

Ordinance No. [REDACTED]

ORDINANCE: To amend Chapter 2 (Administration), Article II (Officers and Employees), Division 2 (Mayor and Council) of the Rockville City Code to, among other things, provide for certain rules and procedures for Mayor and Council meetings.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF ROCKVILLE, as follows:

SECTION 1: That Chapter 2 (Administration), Article II (Officers and Employees), Division 2 (Mayor and Council) of the Rockville City Code is hereby amended to read as follows:

CHAPTER 2 – ADMINISTRATION

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ARTICLE II – OFFICERS AND EMPLOYEES

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DIVISION 2. MAYOR AND COUNCIL

Sec. 2-21. - Compensation of Mayor and Councilmembers.

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Sec. 2-22. - Mayor and acting presiding officer; presiding powers and duties.

(a) Mayor. In accordance with the Rockville City Charter, the Mayor, when present, shall preside at all meetings of the Mayor and Council and may take part in all discussions and shall participate, when present, in all votes of the Mayor and Council.

(b) Acting presiding officer. In accordance with the Rockville City Charter, in the event of the absence of the Mayor at any meeting of the Mayor and Council, the members of the Council shall elect one (1) of their own members to preside during such absence, who shall, for the time being, be clothed with all the powers and authority of said Mayor.

(c) Presiding powers and duties. When presiding over a meeting of the Mayor and Council, the Mayor shall:

- (1) Preserve order and decorum;

(2) Announce the business of the Mayor and Council in the order in which it is to be acted upon;

(3) Recognize the speakers entitled to the floor and guide and direct the proceedings of the Mayor and Council;

(4) Put to vote all questions which are regularly moved or otherwise arise in the course of the proceedings; and

(5) Decide all points of order, subject to the right of any Councilmember to appeal such decision. In the event of an appeal of a decision of the Mayor, the Mayor must ask the Councilmembers: "Shall the decision of the Mayor be sustained?" A majority vote on the question shall govern and conclusively determine such question of order.

Sec. 2-23. - Parliamentary authority.

(a) Unless otherwise provided by the City Charter or by ordinance of the Mayor and Council, all meetings and hearings of the Mayor and Council shall be conducted in accordance with this division, or rules adopted pursuant to this division. In all cases not covered by this division or by rules adopted pursuant to this division, the controlling parliamentary authority shall be the latest edition of Robert's Rules of Order, Newly Revised.

(b) The Mayor and Council may from time to time adopt by resolution such meeting related rules and rules of procedure as Mayor and Council deems appropriate, consistent with this division and other applicable laws.

Sec. 2-24. - Mayor and Council Meetings.

(a) Open Meetings. The Mayor and Council shall conduct its meetings pursuant to Title 3 of the General Provisions Article of the Maryland Annotated Code, as amended (the "Maryland Open Meetings Act"). Except as otherwise expressly provided in the Maryland Open Meetings Act, meetings of the Mayor and Council shall be open to the public and media, freely subject to recording by radio, television and photography at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

(b) Notice. In accordance with the City Charter and consistent with the requirements of the Maryland Open Meetings Act, the Mayor and Council must give reasonable advanced notice of its meetings, whether held in open or closed sessions. The Mayor and Council will provide notice of its meetings by posting an agenda of such meeting on its website, in addition to any other form of notice required by law.

(c) Location. The Mayor and Council will hold its open meetings in the Mayor and Council Chambers in City Hall, located at 111 Maryland Avenue in Rockville, Maryland, or at other public locations in the City. The Mayor and Council may also hold its meetings in a partial or completely virtual mode through video conference, teleconference, or other electronic means consistent with the requirements of the Maryland Open Meetings Act.

(d) Remote Attendance.

(1) When any member of Mayor and Council is unable to participate in-person in any meeting of the Mayor and Council, that member may participate from a remote location by means of telephone, video conferencing or other available electronic means that allows for real-time participation in the meeting. Members participating remotely in a meeting of the Mayor and Council must be clearly audible when speaking.

(2) Members of the Mayor and Council participating remotely in a meeting of the Mayor and Council shall be counted as present at the meeting for all purposes while audible. If a member temporarily loses audio, that member is considered absent until audio is restored.

(e) Quorum.

(1) In accordance with the Rockville City Charter, four (4) members of the Mayor and Council shall constitute a quorum. The Mayor and Council may not meet and conduct public business without a quorum present.

(2) Loss of a quorum during a meeting of the Mayor and Council, whether due to technical difficulties for remote participants or such other causes, shall cause the meeting to be recessed. If a quorum is not restored within one (1) hour, the meeting is considered adjourned.

(f) Type of Meetings.

(1) Regular Session Meetings.

A. In accordance with the City Charter, regular session meetings of the Mayor and Council shall be held as often as may be necessary for the Mayor and Council to discharge the duties of its office, not less, however, than once in every month.

B. Except as otherwise determined in advance by majority vote of the Mayor and Council, each regular session meeting of the Mayor and Council shall commence at 6:30 p.m. Regular session meetings shall end at 10:00 p.m. Should additional items remain on the Mayor and Council's regular session meeting agenda, a majority of the members present may vote to extend the regular session meeting to a time certain. However, continuing regular session meetings beyond 10:00 p.m. without a majority vote of the members present shall not invalidate any action taken by the Mayor and Council.

(2) Closed Session Meetings.

A. Closed sessions are meetings of the Mayor and Council where the public is excluded pursuant to the authority and limitations of the Maryland Open Meetings Act. During a closed session meeting, the Mayor and Council and other permitted attendees may only discuss topics authorized and properly noticed under the Maryland Open Meetings Act.

B. In accordance with the Rockville City Charter, the Mayor and Council shall not take any final action on any question, resolution, or ordinance in a closed session meeting.

C. If there is a closed session meeting of the Mayor and Council, in accordance with the Maryland Open Meetings Act, the minutes of the Mayor and Council's next open session meeting must include: (A) a statement of the time, place, and purpose of the closed session meeting; (B) a record of the vote of each member of the Mayor and Council as to closing the session; (C) a citation of the authority under the Maryland Open Meetings Act for closing the session; and (D) a listing of the topics of discussion, persons present, and each action taken during the closed session meeting.

(3) Ceremonial Session Meetings. The Mayor and Council may meet in ceremonial session from 5:30 p.m. to no later than 6:30 p.m. preceding the first regular session meeting of every month. The Mayor and Council may also hold ceremonial session meetings on any other day of the month.

(4) Emergency Session Meetings. Emergency meetings of the Mayor and Council are held with less than 24 hours' notice for specific emergency situations, such as storm, fire, explosion, community disaster, insurrection, act of God, or other potential destruction or impairment of city property or business that affects the health and safety of the residents, employees or the functions of the city. The Mayor and Council must provide the best public notice feasible for emergency sessions in accordance with the Maryland Open Meetings Act.

Sec. 2-25. - Meeting agendas.

(a) Preparation of Meeting Agenda. The City Manager shall, in consultation with the Mayor and Council, the City Clerk/Director of Council Operations and the City Attorney, prepare the Mayor and Council regular session and emergency session meeting agendas. The City Clerk/Director of Council Operations shall, in consultation with the Mayor and Council, prepare the Mayor and Council ceremonial session meeting agendas.

(b) Agenda Availability.

(1) Regular and ceremonial session meeting agendas, including all related staff reports, communications, ordinances, resolutions, contract documents and other materials, should be delivered to the Mayor and Council at least seven (7) days prior to the scheduled meeting to which the agenda pertains.

(2) The Mayor and Council must, accordance with the Maryland Open Meetings Act, make available to the public meeting agendas containing known items of business or topics to be considered at the portion of the meeting that is open to the public. In addition, the meeting agenda must indicate whether the Mayor and Council expects to close any portion of the meeting in accordance with the Maryland Open Meetings Act.

(c) Agenda Order. In accordance with the Rockville City Charter, the Mayor and Council shall determine its own order of business. The regular session meeting agenda shall be in substantially the following order:

1. Convene Meeting
2. Pledge of Allegiance
3. Closed Session (if applicable)
4. Proclamations and Recognitions (if applicable)
5. Agenda Review
6. City Manager's Report
7. Boards and Commissions Appointments
8. Community Forum
9. Special Presentations
10. Consent Agenda
11. Public Hearings
12. Action Items
13. Work Sessions
14. Old / New Business Items
15. Adjournment

(d) Removal of Meeting Agenda Items. During the Agenda Review portion of a regular session meeting of the Mayor and Council, upon an affirmative vote of at least six (6) members of the Mayor and Council, a specific agenda item may be removed from the regular session meeting agenda.

(e) Placing Items on Future Agendas. During the Agenda Review portion of a regular session meeting of the Mayor and Council, at the request of at least four (4) members of the Mayor and Council, an item shall be placed on a future Mayor and Council regular session meeting agenda by the City Manager for consideration by the Mayor and Council.

(f) Consent Agenda Items. Items under the Consent Agenda portion of the meeting agenda must be routine, noncontroversial items that require Mayor and Council action but require little or no deliberation. All items on the consent agenda shall be approved together with one motion. At the request of any member of the Mayor and Council, an item may be removed from the Consent Agenda and placed under the Action Items portion of the regular session meeting agenda for discussion and action by the Mayor and Council.

(g) Old / New Business Items. During the Old / New Business Items portion of the regular session meeting agenda, members of the Mayor and Council are permitted to discuss business items of the City that were not placed on that meeting agenda. In accordance with the

Open Meetings Act, all known items or topics to be discussed under Old / New Business Items must be listed in the meeting agenda. The affirmative vote of at least six (6) members of the Mayor and Council shall be necessary to adopt any motion under Old and New Business Items.

(h) Discussion and Deliberation of Agenda Items.

(1) Announcement of Agenda Items. The Mayor shall, prior to the consideration by the Mayor and Council of an agenda item, announce the agenda item number and read the description contained in the published agenda.

(2) Presentation of Agenda Items. Following the announcement of an agenda item, under the Action Items and Work Sessions portion of a regular session meeting agenda, the Mayor shall invite the City Manager and staff to present each specific agenda item to the Mayor and Council, including any recommendations by the City Manager.

(3) Mayor and Council Questions.

A. Following the presentation of an agenda item by the City Manager and staff, the Mayor shall invite each Councilmember who is present to ask up to three (3) questions of the City Manager and staff for the purpose of understanding and clarifying the agenda item. Any member of the Mayor and Council may waive their opportunity to ask questions. If a Councilmember waives, the Mayor notes the waiver, and the questioning continues to the next Councilmember.

B. To ensure equitable access to the floor, the Mayor shall ask up to three (3) questions of the City Manager and staff only after each Councilmember has been recognized and given an opportunity to ask their questions.

C. The Mayor retains authority to rule on the relevancy of questions, limit repetitive questioning, and maintain decorum, consistent with other Mayor and Council rules.

(4) Mayor and Council Deliberation.

A. At the conclusion of the questioning of the City Manager and staff, the Mayor shall offer each Councilmember who is present an opportunity to offer comments, observations, or opinions on the agenda item.

B. To ensure equitable access to the floor, the Mayor shall offer comments, observations, or opinions on the agenda item only after each Councilmember has been recognized and given an opportunity to offer their comments, observations, or opinions on the agenda item.

C. All members must confine their comments, discussions or opinions to the agenda item under consideration and avoid personal attacks or impugning motives.

D. If there is no desired deliberation by the Mayor and Council, or after the Mayor and Council's deliberation has ended, as appropriate, the Mayor shall invite a motion from a Councilmember regarding the agenda item.

(5) Speaking Order. To ensure equitable access to the floor, the Mayor shall recognize Councilmembers in a rotating order, beginning with a different member each time a specific agenda item is taken up. The rotation shall continue sequentially from Councilmember to Councilmember across agenda items so that no Councilmember is consistently first or last.

Sec. 2-26. - Voting.

(a) If a motion is made and duly seconded, the Mayor may invite members of the Mayor and Council to discuss the motion, in accordance with Section 2-25(h)(4). If there is no desired discussion, or after the discussion has ended, the Mayor should announce that the body will vote on the motion.

(b) Except as otherwise provided by law or in this division, an action of the Mayor and Council must be made by the affirmative vote of a majority of the members of the Mayor and Council present and voting on the motion made by a Councilmember that has been properly seconded by another Councilmember. Abstentions are not counted in the total number of votes that are cast.

(c) Each member present when a question is put shall vote either "yes," "no" or "abstain." No member shall vote "present."

(d) No member present shall be excused from voting except on matters involving a conflict of interest pursuant to the City of Rockville Ethics Code, as amended, and then only after full disclosure by that member of such conflict and the nature of same.

(e) At the discretion of the Mayor, voting shall be either by verbal vote, show of hands, or roll call, in which case the Mayor shall vote last.

(f) Members of the Mayor and Council shall not explain their vote during voting, which would be the same as debate at such a time.

Sec. 2-27. - Minutes. In accordance with the Open Meetings Act, as soon as practicable after a meeting of the Mayor and Council, the Mayor and Council, acting through the City Clerk/Director of Council Operations, shall prepare and post the minutes of such meeting.

Sec. 2-22—2-30.—Reserved.

Sec. 2-28—2-30. – Reserved.

SECTION II: This ordinance shall become effective immediately upon adoption.

NOTE: Underlining indicates material added

~~Strikethrough~~ indicates material deleted

Asterisks * * * indicate material unchanged by this ordinance

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I hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the Mayor and Council at its meeting of January __, 2026.

Sara Taylor-Ferrell,
City Clerk/Director of Council Operations