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To: Public Health and Safety Standing Committee  
Gabriela Santiago-Romero, Chairperson  
Scott Benson, Vice-Chairperson  
Mary Waters, Member  
Mary Sheffield, Ex-Officio

From: David Whitaker, Director   
Legislative Policy Division

Date: July 20, 2023

Re: Explanation of Section 9.16 of Council Rules

The Legislative Policy Division (LPD) was asked to explain Section 9.16 of the Council Rules. Section 9.16 states:

Sec. 9.16. Failure of a Committee to Act within 30 Calendar Days.

Should the committee to which a proposed resolution, ordinance, petition, or other policy matter has been referred not report out such measure to the City Council within 30 calendar days from the date it appears on the committee agenda, a majority of Council Members may call for said measure to be presented to the City Council by inclusion on the agenda of its next Formal Session following that at which the call is made. Council must then vote to approve or not approved the matter at that time.

The purpose of this rule is to prevent an item from being held indefinitely in a Standing Committee. Items that are complex or need additional research time are often in a Committee longer than 30 days for the Committee to do its due diligence. If an incomplete item were sent to Formal Session before it was ready, under this Rule, the Body must vote to approve or not approve the item at that time. No option is given to return to Committee for further consideration.

Under this rule, an item may remain in a Committee for any length of time beyond 30 days, unless or until a majority of City Council calls the item out of the Committee at a Formal Session. As such, an item on a Standing Committee agenda, may properly be brought back to the Committee any time longer than 30 days under this rule. This rule would also apply to items on a Committee agenda before an extended recess. Any item may properly be brought back after that recess or any time longer than 30 days under this rule.

In addition, there are items in Public Hearings that require a waiting time longer than 30 days before action can be taken. These items must remain in the Committee. As such, this rule allows that item to remain in the Committee until it is ready to go to Formal Session for a vote.

The only recommendation LPD could suggest for this rule is that it could be rewritten to make it clearer. The function and purpose of the rule should remain the same if rewritten.

If further calcification is needed, please advise.