

CITY OF SAVANNAH
CITY COUNCIL

COUNCIL MEETING PROCEDURES
AND RULES

Adopted: May 14, 2020

By Resolution

RULE 1: MUNICIPAL CORPORATION: The legal name or style of the corporation is "The Mayor and Aldermen of the City of Savannah."

RULE 2: MEETING PLACE. All meetings of City Council will be held in Council Chambers at City Hall, 2 East Bay Street, Savannah, Georgia 31401. By following the procedures under Georgia's *Open Meetings Act*, including public notice, Council can move the meeting location from time-to-time to other public facilities to allow for increased community participation or to generate the public's interest in the new City facility that hosts the meeting.

RULE 3: MEETING DAYS AND TIMES. City Council will schedule two regular meetings each month: On the second and fourth Thursdays. The meeting on the second Thursday of the month will begin at 2 p.m. The meeting on the fourth Thursday of the month will begin at 6:30 p.m. By following the procedures under Georgia's *Open Meetings Act*, Council may call for special meetings or postpone a scheduled meeting to the next regularly-scheduled meeting date. All meetings, whether regular or special, will include a posted agenda in accordance with Georgia's *Open Meetings Act*.

RULE 4: WORK SESSIONS/EXECUTIVE SESSION. Prior to scheduled meetings, Council may meet in work sessions up to four hours before the meeting. The agenda for work sessions will be presented with the Published Agenda (see Rule #11), including the starting time. Work sessions will be held in the Media Room, on the second floor of City Hall, across from Council Chambers; however, in accordance with Georgia's *Open Meetings Act*, work sessions may be scheduled at other locations for purposes of site or facility tours, special topic presentations or project updates. Work sessions allow Council to hear presentations and updates or allow additional time to discuss and consider substantive issues. The work sessions will be open to the public but no votes will be taken. In addition, prior to or after scheduled meetings, in accordance with Georgia's *Open Meetings Act*, Council may meet in Executive Session to discuss matters related to real estate, litigation or personnel. Executive Session will not be open to the public. To the extent votes are taken, they will be in accordance with Georgia's *Open Meetings Act*. Follow-up action of items discussed during Executive Session will only be voted upon during an open meeting. Additional rules regarding Executive Session are detailed in Rule 16.

RULE 5: QUORUM. At least five Council members must be present for any meetings that require a vote. Should no quorum be present at the start of a scheduled meeting, the Mayor may wait up to 15 minutes to determine whether a quorum will be present. If no quorum, then the Mayor shall adjourn the meeting, and the meeting will be re-advertised in accordance with Georgia's *Open Meetings Act*. During the course of a meeting, should a quorum not be present for items requiring a vote, the Council cannot transact business. The Mayor will be the primary enforcer of this rule; however, a Council member can ask for a

point of order and contest whether a quorum remains present. If a quorum cannot be achieved within 15 minutes, the Mayor will adjourn the meeting.

RULE 6: OPEN MEETINGS. All meetings of the City Council will be held in accordance with Georgia's *Open Meetings Act*. The public shall be granted access to all meetings and at all times except for Executive Session (see Rule 16). In summary, Georgia's *Open Meetings Act* requires that with a quorum of the governing authority (i.e. City Council) where "official action" will be taken or discussed, the meetings must be open to the public and the public must be granted access.

RULE 7: COUNCIL OFFICERS. In accordance with the City's Charter, as codified in the City's Code of Ordinances, the Mayor shall be recognized as the official head of the City and the presiding officer at all meetings. In the absence of the Mayor at meetings, the succession of Council officers will be in order: Mayor Pro Tem, Chairman/Chairwoman of Council, Vice-Chairman/Chairwoman of Council. Each of these three positions will be elected among Council members at a meeting of Council during the first month of each new administration.

RULE 8: PROCEDURE DURING MEETINGS. As the presiding officer at all meetings and work sessions, the Mayor accepts primary responsibility to ensure a fair, orderly and efficient meeting, but the responsibility for a fair, orderly and efficient meeting rests equally with other Council members as well. Meetings will follow *Roberts Rules of Order*, 11th Edition, as procedure except that applicable Georgia law and the City's Charter, as codified in the Code of Ordinances, will supersede any provisions in conflict.

RULE 9: VOTING. Five members of City Council will constitute a quorum for the transaction of business. The affirmative vote of at least a majority present shall be required for the City Council to take official action; provided that, every item requiring official action by the City Council must be distinctly listed on the meeting's agenda, added as a recommended item from Executive Session or considered an emergency under Georgia's *Open Meetings Act*. Each Council member shall record his or her vote either by a show of hands, by use of the electronic voting machine in Council Chambers or by voice vote for uncontested items approved unanimously. The Clerk of Council shall record votes for the minutes.

RULE 10: ABSTENTION. In accordance with Section 2-106-9 et al. of the City Code of Ordinances: Disclosure of Conflict of Interest or Potential Conflict of Interest. An elected official of the City of Savannah who has an interest that he/she has reason to believe may be affected by his/her official actions or by the official acts or actions of the City of Savannah shall disclose the precise nature of such interest by written or verbal statement prior to the City of Savannah taking official action on a matter affecting such interest and abstain from discussion and

voting. An elected official of the City of Savannah shall disclose the nature of any interest he/she has at the time such matter is presented to the Mayor and Aldermen for discussion. Such written or verbal statements shall be recorded into the minutes of the meeting and thus become part of the public record. Following any disclosure made pursuant to this section, the elected official shall refrain from all ex-parte communications with other Council members regarding the application in which he/she has an interest. Disqualification. An elected official of the City of Savannah shall disqualify himself/herself from participating in any official act or action of the City which results in a pecuniary benefit to the elected official or a business or activity in which he/she has an interest, when such benefit is not available to the public at large.

RULE 11: THE AGENDA. The agenda assumes its importance as the cornerstone for policy-making between the legislative (Council) and administrative (City Manager) duties and responsibilities as provided by the City's Charter, as codified in the Code of Ordinances. Notwithstanding the separation of duties and responsibilities as prescribed by the Charter, the agenda becomes the principal way that the City transacts its business and must remain transparent to public interest in accordance with Georgia's *Open Records Act*. The agenda begins with its primary focus as an administrative process (i.e. City Manager) centered on recommended City business matters such as purchasing, license approvals, land use matters, proposed ordinances, administrative resolutions, real estate and agreements. The agenda becomes a legislative process (i.e. City Council) upon "Approval of the Agenda" that begins each meeting and determination by Council whether to approve the City Manager's recommendations.

AGENDA PROCEDURES

11.1 AGENDA PREPARATION. The City Manager prepares the agenda but with the concurrence of the Mayor as the recognized head of the City.

- a) The City Manager will meet four (4) deadlines in the agenda's preparation to maintain transparency:
 - 1) Reports and action items will be uploaded by staff into a "Working Agenda" no later than eight (8) days prior to the scheduled Council meeting. The "Working Agenda" will be solely staff's responsibility but centered on administrative matters, such as purchasing, license approvals, land use matters, proposed ordinances, administrative resolutions, real estate and agreements. Reminders about appointments to advisory and recommending boards and commissions will be presented by the Clerk of Council.

- 2) The "Working Agenda" will be reviewed during an "Agenda Meeting" of the City Manager and the five Chiefs of each Service Center, or their designees, no later than seven (7) days prior to the scheduled Council meeting. At the completion of the "Agenda Meeting," no more items will be added to the "Working Agenda" unless approved by the City Manager; however, staff will continue its work to edit and confirm format for the "Final Agenda" items until the next day.
 - 3) Six (6) days before the Council meeting (i.e. Friday by close of business), the finished "Working Agenda" will become a "Final Agenda" that will be posted on the City's website.
 - 4) The "Published Agenda" will complete the agenda process. The "Published Agenda" will be posted at least three (3) days prior to the Council meeting in order to provide "Reasonable Notice" per the requirements of Georgia's Open Meetings Act. Any changes between the "Working Agenda" and the "Published Agenda" will be sent to Council with a note on the website about any additions or deletions.
 - 5) At the start of regularly-scheduled meetings, the Council will move to "Approve the Agenda" or amend it as Council deems appropriate.
- b) During the course of preparing the agenda, the City Manager will meet with the Mayor as needed but at a minimum will review the Working Agenda with the Mayor prior to the Final Agenda.

11.2 CONSENT AGENDA. The agenda includes use of a section of routine items for approval, called "Consent Agenda." This part of the agenda will be reserved for:

- a) purchasing awards \$100,000 or less;
- b) renewal of grants;
- c) contract amendments which do not increase costs; and
- d) confirmation of other routine approvals such as emergency purchases.

During the time of "Approval of the Agenda" or during the Council Meeting, any Council member can remove an item(s) from the Consent Agenda to ask questions prior to a vote or request additional information. Any removed items will be voted on separately by proper motion and second. Otherwise, the Consent Agenda will be adopted with one motion and vote.

11.3 ADDITIONAL AGENDA ITEMS.

- a) To maintain transparency to the public, and to maintain “Reasonable Notice” in conformance with Georgia’s Open Meetings Law, no items will be added to the “Published Agenda” (released 72 hours prior to meeting) without due notice on the City’s website and notice to Council.
- b) The City Manager or Mayor may remove items from the “Published Agenda” for rescheduling to another meeting. However, neither the City Manager nor the Mayor may remove a “Council Item” as described more particularly in 11.4 © below without the consent of the requesting Council members.
- c) Council will be advised via email or other written notice about any items added to the agenda after the Final Agenda.

11.4 COUNCIL ITEMS.

- a) Presentations and Proclamations are legislative matters. The Mayor will be responsible for approving and scheduling any presentations or proclamations on the agenda. Requests by Council members for presentations or proclamations should be coordinated through the Mayor.
- b) To add items to the agenda other than presentations or proclamations, a Council member who desires to place an item on the agenda should submit a written proposal of the legislative matter, via email or correspondence, to the Mayor for the Mayor’s concurrence, with a copy via email to the City Manager, City Attorney and City Clerk, at least one week prior to the scheduled meeting to enable the item’s scheduling to maintain proper notice. The proposal should include the specific agenda item, i.e. resolution or other action item, and supporting documentation.
- c) Or, a Council member can submit an item for the agenda with the concurrence of four other Council members who concur by email that the item should be included on the agenda. The proposal should include the specific agenda item, i.e. resolution or other action item, and supporting documentation. The item should be sent to the Mayor with a copy to the City Manager, City Attorney and City Clerk by Friday noon prior to the next Council meeting to be included on the Published Agenda to ensure proper notice in accordance with *Georgia’s Open Meetings Act*. The Mayor may not remove a “Council Item” as described herein in this section without the consent of the requesting Council members.

11.5 PUBLIC COMMENT. City Council encourages public comment on issues before the Council. During the public comment part of Council meetings, particularly public hearings, the Mayor will call out for “Public Comment.” Speakers will be allowed to offer comments only on topics of discussion. Speakers will be granted up to two minutes each.

RULE 12: DECORUM DURING MEETINGS. All Council members, staff and citizens are expected to conduct themselves in a courteous and respectful manner. Council members seeking information from the City Manager or staff should do so within the confines of proper decorum. A Council member shall not speak until recognized by the Mayor and likewise shall not interrupt another Council member’s remarks. All comments made by a Council member shall directly address the motion or item being discussed. As the presiding officer, the Mayor shall enforce the rules of decorum. If a Council member believes that a particular rule is being broken, he/she shall raise a point of order when recognized by the Mayor. After a properly moved motion and second, the Mayor may either rule on the question or allow the Council to decide the issue by majority vote. Any Council member shall maintain the right to express dissent against any resolution or action of the Council, cite the reason and place the reason into the meeting’s minutes.

RULE 13: PUBLIC HEARINGS AND PARTICIPATION. In accordance with Georgia Law and policy, the Council often conducts public hearings on various matters and issues, including but not limited to alcohol beverage licenses, zonings, text amendments, annexations and certain budget actions (i.e. adoption of budget and millage rate). These *Public Hearing Rules* are intended to ensure that the public has the opportunity to participate fairly in the meeting as long as the orderly, efficient and flow of the meeting continues.

Rule for Conducting Public Hearings

13.1 Addressing Council. The Mayor shall announce the start of the *Public Hearing* on the matter as listed on the agenda and will call forth those persons in favor, against or otherwise interested in commenting on the particular issue. The Mayor shall inform the public that all comments by proponents, opponents or for commentary purposes shall be made from the podium and that any individual who addresses Council will state his/her name and address. The Mayor shall also inform the public that comments will only be received from the podium or the speaker shall be ruled out of order.

13.2 Speakers. Members of the public who desire to speak should notify the Clerk of Council or a representative from the Clerk’s Office prior to the start of the announced hearing. Depending upon the number of speakers, the Mayor may ask proponents and opponents to line up in designated areas and will call upon them during the hearing without the need for each speaker’s prior notice; however, all speakers will need to follow Rule 13.1.

13.3 Speaker Decorum. Speakers who address Council are expected to the rules of decorum (see Rule 12) and should be informed of such by the Mayor at the beginning of the public hearing. There should be no vocal or boisterous demonstrations that will disrupt the orderly flow of the meeting nor detract from decorum. Any person(s) engaging in this type of behavior shall be ruled out of order by the Mayor and shall, at the Mayor's discretion, be removed from Council Chambers.

13.4 Time. At hearings on proposed rezoning, use permits, modification and/or concurrent variance petitions, as well as amendments to the text of the Zoning Ordinance (hereinafter referred to as "land use petitions"), the hearing will follow state law (O.C.G.A. 36-66-5). Upon proper motion, the Mayor shall so announce the public hearing as "Open." Proponents and opponents are allowed 10 minutes per side to present data, evidence or opinions. The petitioner, or the petitioner's representative, shall be given no more than 10 minutes for the presentation. Those neither in favor nor opposition but attend only to offer objective commentary shall be given two minutes, not to exceed five speakers. The Mayor will ask for separation between proponents and opponents. Each side's time period may be divided among multiple speakers in whatever manner each side desires but the 10-minute limit for each side will be strictly enforced. In the event Council conducts a public hearing but votes to defer to action to a second public hearing, the same rules will apply. No land-use petition shall be the subject of more than two (2) public hearings before the Council regardless of the number of times that Council votes to defer final action. Notwithstanding the preceding two (2) public hearing limit, a majority of Council can vote to conduct additional public hearings.

13.5 Voting. Once Council has concluded the public hearing by proper motion, the Mayor shall so announce the public hearing as "Closed." The Council shall convene into its regular meeting to make its decision by voting.

13.6 Public Addressing Council on Other Matters. As a general rule, members of the public do not speak on agenda items unless the City advertises such matters for public hearing or the Council by majority approval votes to decide that public comment(s) should be allowed during its deliberative process. In such instances, the Council shall follow its "Rules For Conducting Public Hearings" as herein provided as Section 12.

RULE 14: ORDINANCES. No ordinance shall contain any subject matter which is not immediately and necessarily connected with the subject and title of the ordinance.

RULE 15: SPECIAL MEETINGS AND RESCHEDULED MEETINGS. Special meetings and rescheduled meetings shall be held in accordance with Georgia's *Open Meetings Act*. The Mayor shall have the power to call Special Meetings

and Rescheduled Meetings. It shall be the duty of the Mayor to call Special Meetings whenever five (5) Council members require him in writing to do so and specify the purpose; however, no appropriation of money shall be made except at a regular meeting of Council, unless by unanimous vote of the Council members who are present.

RULE 16: EXECUTIVE SESSION. Council will follow the requirements of Georgia's *Open Meetings Act* for purposes of Executive Session to discuss litigation, real estate and personnel matters. No Executive Session shall be held except pursuant to a majority affirmative vote of the Council taken in a public meeting. The minutes of the public meeting shall reflect the names of the Council members who are present, those voting for the Executive Session and the reasons for the Executive Session. Except for Council, only necessary staff (City Manager or designated interested party invited by City Manager for purposes of testimony; City Attorney, staff attorneys, special counsel; and Clerk or designee) shall be present during the Executive Session. At the request of Council when discussing the performance of the City Manager, City Attorney or Clerk to Council, Council may excuse the officer from Executive Session. All who attend Executive Session should maintain confidentiality about any subjects of discussion and especially should not divulge any discussion about dollar amounts of settlements until after approved in open meeting.

RULES 17: SUSPENDING THE RULES OF ORDER. *Rules of Order* may be suspended when a Council member makes a proper motion, with a second, and two-thirds (2/3) of Council members in attendance vote affirmatively. *Rules of Order* in this context means suspending the order of business, moving an item on the agenda up or down or removing an item from the agenda. Rules governing a quorum, voting methods and requirements, notification to Council members or for public notice necessary for compliance with the *Open Meetings Act* or other state law or federal law may not be suspended.

RULE 18: AMENDMENTS TO THESE RULES. Any proposed amendment to these rules of order by a Council member shall be submitted to the Clerk of Council in writing at least one meeting before the meeting when the amendment will be discussed as part of the agenda. The proposed amendment shall be included on the agenda for the meeting. Any amendment to alter, amend or repeal any of the existing rules, or to make new rules, shall require an affirmative vote of two-thirds (2/3) of Council for adoption.

RULE 19: PARLIAMENTARIAN. The Clerk to Council shall serve as the Parliamentarian for the Council and in that capacity will answer to the Mayor on procedural matters.

RULE 20: OFFICERS. The City's appointed officers are the City Manager, City Attorney and Clerk of Council.

20.1: Officers. All officers will become knowledgeable of their duties and responsibilities as codified in the City's Code of Ordinances and uphold those duties and responsibilities to the best of their ability.

20.2: Attendance. Regular attendance shall be required during all regularly-scheduled meetings of Council by the City Manager, City Attorney and Clerk of Council, except that by written notice to the Mayor at least three (3) days prior to the meeting, an officer may appoint and name a designee.

RULE 21: ANONYMOUS COMMUNICATION. No anonymous communication shall be read or considered by Council nor shall the Clerk of Council or City Manager accept any such communication from any source.

**RESOLUTION TO ADOPT PROCEDURAL RULES
FOR MEETINGS OF THE CITY COUNCIL OF SAVANNAH
(MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH)**

WHEREAS, well organized meetings allow the City Council the opportunity to reach decisions in an organized and fair manner; and

WHEREAS, parliamentary procedure is the framework for organizing and conducting meetings; and

WHEREAS, parliamentary procedure provides the rules by which the City Council debates on issues and then arrives at a decision.

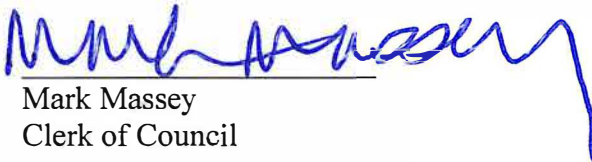
NOW, THEREFORE, BE IT RESOLVED, that all meetings of the City Council of the City of Savannah shall be conducted in accordance with the provision of meeting organization and procedural policy.

ADOPTED THIS 14th Day of May, 2020.



Van R. Johnson, II
Mayor, City of Savannah

ATTEST:



Mark Massey
Clerk of Council

