not be  
20 included for purposes of determining a quorum of the committee, and shall not be  
21 permitted to vote on any motion made pursuant to subsection (b) of this Rule.

22  
23 (d) *Re-referral to committee.* Any matter referred by a committee to council for  
24 action may be re-referred to committee for further discussion or reconsideration by  
25 a vote of a majority of the members present and voting.

26  
27 5.7 Taking Matter from Committee. The committees shall ~~report~~ take action on all  
28 matters referred to them without unnecessary delay. If a committee refuses or  
29 neglects to ~~report~~ take action on any matter referred to it, the Council, by a vote of a  
30 majority of the members present and voting, may take the matter from the  
31 committee.

32  
33 5.8 First Consideration of Bills. ~~After the referral by committees on the reading of titles~~  
34 of all bills for introduction, the presiding officer may order first publication if no  
35 member objects; provided, however, that, if a member objects, the presiding officer  
36 shall order a vote on the question of first publication.

37  
38  
39 **Section 3.** That Rule 10 of the Denver City Council Rules of Procedure shall be  
40 amended by adding the language underlined and deleting the language stricken, to read  
41 as follows:

42  
43 **Rule 10. Committees.**

44  
45 (a) The Council President shall determine Standing Committees of the  
46 Council, their leadership, and their functions.

1 (b) Members of Standing Committees shall be appointed by the President  
2 and shall remain constituted until new committees are appointed.

3  
4 ~~(c) The first member appointed shall be the chair of each Standing~~  
5 ~~Committee.~~

6  
7 (d) (c) Special committees of the Council may be appointed by the President  
8 from time to time if found necessary or desirable.

9  
10 ~~(e) Reports of all committees of the Council shall be:~~  
11 ~~(1) In writing, unless the Council shall decide otherwise.~~  
12 ~~(2) Addressed to the City Council of the City and County of Denver, or~~  
13 ~~to the President.~~

14  
15 (e) (d) An official written record shall be maintained of every committee action,  
16 including a record of every matter approved by a committee on consent in  
17 accordance with Rule 5.6 (a), and every matter approved by roll-call vote in a  
18 committee meeting in accordance with Rule 5.6 (b).

19  
20 (f) (e) For the purpose of gathering information on which to base its reports,  
21 any committee duly authorized by Council shall have the power to compel  
22 the attendance and testimony of witnesses, and the production of books,  
23 records and documents, and to do all things necessary and needful in  
24 connection with the preparation and making of such reports.

25  
26 (f) In establishing committees, the President shall identify the subject areas  
27 and types of resolutions and bills for ordinances that are intended to be  
28 referred to each committee for action in accordance with Rule 5.6. In the  
29 event of any dispute about the proper Committee to which a particular  
30 resolution should be assigned, the President shall exercise exclusive  
31 authority to determine the proper assignment.

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33  
34 COMMITTEE APPROVAL DATE: N/A

35 MAYOR-COUNCIL DATE: N/A

36 PASSED BY THE COUNCIL \_\_\_\_\_, 2010

37  
38 \_\_\_\_\_ - PRESIDENT

39  
40 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
41 EX-OFFICIO CLERK OF THE  
42 CITY AND COUNTY OF DENVER  
43

44 PREPARED BY: David W. Broadwell, Asst. City Attorney; DATE: August 11, 2010

45  
46 Pursuant to section 13-12, D.R.M.C., this proposed resolution has been reviewed by the

1 office of the City Attorney. We find no irregularity as to form, and have no legal objection  
2 to the proposed resolution. The proposed resolution **is not** submitted to the City Council  
3 for approval pursuant to § 3.2.6 of the Charter.  
4

5

6 David R. Fine. City Attorney

7 BY: \_\_\_\_\_

8 DATE: \_\_\_\_\_

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