

Legislation Text

File #: 15-18927, Version: 1

Update Council Rules of Procedure

Action:

Approve the Budget, Governance and Intergovernmental Relations Council Committee's recommendations to amend Rule 28 (a) of the Rules of Procedure for the Charlotte City Council specific to Council's Committee meetings.

Committee Chair:

Dimple Ajmera, Budget, Governance and Intergovernmental Relations

Staff Resource(s):

Patrick Baker, City Attorney's Office
Lina James, City Attorney's Office

Explanation

- The Rules of Procedure for the Charlotte City Council (Rules of Procedure) was most recently amended on April 8, 2019. Under the current rules:
 - Rule 28 allows for telephonic and electronic attendance at Committee meetings and Council meetings under certain specific conditions. This rule was adopted by Council on May 24, 2010 and amended on April 11, 2016.
- In October 2020, Mayor Lyles referred consideration of virtual meetings and attendance under the Rules of Procedure to the Budget and Effectiveness Council Committee after Council held meetings virtually based on the Governor's declaration of a statewide state of emergency due to COVID-19 and pursuant to legal authority under the remote meeting laws.
- Council Committee meetings do not constitute a quorum of Council and Committees are only charged with making recommendations, not binding decisions, to Council.
- Amendments to the Rules of Procedure must be voted on and adopted by City Council.

Proposed Changes

- The proposed amendments to the Rule 28 (a) of the Rules of Procedure provide for allowing for electronic participation by Councilmembers during Council Committee meetings
- Specific amendments to Rule 28 (a) include deleting the reasons for absence and the notice requirements:

Rule 28. Telephonic and electronic attendance at meetings

- a) Committee meetings. Council members may attend committee meetings by telephone or other electronic means. ~~when they are unable, by reason of illness or injury, to attend in person. Members who plan to attend by electronic means shall notify City staff at least 48 hours in advance allow for arrangements to be made.~~ Members attending electronically are entitled to vote and fully participate in the business of the committee meeting.
- b) Council meetings. Council members may attend Council meetings by telephone or other electronic means for emergency meetings. In addition, Council members may attend regular and special meetings by telephone or other electronic means where:
 - (i) necessary to achieve a quorum;
 - (ii) attendance is precluded due to weather, civil unrest, emergency, etc.; and
 - (iii) the meeting needs to be continued (e.g., need to open and continue a

public hearing to avoid the need to readvertise) or to take action on matters that cannot be delayed

Committee Discussion

- The Budget and Effectiveness Council Committee met on December 1, 2020, January 26, June 3 and 17, 2021, to discuss virtual meetings and the Rules of Procedure.
- The newly established Budget, Governance and Intergovernmental took up this referral for discussion at their October 3, 2022, Committee meeting.
- After discussion and reviewing input from the City Attorney's Office, the committee voted (3-2: For - CMs Ajmera, Mayfield, and Mitchell. Against - CMs Anderson and Bokhari) to recommend amending Rule 28 section (a).

Attachment(s)

Rule of Procedure of the Charlotte City Council - Blackline