

1 **CITY COUNCIL ADOPTED RULES**

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3 **Adopted 1/2/2017**
4 **Amended 4/24/2017**

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6 **2017- 2019 Term**

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9 Resolved that the following Rules be and they are hereby adopted as the Rules of the
10 City Council of the City of Cranston.

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13 A. Of the Presiding Officer

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15 1. The President shall preside at all meetings of the Council. The Vice
16 President shall preside in the absence of the President and in the event of a vacancy in the
17 office of the President from any cause arising shall become President. If at any meeting
18 of the Council both the President and Vice President shall be absent, the Council shall
19 elect by majority vote of the members present a presiding officer for that meeting.

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21 2. The Presiding Officer shall preserve order and decorum, shall speak on
22 points of order in preference to other members, and shall decide all points of order.
23 Decisions by the chair on points of order are subject to an appeal to the Council by a
24 motion regularly seconded. No other business shall be in order till the question on appeal
25 shall have been decided by a majority vote of the members present.

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27 3. The Presiding Officer shall set forth all principal questions in the order in
28 which they are moved unless a subsequent or secondary motion be previous in its nature.
29 If a subsequent or secondary motion be previous in nature, it shall be decided before the
30 principal question can be acted upon except that in naming sums and fixing times the
31 largest sum and the longest time shall be first.

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33 4. The Council President shall appoint all committees of the City Council
34 and their respective Chair and Vice-Chair. The Council President may appoint from time
35 to time subcommittees of a given standing committee, which shall consist only of
36 member of the committee from which it was appointed. Each subcommittee may hear
37 testimony on matters falling within the scope of its charge and shall report to the original
38 committee from which it was appointed. The President of the Council shall appoint the
39 Chair and Vice-Chair of each subcommittee.

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41 4A. The Council President shall recommend removal of any members of
42 Committees including Chair and Vice-Chair to the City Council who shall by a majority
43 vote accept or reject the Council President’s recommendation.
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5. The Presiding Officer of the City Council shall assign all proposed ordinances or other matters before the City Council to the appropriate Standing or Special Committee for the Committee’s consideration. If a matter comes before the Council not listed in Rules 19-23 inclusive, the Presiding Officer, at his or her sole discretion may assign the matter to the most appropriate standing or special committee.

6. As Presiding Officer during a City Council Meeting, the President of the City Council shall have the same rights and privileges which other Council members enjoy, including the right to vote on all matters before it and to be counted for the purpose of determining whether a quorum is present. When present at a meeting of any standing or special committee, as an ex-officio member, the President shall have the right to vote on matters before the committee and to be counted for the purpose of determining whether a quorum is present in the committee.

7. The Council President may invite individuals and guests to the Rostrum from time to time during a Council meeting.

8. If the President wishes to speak on the substance of a matter before the Council, he/she must relinquish the Rostrum to the Vice-President who will chair the meeting until such time that the President has concluded his/her remarks. The President must make his/her comments from a Council member’s desk. If the Vice-President is unavailable at the time to chair the meeting when the President wishes to relinquish the rostrum, then the President must relinquish the rostrum to the Majority Leader. If the Majority Leader is not available then the Council shall appoint some other Council member of the Majority Party to chair the meeting during his/her remarks.

B. Of the Order of Business

9. A majority of all the members of the council shall constitute a quorum of said council, but a smaller number may adjourn from time to time until a quorum shall be present. At the commencement of each session, the roll shall be called and if a quorum be present, the reading of the minutes of the previous council meeting shall automatically be suspended unless so voted by a majority of the council members present.

10. Order of Business.
- a. Call to Order
 - b. Roll Call
 - c. Opening Ceremonies
 - d. Minutes of Previous Meeting
 - e. Public Acknowledgements and Commendations

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- f. Public Hearings
 - 1. All Docketed Resolutions and Ordinances to be reported by and presented by the Council President, Council Members and Committees
- g. Reports of Committees, Standing and Special
- h. Public Hearing on any miscellaneous matters not on Council Docket
- i. Election of City Officials
- j. Report of City Officers
- k. Executive Communications
- l. Council President Communications
- m. Council Member Communications
- n. New Business
- o. Miscellaneous Business on City Clerk’s Desk
- p. Adjournment

C. Of Decorum and Debate

11. The Mayor, City Council members, department heads or any member of the public desiring to speak, shall address the chair for a maximum of four (4) minutes and after having been recognized by the chair shall not be interrupted while addressing the assembly except (a) by question of order; (b) by a question of privilege; (c) for the correction of mistake; (d) a call to order.

The speaker shall confine his or her remarks to the merits of the pending question, and shall address all remarks through the chair. It shall be the duty of the presiding officer to protect the speaker’s right to address the assembly. During debate or during voting, no member of the public or council shall be permitted to disturb the assembly or hamper the transaction of business. This rule shall not preclude a Councilmember’s exercise of their right of personal privilege.

12. When a principal question is under debate, the chair shall recognize no other subsequent motions except (a) to adjourn (undebatable); (b) to lay on the table (undebatable); (c) to recess (debatable); (d) to postpone to a day specified or indefinitely (debatable); (e) to commit (debatable); (f) to amend (debatable); or (g) to move the previous question (undebatable). The aforementioned motions shall have precedence in the order here named. Every member who shall be present when a question is put shall vote thereon, unless excused by an ethical recusal or is excused by vote of two thirds of the members present. Such vote shall be taken without debate.

138 13. With the exception of Public Acknowledgements and Commendations
139 which may be approved by a voice vote, all voting shall be by roll call and the yeas and
140 nays of the individual members shall in all cases be recorded in the journal. During a roll
141 call vote, said roll call shall not be interrupted, delayed or stopped by the Presiding
142 Officer or any member of the council for any reason whatsoever including points of
143 order, personal privilege or for a member to explain his vote. The roll call of members
144 shall be taken in the following manner: that manner shall be prescribed by the Council
145 President. No ordinance, resolution, motion or vote, except by motions of a purely
146 procedural nature, shall be adopted by the council and no appointment or removal shall
147 be made by less than the affirmative votes of a majority of all the members of the council.
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149 14. A motion to reconsider is in order at any time during the same
150 meeting or at an adjourned meeting; however, it must be made by a member who voted
151 with the prevailing side. In the event of a tie vote, a member who voted on either side
152 may make a motion to reconsider. Any member can second the motion. When a motion
153 to reconsider has been decided, that vote shall not be reconsidered.
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155 15. Every Council member shall have the opportunity to speak at least
156 once on the principal question before a vote is taken; and no member shall speak more
157 than once until all other members desiring to speak thereon shall have done so. No
158 member shall speak more than twice on the same question, if any member objects,
159 without the permission of the council being first asked and obtained. For such objection
160 to be sustained, it shall be put to a roll call vote of the members.
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162 D. Of Committees
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164 16. A. There shall be appointed immediately after the organization of
165 the City Council, the following standing committees, viz:
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- 167 Committee on Finance
- 168 Committee on Public Works
- 169 Committee on Safety Services and Licenses
- 170 Committee on Ordinance
- 171 Committee on Claims
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173 B. All agendas must be approved by respective Committee Chairman,
174 and may comply with the following format:
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- 176 1) Call meeting to order
- 177 2) Minutes of last meeting
- 178 3) Old Business
- 179 Business left on last agenda
- 180 4) Correspondence
- 181 5) Public Hearings
- 182 6) New Business
- 183 7) Adjournment

184 C. Special Committees may be established from time to time by a
185 majority vote of the Council. The Special Committee known as the Flood Committee
186 shall be absorbed into the Public Works Committee.
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188 17. The standing committees shall each consist of five members of the
189 Council, but said number may be increased at the discretion of the Council President. At
190 least one member of such standing committee shall be a member of the minority party,
191 unless the entire Council consists of members of the same party. The President of the
192 Council shall be a member ex-officio of all committees and shall be entitled to vote on all
193 matters.
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195 The schedule of standing committee meetings shall be established by the
196 Chairperson of each respective committee.
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198 Special meetings of a committee may be called by the chairperson or three
199 members of that committee upon notice given three work days prior to the date of the
200 special meeting. An agenda of all business to be considered or transacted at a committee
201 meeting or minutes of the Council or committee meeting shall be mailed electronically to
202 all committee members not less than three work days before regularly scheduled or
203 special meetings and no item of business may receive a public hearing or be considered
204 or acted upon by the committee unless it appears on the agenda or on the call of the
205 special meeting, or unless all members present at the regular or special meeting consent
206 thereto.
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208 The chairperson or the member presiding of a standing committee may in
209 his discretion limit the remarks of the citizen to a period of time not more than four (4)
210 minutes per agenda item and may, in his or her discretion, limit the remarks by the
211 citizenry to a period of time not less than fifteen minutes per agenda item. The
212 chairperson or member presiding of a standing committee shall preserve order and
213 decorum among committee members and citizens outside the rail. Any person addressing
214 the committee shall confine his or her remarks to the merit of the matter under
215 consideration, subject to the discretion of the Chairperson.
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217 18. All financial reports presented to the City Council and all matters
218 before the Council relative to the city debt or to the revenue and expenditures of the City
219 or relating to public welfare or to the printing of documents ordered by the City Council
220 shall be referred to the Committee on Finance.
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222 19. All matters before the Council relative and the setting and maintenance
223 of poles on highways and bridges, and the sewer system, or to railroads and public
224 conveyances or to the setting, location and maintenance of street lights, together with all
225 contracts for lighting the public streets, parks and square of the City; all matters before
226 the Council relating to the construction, maintenance and repair of city property and all
227 matters before the Council relating to parks, recreation and civic affairs; all matters
228 before the Council relating to the erection and location of buildings designated by
229 ordinance shall be referred to the Committee on Public Works.

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20. All matters before the Council relating to the management, control, care, maintenance and direction of the fire department and fire department equipment of the city, the location of street hydrants and fire alarm signals and the storage and transportation of petroleum products, hydrocarbons, and other explosives – all matters before the Council relating to the police department and all matters over which the City Council sitting as a board of license commissioners has control or jurisdiction – shall be referred to the Committee on Safety Services and Licenses.

21. All matters before the Council not specifically set forth in Rules 19-24 and not assigned to any of the committees mentioned in the Rules including, but not limited to traffic signals and street signage, shall be referred to the Committee on Ordinances.

22. All matters before the Council relating to claims against the city arising from any cause shall be referred to the Committee on Claims.

23. Any person, group or organization wishing to make a presentation to the City Council must first make said presentation to the appropriate committee as determined by the Council President. A presentation shall consist of an oral presentation by the person or persons in attendance, and any written materials, audio, video or third party materials only if approved by the Council President, Vice President if he or she is presiding, or the Chairperson of any Standing Committee.

24. Assuming a quorum of a committee is present and voting on a matter, and the vote on the matter has the majority of members voting in the affirmative, then the matter will be reported out by the Committee Chair to the full Council for their consideration with a recommendation of “passage.” Matters recommended for passage, including the budget, shall be considered by the full council as amended and passed by the committee.

25. Assuming a quorum of a committee is present and voting on a matter, and the vote on the matter has the majority of members voting in the negative, or results in a tie vote, then the matter will be reported out in the minutes of the committee that the matter has been voted in the negative or tie vote, and the matter will be placed on the Council Docket for informational purposes only and no vote will be taken.

26. If a matter/ordinance has been considered by a committee, but the committee needs further information/testimony or substantial amendments or changes need to be made to it, or if the committee is not prepared to vote the matter up or down for whatever reason, the matter can be tabled by a vote of the committee for a definite period of time, not to exceed three (3) months. If after three months no action is taken on the Ordinance, it will no longer appear on the agenda and will be considered terminated.

276 27. For a matter to be considered by a committee again once placed on the
277 table, a procedural motion must be made and seconded to “remove it from the table” to
278 allow it to be considered by the committee again. A majority vote of the committee is
279 required to remove a matter from the table.

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281 28. Any committee member, except the Chair, may make a motion and/or
282 second someone else’s motion, however the Chair may second any motion presented.

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284 29. Any Council member may request of the Council President that his/her
285 name be removed or added as a sponsor of any ordinance or resolution at any time before
286 its final passage by the full Council. An ordinance must have at least one sponsor in
287 order for the ordinance to be considered for passage. Said decision to add or remove a
288 sponsor shall be made by the President, however when a member submits an ordinance or
289 resolution for consideration his or her name shall not be removed without said sponsor’s
290 approval.

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292 E. Of Admission to the Council Chamber

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294 30. No person shall be allowed inside the rail of the Council Chamber
295 during a session of the Council, excepting members and officers of the Council and
296 authorized representatives of the public media who may be assigned designated space by
297 the Chair; unless by special invitation of the chair or of a member of the Council through
298 and with the approval of the chair, provided, however, that the mayor, City Solicitor and
299 the Director of Finance and Public Works and other essential personnel shall be assigned
300 permanent seats in the Council Chamber by the Presiding Officer. All meetings of the
301 Council and its committees shall be open to the public.

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303 F. Miscellaneous Provisions

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305 31. Notwithstanding anything to the contrary of these rules, at the
306 conclusion of the regular business meeting each month, a member may introduce an
307 omnibus resolution of congratulations and/or an omnibus resolution of condolence. Upon
308 unanimous passage of said resolution or resolutions, a number shall be assigned to the
309 resolution by the City Clerk or Deputy. If during the month subsequent to the regular
310 business meeting any Council Member considers it appropriate that the congratulations or
311 condolences of the City should be offered to any citizen, the Council Member may
312 contact the City Clerk or Deputy who shall prepare the congratulations or condolences in
313 resolution form with appropriate language using the omnibus number assigned followed
314 by an alphabetical letter. Said Clerk or Deputy shall then transmit the document to the
315 Council President for approval and signature. Upon said signature, the Clerk or Deputy
316 shall transmit the document as directed by the Council Member.

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318 The monthly omnibus resolution shall expire at the opening of the next
319 month’s regular business meeting at which time the Clerk or Deputy shall submit copies
320 to each Council Member of all congratulations or condolence issued pursuant to the
321 omnibus resolutions.

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32. The clerk of the City Council shall cause to be printed a docket of the business to be considered at each regular meeting of the City Council. Said docket to be approved by the Council President. The Council President, the Mayor, all committee chairpersons, all committees by vote thereof, having reports to make or business to present shall furnish said Clerk with a definite statement in writing of the business to be presented at least seven (7) calendar days before said meeting of the City Council, in order that the same may be printed on said docket; and no ordinance, resolution, petition, order or other matter of business shall be considered unless notice of the same shall have been given as herein provided and includes the estimated cost beyond the normal operational costs which are budgeted. Said docket and all ordinances and docketed resolutions described therein, shall either be mailed by US postal mail, electronically or delivered in person to the members of the Council, the Mayor, and to the relevant department heads at least one hundred and twenty (120) hours previous to the meeting of the City Council.

33. The Mayor or any of the Council or committee of the Council shall be entitled to introduce ordinances. Any ordinance referred to the City Council for consideration shall be processed in accordance with Section 3.10, 3.11, 3.12, 3.13, 3.14 and 3.15 of the Cranston Home Rule Charter, said sections being wholly incorporated herein by reference thereto.

34. All matters of new business not appearing on said docket or presented in open meeting shall be referred to a standing committee unless unanimous consent of all members present is given for immediate discussion. No final action will be taken on any new business which has not satisfied the notice requirements of the Rhode Island Open Meetings Act, unless it is an unexpected occurrence requiring immediate action. RIGL 42-46 et seq.¹

34A. Any matter of business appearing on the City Council docket shall not be acted upon unless a copy of the proposed legislation shall have been made available in the City Clerk's Office by 12 o'clock noon the Wednesday prior to the council meeting. Any matter of business appearing on said docket shall be made available to the general public in the City Clerk's Office no later than 9 o'clock A.M. the Thursday prior to the City Council meeting.

34B. Any new business, and shall include any and all Resolutions which have or may have a fiscal impact, including those urging action or passage of legislation, but shall not include Resolutions which are purely ceremonial in nature, not appearing on the Council docket shall be submitted in final form to the City Clerk's Office no later than twelve noon on the Friday prior to the council meeting. All new business shall be forwarded electronically to the City Council at the close of business on Friday and copies shall be placed on the desk of each council member and the Mayor before the beginning

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of the council meeting. Any new business which was not timely filed in accordance to this rule, may only be introduced upon an affirmative vote for introduction by the Council. No new business sponsored by the Mayor for introduction to the City Council shall be accepted for introduction by the City Clerk, unless it has been reviewed and presented by the City Solicitor or Assistant City Solicitor.

34C. If the City Council wishes to debate and act on a motion tabled in any Committee for any reason, a procedural motion must be made and seconded during a Council meeting, to bring the matter before the full Council despite it being tabled in Committee. Such a procedural motion must receive the votes of 2/3 of the Council present and voting to pass, and allow the original motion to be considered by the full Council. Once the original motion is removed from a Committee's table, it is treated like any other motion reported out of Committee to the full Council.

35. All petitions, acts, resolutions, reports and other communications submitted to the City Council, by any committee, standing or special, shall be written on a template, on paper or electronically, of uniform size and style which shall be furnished by the City Clerk. Such papers shall be endorsed by the member representing the same, and no other endorsement or report except such as may be made by the Clerk of the Committee of the City Council, shall be made thereon. Reports shall be signed by the Chairman of the committee unless otherwise ordered by the Committee.

36. Regular meetings of this said City Council shall be held on the fourth (4) Monday of each month, at 7:00 PM and adjourn no later than 12 midnight, except that the last meeting in December shall be held on the third (3) Monday of that month. In the event that said fourth (4) Monday of any given month shall fall upon a legally designated holiday, State or Federal, said meeting shall be held on the next succeeding business day; and further provided, however, in the event that any given regular council meeting shall fall upon a holiday eve, said Council at the next preceding regular meeting, may in its discretion by a majority vote of those present at said meeting, declare the next regular meeting of said council shall be held on the next business day subsequent to said holiday eve.

36A. Special meetings of this City Council may be called pursuant to the provisions of Section 3.07 of the Cranston Home Rule Charter and Section 2.04.060 of the City Code which are incorporated herein by reference thereto.

- B. Special meeting of the City Council may be called by the Mayor, Council President or any three members of the City Council. Emergency Special meetings may be called by the Mayor or a majority of the City Council.
- C. Special and emergency meetings must comply with all notice requirements of the Rhode Island Open Meetings Act, RIGL 42-46 et seq.²

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37. Any regular or special meeting may by action of a majority of the members present be adjourned to a time fixed in such motion and such adjourned meeting shall be treated in all respects as a continuation of the original meeting.

38. Pursuant to Section 3.07 of the Cranston Home Rule Charter, citizens shall be entitled to be heard at all regular meetings, special meetings, and scheduled hearings of the Council and its committees on matters within the authority of the Council as follows:

- A. Any person wishing to speak before the Cranston City Council on any docketed item shall sign a Speakers' Sheet which will be available in the Council Chambers one half hour prior to the start of the meeting. Speakers shall list their name, address and the particular issue or issues upon which they wish to be heard, and must disclose whether they are a registered lobbyist, or a member or officer, director employee of any organization that may have an interest in the matter before the council.
- B. Nothing herein shall be construed as limiting the rights of the Mayor or the heads of several departments to be heard as provided in Rule 8 hereof.
- C. These rules shall not be construed as limiting the rights of the citizenry to be heard on matters relative to zoning and licensing.
- D. Any additional matter of business not appearing on said docket, requiring and upon receiving unanimous consent of the council members present, shall entail public participation.
- E. All meetings of the Council and its committees shall be open to the public except under special circumstances as provided by State Law. Citizens shall be heard on matters which appear upon the docket of business for a regular meeting of the Council, upon the notice given of a special meeting of the Council and upon the agenda of a standing committee of the Council. All such hearings will be held only during the designated "Public Hearing" portion of a meeting except when resolutions are being considered under executive communications. Except for discussion pertinent to such resolutions all public hearings, remarks, or questioning will take place during the designated public hearing portion of the meeting.

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F. The remarks of a citizens or his attorney on docketed or any other matter of business shall be limited to a period of time not to exceed four (4) minutes during each regular or special meeting. In addition, the time limit for any citizen or his attorney who also desires to address the Council pursuant to Rule 38A shall be extended to a period of time not exceeding five (5) minutes during the meeting. The remarks of any one (1) matter by the citizenry shall be limited to a period of time not exceeding fifteen (15) minutes during the meeting. These time limits will be enforced by the presiding officer.

G. Notwithstanding anything to the contrary set forth above, in Zone Change or Zoning Map amendment proceedings, the time limits set forth above shall not apply and the proponents and opponents of such changes shall be allowed a reasonable time to present their positions.

39. On a case by case basis, any of the foregoing Rules may be suspended for good cause during a Council meeting or a meeting of a Standing or Special Committee, for that particular instance, after such a request has been made by a Council member who is part of said body and approved by a majority of votes of the members of said body.

40. Except as otherwise provided, the prevailing current issue of ROBERTS RULES OF ORDER shall control parliamentary procedure of the Council, however, if during the course of their work in Committee or on the full Council, members encounter a situation not sufficiently addressed through these Rules, he/she should bring that situation to the attention of the President of the Council and the Chair of the Rules Committee as soon as possible, so that the matter may be addressed more clearly within these Rules.

41. A. When the City Council or a Council Committee is in session in the Council Chambers, there will be no use of cell phones or electronic pagers, in a manner that is audible to others, audio/visual presentation equipment, or other device, without express approval by the presiding Council Member. Private discussions should be kept to a respectful tone so as to not disturb the proceedings. The presiding officer shall warn those disturbing the proceedings to be respectful and considerate of those attending to the business of the meeting. If those disturbing the meeting continue to do so after the warning, the presiding officer may order they be removed and those persons may be subject to any civil or criminal penalties. Under no such circumstances, shall the recording of meetings be prohibited unless it violates fire code.

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- B. No member of the council shall disseminate any information obtained or received orally or in writing, pursuant to an Executive Session of the Council, to anyone, except a City Solicitor, The Mayor, or an outside attorney hired by the City to represent the City and the Council in the subject matter of the Executive Session, unless the Attorney/Client Privilege above mentioned, has been waived by consent of all nine members of the Council, or the council has been ordered by a court of competent jurisdiction to reveal privileged information.
- C. Violation of the rule in paragraph B above shall be referred to the Rules Committee or the full Council and be placed on the docket for review of any ethical violations under the City Charter or Rhode Island General Laws.
- D. Specific statement of all business must be listed on any agenda/docket. Matters not listed may be addressed by unanimous consent. The matter can be discussed or referred to committee. No vote can be taken unless it's an "unexpected occurrence requiring immediate action", RIGL 42-46-6(b) .
- E. Rhode Island's Open Meetings Act requires forty eight hours advance posting, however the forty eight hour notice is waived for emergency meetings. Notice and agenda must be posted as soon as practicable. Business in any emergency meeting is limited to issues that created the emergency. RIGL 42-46-6(b) and (c). Special meetings have additional requirement of newspaper advertising under the Code, however, this is waived for emergencies. Cranston City Code 2-10.2.
- F. Council members receive mobile electronic devices such as laptop computers or tablet computers in order to receive and view documents, agendas and other City related business materials. Based upon the rapid depreciation of said devices and the normal succession of council members the following depreciation schedule is established when a member wishes to retain their device after leaving the Council: After year one a payment of \$100.00 is due; After year two a payment of \$50.00 is due; after year three and thereafter a payment of \$25.00 is due; Payment of the above reimbursement to the City IT department shall be made from the Orders of the Council to the City as a Courtesy of said Council Members Service. If a device or lost, stolen or destroyed the device is replaced by the City with no cost to the Council Member, however, the depreciation schedule will restart at the time of replacement.