

Billings City Council

Council Operations Committee Rules

Adopted November 3, 2022

1. **PURPOSE AND JURISDICTION.** This Committee is formed for the purpose of advising City Council on matters within this Committee's jurisdiction and to explore policy issues in depth. The jurisdiction of this Committee includes general Council operations and logistics, including agenda development, meeting rules, strategic planning processes, new member orientation, and city administrator review processes. In addition, this Committee may work on matters referred to it by the full Council. The work of the Committee is limited to making reports and recommendations to the full Council. Absent extenuating circumstances as determined by the Council, no matter within this Committee's jurisdiction shall generally be placed on the agenda for a Council business meeting without having first been considered by this Committee.
2. **ORGANIZATIONAL MEETING.** The first meeting of the Committee during the biennium shall be an organizational meeting. The meeting agenda shall focus on electing a Chair, setting meeting dates and times, and debating, amending, and adopting rules. Once adopted by a majority vote of the Committee, rules shall be reported to the full Council for review. Such report may also include a request for staff support, which must be approved by the full Council.
3. **MEETINGS.**
 - a. **Date and time.** Meetings shall be held on the first Thursday of each month at 4 p.m. Public notice shall be given at least two weeks in advance, indicating the date and time, location, and agenda of the meeting. A sample legal ad is attached as Exhibit A. The legal ad and agenda shall be emailed to the City Clerk using the same format and font in the template no later than noon on the Tuesday of the week it is to be published.
 - b. **Location.** Regular Committee meetings shall generally be held at the city hall conference room. Committee members may choose to hold a meeting in a different location, so long as the public will have access and notice is provided in advance of the meeting.
 - c. **Open Meetings.** All meetings of the Committee shall be open to the public in accordance with Sec. 2-3-203, MCA, and public comment shall be received during the time designated on the agenda. Any materials made available to Committee members shall also be available to the public. The Chair of the Committee may reasonably limit the time available for public comment and set the length of time in advance that an individual may speak.
 - d. **Special Meetings.** The Committee may, by a majority vote, schedule special meetings in addition to the standing monthly meeting.
 - e. **Procedure.** All meetings of this Committee shall be conducted in accordance with these rules and Robert's Rules of Order.

f. Presiding Officer. The Chair of the Committee, as selected by a majority vote of the Committee, shall preside over all Committee meetings. In the event the Chair is unavailable, the Chair may designate a Presiding Officer.

g. Quorum. A majority of the members of the Committee shall constitute a quorum. A quorum is necessary for the conduct of Committee business.

h. Remote Attendance. The committee will comply with the City Council's Resolution No. 22-11092 governing remote participation at committee meetings that is attached as Exhibit B.

4. AGENDAS. Agendas shall be provided to the Clerk for publication as set forth in section 3 above and shall contain, at a minimum, the following information:

- Date, Place and Time of the meeting
- Call to Order by Chair
- Roll Call of Committee members and staff present
- Topics of Discussion
- Public Comment Periods
- Adjournment

a. New business. Items shall be placed on this Committee's agenda by Council referral or at the discretion of the Chair. Committee members may, by a majority vote, place an item on a future Committee meeting agenda.

b. Referrals from Council. Council may, by a majority vote, refer an item to this Committee for consideration and recommendations. When an item is referred to Committee by Council, the item shall be placed on the next reasonably available Committee agenda.

c. Public Comment. All Committee agendas shall include a designated time for public comment. Copies of the agenda shall be made available to members of the public at the meeting.

5. MINUTES. Minutes shall be kept of all Committee meetings. Minutes are not required to be a verbatim transcript. Video or audio recordings of meetings may be kept in lieu of written minutes. All minutes and recordings of Committee meetings shall be made available to the public on the official website of the City of Billings. In addition to any official recording made, a written record of the meeting must also be made and must include the following:

- a. Date, time, and place of meeting;
- b. A list of members in attendance;
- c. Substance of all matters proposed, discussed, or decided; and
- d. A record of the votes by individual members.

If the minutes are recorded and designated as the official record, a log or time stamp for each main agenda item for the purpose of providing assistance to the public in accessing that portion of the meeting.

6. CONDUCTING BUSINESS.

a. Voting. A majority vote of all Committee members present shall be required for a report or recommendation to Council.

b. Hearings. This Committee is authorized to conduct hearings, hear presentations, receive reports, and otherwise explore issues within the Committee's jurisdiction.

c. Reports. This Committee shall present reports and recommendations to the Council for consideration. Such reports may be written or oral. Members voting in the minority on any issue may provide a written or oral minority report to Council.

7. AMENDING THE RULES. These Rules shall only be amended by a majority vote of the Committee and shall take effect upon report to the full Council.

Dated: November 3, 2022



William A. Cole, Committee Chairman

Exhibit A

NOTICE OF PUBLIC MEETING

The (Name of Committee) will hold a public meeting on _____, 2022, at _____ AM/PM, in the _____ Room, at _____ Street, Billings, Montana.

The meeting is open to any interested members of the public. Meeting agendas are prepared and available online at <https://www.billingsmt.gov/1592/Council-Ad-Hoc>

For additional information, contact (List the chairperson for the committee here with email and phone number).

Published on _____, 2022.

Denise R. Bohlman
Billings City Clerk
P.O. Box 1178
Billings, MT 59103

Dept: Admin. - Council

Publish: _____

EXHIBIT B

RESOLUTION 22-11092

**A RESOLUTION ESTABLISHING RULES, PROCEDURES, AND CRITERIA
FOR A CITY COUNCIL MEMBER OR A MEMBER OF A CITY BOARD,
COMMISSION, OR COMMITTEE TO PARTICIPATE REMOTELY IN
PUBLIC MEETINGS**

WHEREAS, pursuant to 2-3-103, MCA, and the Montana Constitution, the City of Billings must establish procedures for permitting and encouraging the public to participate in decisions of the City Council and of the City's boards, committees, or agencies that are of significant interest to the public; and

WHEREAS, the City has adopted such procedures through Chapter 2, Article 2, Billings, Montana City Code, among others; and

WHEREAS, the City Council desires to adopt procedures and establish rules to authorize members of Council and the City's boards, commissions, and committees to participate remotely under specific circumstances and conditions while ensuring such remote participation fulfills the City's obligation to permit and encourage public participation.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Pursuant to BMCC 2-212, the City Council hereby establishes the following criteria that must be met and procedures that must be followed to authorize a council member or a member of a City board, agency, or committee to participate in their official capacity at a public meeting through remote participation. Whenever this policy refers to a City Council member the same criteria and procedures apply to members of City boards, commissions, and committees unless a specific standard applies.

1. Remote participation means participation by a Council member at any meeting of the City Council through the use of technology such as a video meeting software application.
2. Remote participation by a Council member may be available only upon a determination by the city administrator that the City has the technological and administrative capacity to support remote participation and remote participation is beneficial and convenient for the administration of city business in the discretion of the city administrator.
3. Council members are expected to attend meetings in person absent authorization by the presiding officer as described in the following paragraph.
4. Remote participation may be authorized by the presiding officer only under the following circumstances:
 - a. Council member illness or health condition;

- b. Council member personal emergency, travel, or other circumstances reasonably limiting the Council member's ability to participate in person; or
 - c. Fire, flood, earthquake, or other community emergency that makes it impracticable for the Council member to attend the meeting.
- 5. A Council member shall submit a request to the presiding officer, city administrator, and city clerk in advance of the meeting to determine if an arrangement for remote participation is possible. The Council member seeking such accommodation shall endeavor to advise the City of their intent to participate remotely at the earliest possible time and not less than twenty-four (24) hours prior to the meeting unless notice within that time frame is not reasonable under the circumstances. The presiding officer shall seek to advise the Council member within 12 hours of the meeting if the request is approved or denied. Any approved request does not guarantee that a remote connection can be established or maintained during the meeting.
- 6. A Council member may be authorized to participate remotely pursuant to any single request for no more than two consecutive meetings. A Council member must submit a subsequent request to participate remotely for any additional meetings. Other than illness or injury, in no case may a Council member be authorized to participate remotely for more than four meetings in any calendar year without approval by a majority of the Council, board, commission or committee. Remote participation is generally intended to be a temporary accommodation, and repeated absence from in-person attendance for the same or different reasons may result in refusal to grant additional requests.
- 7. The Council member participating remotely must ensure the equipment, technology and venue the Council member uses meets the following to ensure that the Council member's remote participation is materially comparable to in-person participation and is not a distraction for the public or other Council members:
 - a. Each member of Council and the public must be able to adequately see and hear the Council member participating remotely;
 - b. The Council member participating remotely must be able to adequately see and hear the other Council members and City staff;
 - c. The Council member participating remotely must be able to reasonably observe all materials reviewed and discussed by the Council during the meeting; and
 - d. The Council member participating remotely must ensure they have a suitable location from which to participate and must ensure they do not communicate with others not in the meeting regarding matters on the agenda.
- 8. A Council member participating remotely meeting the above requirements will be counted in determining a quorum and is eligible to vote on all business presented during the meeting. If, at any time, the member does not have the required connection meeting the requirements above or the connection fails during a presentation, public hearing, or any other time in which the item is discussed, then the member attending remotely will be considered absent for that portion of the meeting and is not eligible to vote. However, the member may appeal to the

presiding officer if their absence might not have had a material adverse impact on their ability to make a fair judgment or the public's ability to observe the Council member. The presiding officer has the sole and final discretion to approve or deny the appeal.

9. If the Mayor is remotely participating in a meeting and the Deputy Mayor or the Deputy Mayor Pro Tempore is participating in person, the Deputy Mayor or Deputy Mayor Pro Tempore shall preside over the meeting. If the Mayor, Deputy Mayor, and Deputy Mayor Pro Tempore, or other presiding officer in the case of a City board, commission, or committee, are absent or participating remotely, the Council shall select a temporary presiding officer to preside over the meeting.
10. No member shall be allowed to participate remotely in a meeting closed to the public pursuant to BMCC 2-600 and state law by electronic means.
11. This policy does not grant any member of the public a right to remotely attend or offer public comment at a public meeting by electronic means or authorize the City to conduct public meetings of the City Council or of a city board, commission, or committee wherein the public's only means of participation in the meeting is through remote methods. If a meeting is to occur limiting the public to only remote participation, such a decision may be made only upon a determination that public health or safety or other exigent circumstances necessitate a fully remote meeting. For the City Council such a decision may be made by the presiding officer or City Administrator. For boards, commissions, and committees, such a decision may be made by the City Administrator.

This resolution shall be effective upon adoption.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 19th day of December, 2022.



CITY OF BILLINGS

DocuSigned by:
By: William A. Cole
William A. Cole, Mayor

ATTEST:

DocuSigned by:
By: Denise R. Bohlman
Denise R. Bohlman, City Clerk