



COUNCIL OF THE DISTRICT OF COLUMBIA

**RULES OF ORGANIZATION AND PROCEDURE FOR THE
COMMITTEE ON PUBLIC WORKS AND OPERATIONS**

COUNCIL PERIOD 25

Councilmember Brianne K. Nadeau, Chairperson

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ARTICLE I – DEFINITIONS

Sec. 101. Definitions.

Except as otherwise provided by these rules, the definitions contained in Rule 101 of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 25 are incorporated by reference.

For purposes of these rules, the term:

(1) “Chairperson” means the Chairperson of the Committee on Public Works and Operations.

(2) “Committee” means the Committee on Public Works and Operations.

(3) “Committee Rules” means the Rules of Organization and Procedure for the Committee on Public Works and Operations, Council Period 25.

(4) “Council Rules” means the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 25.

(5) “Member” means a member of the Committee.

(6) “Quorum” means 3 Members of the Committee, except as provided in section 601(d).

(7) “Testimony” means the oral or written statement of a witness.

(8) “Witness” means a person who shall appear or is appearing before the Committee, whether voluntarily or by mandatory process.

ARTICLE II – JURISDICTION OF THE COMMITTEE

Sec. 201. Matters under the Purview of the Committee.

The Committee on Public Works and Operations is responsible for matters relating to the general operation and service of government, including procurement; human rights; partnerships and grants management; matters relating to lesbian, gay, bisexual, transgender, and questioning affairs; veterans affairs; matters affecting administrative law and procedure; consumer and regulatory affairs; recycling; waste management; and regulation of for-hire vehicles.

Sec. 202. Agencies under the Purview of the Committee.

The following agencies come within the purview of the Committee on Public Works and Operations:

- Advisory Committee on Street Harassment
- Advisory Committee to the Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs
- Commission on Fashion Arts and Events
- Commission on Human Rights
- Contract Appeals Board
- Department of For-Hire Vehicles
- Department of Licensing and Consumer Protection
- Department of Public Works
- Deputy Mayor for Operations and Infrastructure, shared jointly with the Committee on Transportation and Environment
- Emancipation Commemoration Commission
- For-Hire Vehicle Advisory Council
- Interfaith Council
- Office of Administrative Hearings (including the Advisory Committee to the Office of Administrative Hearings and the Commission on Selection and Tenure of Administrative Law Judges)
- Office of Community Affairs
- Office of Contracting and Procurement
- Office of Human Rights
- Office of Lesbian, Gay, Bisexual, Transgender, and Questioning Affairs
- Office of Partnerships and Grants Services
- Office of Risk Management
- Office of the Chief Technology Officer
- Office of Veterans Affairs
- Office on Religious Affairs

ARTICLE III – ORGANIZATION OF THE COMMITTEE

Sec. 301. Chairperson.

The Chairperson shall be the presiding officer of the Committee. The Chairperson may designate a Member to act as temporary Chairperson when the Chairperson is absent or recuses himself or herself from Committee business.

Sec. 302. Committee Staff.

(a) Committee Director. The Chairperson shall appoint a Committee Director with the approval of the Committee, pursuant to section 406(b)(3)(B) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 8, 1979 (D.C. Law 2-139; Official Code § 1-604.06(b)(3)(B)). The Committee Director shall be the secretary and chief administrative officer of the Committee, shall keep any records of Committee business, and shall perform other administrative, legislative, and policy functions assigned by the Committee Rules or the Chairperson.

(b) Additional Staff. The Chairperson may appoint additional staff, subject to the approval of the Committee, pursuant to section 406(b)(3)(B) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 8, 1979 (D.C. Law 2-139; Official Code § 1-604.06(b)(3)(B)). The additional staff shall perform administrative, legislative, and policy duties as assigned by the Chairperson or the Committee Director.

(c) Additional Persons. Additional persons not to be compensated by Council funds may be retained by the Committee with the approval of the Chairperson.

(d) Staff Assignments, Removals, and Remuneration. Committee staff assignments, removals, and remuneration shall be determined by the Chairperson.

ARTICLE IV – COMMITTEE MEETINGS

Sec. 401. Quorum.

(a) Quorum. Three Members shall constitute a quorum for the convening of a Committee meeting and for the transaction of Committee business, except that a lesser number shall constitute a quorum for convening hearings as provided in section 601 of the Committee Rules.

(b) Chairman as *Ex Officio* Member. The Chairman of the Council shall be an *ex officio*, voting member of the Committee and may be counted for the purposes of a quorum, but the Chairman shall not increase the quorum requirement for the Committee.

Sec. 402. Regular Meetings.

(a) Time. Regular meetings of the Committee shall be held at 10:00 a.m. on the second Thursday of each month except during periods of Council recess and legal holidays.

(b) Place. Regular meetings of the Committee shall be held in Room 123 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Washington, D.C., 20004, unless another place is designated by the Chairperson.

(c) Notice. The Chairperson shall circulate a notice, in writing or by electronic mail, of the date, time, and place of all Committee meetings to each Member of the Council at least 24 hours prior to the scheduled meeting, along with a copy of the draft agenda of the meeting, unless at least 3 Members agree to a shorter notice. The Chairperson shall circulate a draft of any measures to be considered at the scheduled meeting, in writing or by electronic mail, to each Member of the Council at least 24 hours prior to the scheduled meeting, unless at least 4 Members agree to a shorter notice.

(d) Recess and Rescheduling. The Chairperson may recess any regular meeting then in progress to another time, date, or place. The Chairperson may reschedule any future regular meeting, provided that each member is notified in writing or by electronic mail at least 24 hours in advance of the scheduled meeting.

(e) Cancellation. The Chairperson may cancel a future regularly scheduled meeting. To cancel a regularly scheduled meeting, the Chairperson shall provide at least 24 hours' notice of the cancellation, in writing or by electronic mail, to each Councilmember and the Secretary to the Council unless the circumstances necessitating the cancellation preclude the provision of such notice. If the circumstances preclude the provision of the notice 24 hours prior to the regularly scheduled meeting, the Chairperson shall provide notice of the cancellation in writing or by electronic mail to each Councilmember and the Secretary to the Council at the earliest possible time prior to the regularly scheduled meeting, but no later than 2 hours prior to the regularly scheduled meeting.

(f) Agenda.

(1) The draft agenda and draft written materials relating to the agenda items shall be available to the Members 24 hours prior to the regular meeting.

(2) The Committee staff shall prepare the agenda at the direction of the Chairperson. The agenda for all meetings, except special meetings called pursuant to Rule 403(b) of the Committee Rules, shall be set by the Chairperson.

(3) The Chairperson may prepare a consent agenda for each Committee meeting, which shall include bills and proposed resolutions that the Chairperson believes will be adopted by unanimous vote. The consent agenda shall be approved at the beginning of the Committee meeting. Any Member may strike a bill or proposed resolution from the consent agenda.

Sec. 403. Additional and Special Meetings.

(a) Additional Meetings.

(1) The Chairperson may call additional meetings of the Committee.

(2) Whenever an additional meeting is called, the Committee staff shall notify each Councilmember in writing or by electronic mail at least 24 hours prior to the additional meeting, unless at least 3 Members agree to a shorter notice. The notice shall state the date, hour, and place of the meeting, and include a draft copy of the agenda of the meeting. The Chairperson shall circulate, in writing or by electronic mail, a draft of any measures to be considered at least 24 hours prior to the additional meeting, unless at least 3 Members agree to a shorter notice.

(3) The Chairperson may cancel an additional meeting, provided that each Member of the Council is notified in writing or by electronic mail at least 24 hours prior to the scheduled meeting, unless the circumstances necessitating the cancellation preclude the provision of such notice. If the circumstances preclude the provision of the notice 24 hours prior to the scheduled meeting, the Chairperson shall provide written notice of the cancellation to each Councilmember and the Secretary to the Council at the earliest possible time prior to the scheduled meeting, but no later than 2 hours prior to the scheduled meeting.

(b) Special Meetings.

(1) Special meetings may be called by filing a written request with the Committee Director for a special meeting signed by no fewer than 3 Members. The Committee Director shall notify the Chairperson and the other Members of the filing of the request.

(2) The Chairperson shall call the special meeting within 72 hours of the written request and shall specify the date, time, place, and agenda for the meeting.

(3) If the Chairperson does not call the requested meeting, a majority of the Members may file a written notice with the Committee Director that a special meeting will be held, specifying the date, time, place, and agenda for the meeting.

(4) Whenever a special meeting is called, the Committee staff shall notify each Councilmember in writing or by electronic mail at least 24 hours before the special meeting. The notice shall state the date, time, and place of the meeting. A draft copy of the agenda and any measures to be considered shall be circulated.

(5) No matters shall be considered at any special meeting except those stated in the written or electronic-mail request and notification.

(6) Any written material relating to the agenda items shall be made available to the Members by the close of business of the business day prior to the meeting.

(7) Special meetings to consider emergency matters may be called upon shorter notice, if such notice is agreed to by 4 Members and the basis for the emergency is stated in the notice.

(8) The Chairperson may cancel a special meeting; provided that each Councilmember is notified in writing or by electronic mail at least 24 hours prior to the scheduled meeting, unless the circumstances necessitating the cancellation preclude the provision of such notice. If the circumstances preclude the provision of the notice 24 hours prior to the scheduled meeting, the Chairperson shall provide written notice of the cancellation to each Councilmember and the Secretary to the Council at the earliest possible time prior to the scheduled meeting, but no later than 2 hours prior to the scheduled meeting.

Sec. 404. Procedures for Meetings.

(a) Order of Business for Regular Meetings. Except as provided in subsection (b), the Committee shall conduct business for Regular Meetings of the Committee in the following order:

(1) Call to order;

(2) Determination by the Chairperson of the presence of a quorum;

(3) Reading and approval of minutes, if applicable;

(4) Consent agenda, if applicable;

(5) Consideration of proposed reports on and markup of pending measures referred to the Committee pursuant to section 404 of the Council Rules;

(6) Other business, if applicable; and

(7) Adjournment.

(b) Order of Business for Additional and Special Meetings. The Committee shall conduct business for Additional and Special Meetings of the Committee in the following order:

(1) Call to order at the date, time, and place set forth in the notice of the meeting;

(2) Determination by the Chairperson of the presence of a quorum; and

(3) If a quorum is present, consideration of business in the order set forth in the meeting notice.

(c) Proceeding Out of Order. The Chairperson or presiding Member may, without objection or upon the vote of a majority of the Members present and voting, take up any item of business out of order.

(d) Recognition of Non-Committee Members. The Chairperson or presiding Member may recognize an individual when the participation of the individual would, in the judgment of the Chairperson or presiding Member, enhance the understanding of the matter under consideration by the Committee.

Sec. 405. Records of Meetings.

Records. A recording of each Committee meeting, hearing, and roundtable shall be produced and maintained by the Office of the Secretary. The Chairperson may direct that minutes of meetings or hearings be taken. The minutes may include a description of all Committee action and a description of each amendment, motion, order, or other proposition on which a roll-call vote was taken; the name of each Member voting for or against the amendment, motion, order, or proposition; and the names of those Members present but not voting. If minutes are taken, the minutes shall be filed with the Secretary to the Council upon approval by the Committee.

Sec. 406. Decorum of Members.

(a) Members shall not engage in private discourse or commit any other act tending to distract the attention of the Committee from the business before it.

(b) In debate, a Member must proceed in a civil and respectful manner, confine remarks to the question at hand, and avoid personalities.

ARTICLE V – REVIEW OF AND REPORTS ON PROPOSED LEGISLATION

Sec. 501. Approval of Measures.

(a) Approval Process. The Committee may not report out a measure or recommendation on a matter assigned to the Committee unless a quorum is present at the time of approval and the measure or recommendation is approved by a majority of the Members present and voting.

(b) Oral Amendments. If an amendment is orally moved during a Committee meeting, it shall be reduced to writing, upon request by the Chairperson, and read by the Chairperson or Committee staff. The amendment shall be made available for public inspection as soon as practicable thereafter.

(c) Fiscal Impact Statements. At the discretion of the Chairperson, a fiscal impact statement issued by the Council Budget Office shall be made available at the markup by a Member offering an oral or written amendment on a measure.

Sec. 502. Reports on Bills and Proposed Resolutions.

(a) Draft Reports. Each bill or proposed resolution shall be accompanied by a draft report when it is considered by the Committee, unless the Committee votes to waive this requirement for a particular bill or proposed resolution. In the event of a waiver, the Committee shall vote on the draft report at a regularly scheduled, additional, or special meeting of the Committee before filing the report and the reported bill or proposed resolution with the Secretary.

(b) Contents of Reports. Each adopted report on a bill or proposed resolution assigned to the Committee shall be signed by the Chairperson, accompanied by the final bill or proposed resolution, and include all information required by section 803(d) of the Council Rules.

(c) Date of Report. The date of the Committee markup shall be the date of the report.

Sec. 503. Supplemental, Minority, and Additional Views.

If, at the time of approval of any measure by the Committee, any Member gives notice of intent to file supplemental, minority, or additional views, that Member shall have 5 business days in which to file the Member's views in writing. Such views shall be filed with the Committee Director and shall be added as an addendum to the report and filed with the Office of the Secretary.

ARTICLE VI – HEARINGS, ROUNDTABLES, AND INVESTIGATIONS

Sec. 601. Hearing and Roundtable Procedures.

(a) Calling.

(1) The Committee shall hold a hearing before the Committee's adoption of any permanent bill. A hearing is not required if a hearing on the same or a similar bill was held in the same or immediately preceding Council Period.

(2) The Committee may hold a hearing or roundtable before the passage of a proposed resolution.

(3) The Committee may hold a hearing or a roundtable on any matter relating to the affairs of the District of Columbia that is properly within the Committee's jurisdiction as provided in the Council Rules.

(b) Notice. Notice of Committee hearings and roundtables shall be provided in the manner provided for in section 701 of the Committee Rules.

(c) Open to the Public. Each hearing and roundtable shall be open to the public unless a majority of the Committee, upon good cause shown, votes in favor of closure pursuant to Council Rule 376.

(d) Quorum. One Member constitutes a quorum for the taking of testimony and receiving of evidence at a hearing or roundtable.

(e) Questioning of Witnesses.

(1) The Chairperson shall determine the length of time that each Member and participating non-Committee member shall have for the questioning of a witness before the Committee. Questioning shall proceed in the order that Members arrived, followed by non-Committee members.

(2) A witness may be questioned, with the consent of the Chairperson or presiding Member, by Committee or authorized Council staff or by counsel advising the Committee.

(f) Decorum.

(1) No witness may address a Member except through the Chairperson or presiding Member, except when responding to a direct question of a Member.

(2) A witness shall confine his or her remarks to the question under discussion and shall avoid making negative personal comments.

(3) The Chairperson or presiding Member shall maintain order during the hearing or roundtable and if, in his or her opinion, the removal of any member of the public is necessary to maintain order, the Chairperson or presiding Member may order the removal of any disorderly person.

(g) Recess. A hearing or roundtable may be recessed at any time by the Chairperson or presiding Member.

Sec. 602. Witnesses.

(a) Right to Counsel. Any witness who appears before the Committee has the right to be represented by counsel.

(b) Right to Provide Testimony. The right to provide oral testimony shall be at the discretion of the Chairperson or presiding Member. Individuals interested in testifying before the Committee shall register with Committee staff no later than 24 hours prior to the hearing or roundtable or by the date set in the notice. Individuals who wish to register to testify within the 24 hours preceding a hearing or roundtable shall be permitted to do so at the discretion of the Chairperson. Any witness who provides oral testimony at a hearing or roundtable of the Committee may submit a written statement that shall be placed in the record of the hearing. The Chairperson or presiding Member may permit a witness to read the statement at the hearing or roundtable, subject to time limitations as imposed by the Chairperson or presiding Member.

(c) Time Afforded for Testimony.

(1) A witness appearing on his or her own behalf shall be afforded at least 3 minutes to provide testimony.

(2) A witness appearing on behalf of a bona fide organization shall be afforded at least 5 minutes to provide testimony.

(3) A witness representing the government shall be afforded unlimited time to provide testimony.

(4) The Chairperson or presiding Member may afford more or less time to a witness in the interest of efficiency, fairness, or sound administration of the hearing or roundtable.

Sec. 603. Testimony under Oath or Affirmation.

The Chairperson or presiding Member may require a witness to provide his or her testimony under oath or affirmation.

Sec. 604. Questions for the Record.

The Chairperson may request documents from a witness to further develop the record after a hearing or roundtable has concluded.

Sec. 605. Investigations.

(a) The Committee may investigate any matter relating to the affairs of the District of Columbia that is properly within the Committee's jurisdiction. The Committee may also direct another person to investigate a matter within the Committee's jurisdiction.

(b) The Committee shall use, report, issue, serve, and enforce subpoenas in accordance with Article VI of the Council Rules.

(c) The rights of witnesses contained in Article VI of the Council Rules are incorporated by reference.

ARTICLE VII – NOTICE PROVISION

Sec. 701. Notice.

If there is no specific requirement for the provision of notice of any Committee action, meeting, hearing, or roundtable, notice may be provided by one of the following methods:

(1) Posting in prominent places in the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., or other public buildings or public posting places;

(2) Publication in the *District of Columbia Register*;

(3) Mailing notice to an established mailing list of organizations and individuals maintained by the Secretary to the Council;

(4) Use of other news media;

(5) Posting on the Council of the District of Columbia's website;

(6) Electronic mail; or

(7) Any other manner the Committee considers appropriate.

ARTICLE VIII – RULES

Sec. 801. Rules of the Council.

Whenever there is inconsistency between the Committee Rules and the Council Rules, the Council Rules shall govern.

Sec. 802. Amendment.

These rules may be amended by a majority of the Committee at any Committee meeting. Notice of the proposed amendment shall be in writing, signed by the proposing Member, and circulated to each Member at least 5 days prior to the meeting at which the proposed amendment is to be considered, unless the notice is waived by each Member to whom it is not provided.

Sec. 803. Filing with the Council Secretary.

Upon the adoption of these rules or any future amendments, the Committee staff shall file a copy of the final rules or amendments with the Secretary to the Council.

Sec. 804. Effective Period.

These rules shall be effective until superseded by Rules of Organization and Procedure for the Committee on Public Works and Operations adopted in a succeeding Council Period, unless modified by a majority of the Committee Members during Council Period 25.