

**CITY COUNCIL**

**RULES OF PROCEDURE**

**CITY OF HUNTSVILLE, TEXAS**



**As Adopted by Ordinance No. 2015-38**  
**Effective September 1, 2015**

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## **Section 1 – GENERAL**

Parliamentary law and the rules of procedure derived from such law are essential to all deliberative organizations so that they may consider all matters before them in an effective and efficient manner and produce results that are legal and binding. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while at the same time protecting the rights of both the group and each member. Accordingly, these rules of procedure establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, administrative staff, news media, citizens and visitors.

## **Section 2 – AUTHORITY**

The City Charter of Huntsville, Texas [Adopted: September 28, 1968; Amended: January 21, 1992; and last amended November 5, 2013] provides in Article IV (The Council), Section 4.08 (Rule of Procedure) that “The Council shall by ordinance determine its own rules and order of business.” Thus, these rules of procedure are established. In the event of any conflict between the City Charter and these rules of procedure, the City Charter shall prevail.

The parliamentary reference for the City Council is the most recent edition of *Robert’s Rules of Order Newly Revised* (RONR). When any issue concerning procedure arises that is not covered by the Rules of Procedure, the City Charter or State law, the Council will refer to RONR, which shall determine such procedural issue.

## **Section 3 – SESSIONS**

The City Council shall follow both the letter and the spirit of the Texas Open Meetings Act.

### **3.01. Regular Sessions.**

The City Council shall conduct regular sessions generally on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Tuesdays of each month. All regular sessions shall normally be scheduled to begin at 6:00 p.m. at City Hall and are open to the public.

### **3.02. Workshop Sessions.**

Workshop sessions may be scheduled by the Mayor, a majority of Councilmembers or by the City Manager. They are normally conducted prior to regular or special sessions but may also be conducted at other times as well. Their purpose is to exchange information between Council, staff, vendors or other groups. No official action is taken by Council during these sessions, but workshops shall be posted and are open to the public.

### **3.03. Agenda.**

- a. Councilmembers, the City Manager, the City Attorney, and the City Secretary may place items on the agenda, except as provided under Subsection (d). Agenda items, including any necessary or applicable supporting documents and materials to be included in agenda

packets, shall be submitted in written form to the City Secretary in accordance with this section. The City Secretary will coordinate the placement of items on the agenda with the City Manager, who will resolve any conflicts with Mayor and Councilmembers. Agenda items may be removed only by the person who initially placed that item on the agenda.

- b. Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the City Attorney in a manner timely enough to allow for their review prior to this submittal deadline.
- c. Councilmembers who wish to place an item on the agenda must submit it in writing eight calendar days prior to the date of a regularly-scheduled meeting. The written submittal shall include a clear description of the proposed action by the Council (in the form of a proposed motion), or shall clearly state the item is for discussion purposes only (in which case no action may be taken at that meeting). The written submittal shall also be of sufficient detail to allow staff to contribute background information on the topic.
- d. City Charter officers are subject to annual review which will be scheduled by the Charter officer and the Mayor at approximately one-year intervals coinciding with the Charter officer's hire date, or at a mutually agreed-upon date. Any additional reviews of Charter officers other than the annual review may only be placed on the agenda by written request of three Councilmembers.

### **3.04. Minutes.**

- a. Minutes of City Council meetings will be recorded and maintained by the City Secretary. The Minutes will include final motions with voting results. The minutes will also reflect the names of those citizens presenting public comments. Minutes of meetings will generally be submitted to the City Council for approval at the next regularly scheduled meeting.

### **3.05. City Legislation and Actions of Significant Public Impact and Concern.**

Any action or ordinance of the City of Huntsville that falls into the following three categories is considered an action of significant public impact and concern:

- a. Any action or ordinance that criminalizes behavior or creates criminal liability.
- b. Any action or ordinance that has a substantial impact on private property rights.
- c. Any action or ordinance that involves the expenditure of more than three hundred thousand dollars (\$300,000) and that is not a recurring expense or renewal of an expense.

The City Council shall not vote on any action of significant public impact and concern unless and until it has been presented and discussed in at least two Council meetings, which occur within a 60-day period, except as provided in Section 9.

## **Section 4 - STANDARDS OF CONDUCT**

### **4.01. City Council Members.**

It is important that Council Members demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and for the community and citizens being served. Elected officials should exhibit appropriate behavior. All members of the City Council have equal votes and all Councilmembers speak only for themselves.

### **4.02. Council Relations with the Media.**

All City press releases, media advisories, story suggestions, or similar items should go through the City Secretary's office for distribution, with exception of factual police department bulletins which designated officers may send directly, with copy to the City Secretary.

### **4.03. City Staff. (During Meetings)**

All remarks and questions addressed to the City Council by staff members shall be addressed to the City Council as a whole and not to any individual member.

### **4.04. Citizens and Visitors.**

- a. Reactions from the audience following the recognition and rewarding of citizens and special guests is considered appropriate and encouraged. Reactions from the audience during staff presentations to the Council and during debate between Councilmembers are not appropriate and not permitted. The presiding officer will ensure that the decorum of the meeting is maintained and is appropriate.
- b. No placards, banners, or signs will be permitted in the City Council chamber or in any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.

With the exception of those locations designated as free speech venues, City Hall may not be used for political campaign-related functions or events. City resources or equipment may not be used for election campaigning which includes, but is not limited to, the passing out of campaign flyers, signs, buttons, or other campaign materials for any candidate or officeholder. No one may make a contribution to a candidate or officeholder in City Hall. No one may solicit support for a candidate or officeholder or accept a contribution for such in City Hall. Campaign flyers, signs, buttons, or other campaign materials for any candidate or officeholder are prohibited in City Hall or on City property except as allowed by state law.

- c. Citizens and visitors attending City Council meetings shall not bring food into the City Council chamber or into any other room in which the City Council is meeting.

## **Section 5 - DUTIES AND PRIVILEGES OF COUNCILMEMBERS**

### **5.01. Seating Arrangement.**

The Mayor shall determine seating of the Council and Charter Officers.

### **5.02. Conflict of Interest.**

A City Councilmember prevented from voting by a conflict of interest, shall step down from the dais and leave the room, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend executive sessions regarding the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest including Chapter 171 of the Local Government Code.

### **5.03. Voting.**

- a. When a vote is called, every member present shall vote either "Aye" or "No" except on matters involving a conflict of interest that compels a Councilmember to abstain. A Councilmember who cannot be present for a vote(s), and has no Conflict of Interest, may submit an opinion in writing to the City Secretary, to be read aloud during discussion of the item, prior to the vote(s) being taken.
- b. Any vote to which there is an objection shall be taken by counted vote; except that, on the demand of a single councilmember, a roll call vote shall be taken. After the result of a vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present.

## **Section 6 - CHAIR AND DUTIES**

### **6.01. Chair.**

The Mayor, if present, shall preside as chair at all sessions of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and Mayor Pro Tem, the remaining City Councilmembers shall, in accordance with the City Charter, by election, designate one member as acting Mayor to preside for that session.

### **6.02. Preservation of Order.**

The chair shall preserve order and decorum, call upon the Director of Public Safety as necessary to enforce compliance with the rules, and confine members in debate to the question under discussion. It is the responsibility of the Chair to keep the comments of Councilmembers on topic during public meetings.

## **Section 7 - ORDER OF BUSINESS**

### **7.01. Regular and Special Sessions.**

Regular and special sessions will generally adhere to the following agenda:

- Call to Order
- Invocation
- Pledge of Allegiance (United States and Texas Flags)
- Presentations & Proclamations
- Public Hearings
- Consent Agenda Items (may be moved to Statutory Agenda by Councilmembers)
- Statutory Agenda Items
- Mayor/Councilmember/City Manager Report
- Citizen Participation
- Media Inquiries
- Executive and/or Workshop Sessions (as appropriate)
- Reconvene in Regular Session (as appropriate)
- Adjournment

### **7.02. Public Hearings.**

The City Manager shall schedule public hearings on the City Council's agenda to be held at least two weeks before the City Council must vote on the matter (unless the law requires otherwise, in which case, public hearings shall be conducted as provided by state law). In addition to this requirement, when conducted as part of a Regular Session, a vote may be taken on the matter at that same meeting. When a public hearing is conducted as a stand-alone meeting and not part of a Regular Session, the vote may be taken at a subsequent Regular or Special Session.

### **7.03. Addressing the City Council.**

Members of the public are invited and encouraged to attend any sessions of the City Council that are not closed to the public in accordance with the Texas Opening Meetings Act. It is the desire of the City Council that citizens actively participate in the City's governance system and processes. Therefore, public input to the City Council, both oral and written, is encouraged.

#### **a. Public Comments.**

Citizens shall have the right to be heard at any and all regular sessions of the City Council in regard to matters on the agenda to be considered prior to action being taken.

- (1) Prior to the session being called to order, the person wishing to speak shall complete a Public Comment Card and present it to the City Secretary. The presiding officer shall call upon those who have submitted cards. When called upon to speak by the presiding officer, the person shall come to the podium,

state his/her name and address for the record, and, if speaking for an organization or group, identify the group represented.

- (2) For items on the agenda, the speaker will have five (5) minutes to complete his/her comments unless otherwise permitted by the presiding officer. The City Secretary shall maintain the time and advise the speaker when his/her time has expired. The speaker shall then complete his sentence and take his/her seat.
- (3) If a citizen wishes to speak with the Council about an item that is not expected to be posted on the agenda, the citizen must complete a “Request for Citizen Participation” in writing and submit it to the City Secretary by noon on the Tuesday prior to a regularly-scheduled meeting, as is similar to the requirements for Councilmembers. The City Manager will prepare an agenda item for posting and provide a copy of the citizen’s request to the City Council.

**b. Legal Settlements in Regards to Any Claims Against the City.**

Final offers for legal settlements for claims or litigation against the City must be submitted in writing.

**Section 8 – CITY COUNCIL COMMITTEES**

**8.01. Committees Established.**

- a. The following standing committees of the City Council are established:
  - (1) Finance Committee
  - (2) Communications/Service Committee
- b. Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council member. A standing committee may, by majority vote, recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the Council.

**8.02. Appointment.**

The Finance Committee shall consist of not less than two Councilmembers and the Communications/Service Committee shall consist of at least one Councilmember from the full City Council, appointed by the Mayor. The Mayor shall also appoint a chair, and may appoint a vice chair as appropriate, to each committee. Committee chairs will schedule all meetings with the City Secretary and ensure that the minutes are recorded and provided to the City Secretary.



### **8.03. Committee Meetings.**

- a. Standing committees shall meet as necessary.
- b. The committee chair shall develop committee meeting agendas through coordination with fellow committee members and appropriate supporting staff members. The committee chair will coordinate with the City Secretary to ensure that the committee meeting agenda is posted as appropriate.

### **8.04. Ad Hoc Committees.**

The Mayor may appoint ad hoc committees from time to time to study and review specific issues. The Mayor shall determine the number of members and appoint a chair of ad hoc committees. The ad hoc committees shall be established for a designated period of time, which may be extended by the Mayor and shall meet as needed. The Mayor shall formally announce the establishment of any ad hoc committee along with his appointments to that committee in a session of Council prior to the committee convening to conduct business.

### **8.05. Agenda and Information.**

At each committee meeting, City staff shall endeavor to have a copy of the agenda and supporting information available for public viewing. Items may be scheduled on the agenda for committee briefings by the chair, the City Council, the City Manager, or the Mayor. Summary minutes will be kept for the Finance Committee by Finance Department staff.

## **Section 9 – RULES SUSPENSION**

Any provision of these rules not governed by the City Charter, City Code, or state law may be temporarily suspended by a two-thirds vote of the members of the City Council present. The vote on any such suspension shall be taken by “Aye” and “No” votes and entered upon the record.

# **ANNEX A**

## **Fundamental Principles of Parliamentary Law**

The Mayor, Councilmembers, City Manager, City Attorney, City Secretary, Municipal Court Judge and City staff members appearing before the various sessions of the Huntsville City Council should become familiar with following rules and customs:

1. All members have equal rights, privileges, and obligations; rules must be administered impartially.
2. The minority has rights, which must be protected.
3. Full and free discussions of all motions, reports, and other items of business is a right of all members.
4. In doing business the simplest and most direct procedure should be used.
5. Logical precedence governs introduction and disposition of motions.
6. Only one question can be considered at a time.
7. Members may not make a motion or speak in debate until they have been recognized by the chair and thus have obtained the floor.
8. No member may speak a second time on the same question if anyone who has not spoken on that question wishes to do so.
9. Members must not attack or question the motives of other members. Customarily, all remarks are addressed to the presiding officer.
10. In voting, members have the right to know at all times what motion is before the assembly and what affirmative and negative votes mean.
11. The majority vote decides. This is a fundamental concept of democracy.
12. All meetings will be characterized by fairness and good faith.

## ANNEX B

# The Chief Purposes of Motions

<b>PURPOSE</b>	<b>MOTION</b>
Present an idea for Consideration and action	Main motion Resolution
Improve a pending motion	Amend Division of question
Regulate or cut off debate	Limit or extend debate Previous Question
Delay a decision	Refer to committee Postpone to a certain time Recess Adjourn
Kill an item	Postpone Indefinitely
Meet an emergency	Question of privilege Suspend rules Lay on the Table
Gain information on a pending motion	Parliamentary inquiry Request for information Request to ask a member a question Question of privilege
Question the decision of the presiding officer	Point of order
Enforce rights and privileges	Parliamentary inquiry Point of order Appeal from decision of the chair
Consider a question again	Take from the Table Discharge a committee Reconsider Rescind Renew a motion Amend a previous action Ratify
Change an action already taken	Reconsider Rescind Amend a previous action
Terminate a meeting	Adjourn Recess

## ANNEX C

### Parliamentary Strategy

<b>To Support a Motion</b>	<b>To Oppose a Motion</b>
<ol style="list-style-type: none"> <li>1. Second it promptly and enthusiastically.</li> <li>2. Speak in favor of it as soon as possible.</li> <li>3. Do your homework; know your facts; have handouts, charts, etc., if appropriate.</li> <li>4. Move to amend motion, if necessary, to make it more acceptable to proponents.</li> <li>5. Vote against motion to table or to postpone, unless delay will strengthen your position.</li> <li>6. Move to recess or postpone, if you need time to marshal facts or work behind the scenes.</li> <li>7. If defeat seems likely, move to refer to committee, if that would improve chances.</li> <li>8. If defeat seems likely, move to divide question, if appropriate, to gain at least a partial victory.</li> <li>9. Have available a copy of the rules of procedure, City Charter, and <i>Robert's Rules of Order Newly Revised</i>, most recent edition, in case of a procedural dispute.</li> <li>10. If motion is defeated, move to reconsider, if circumstances warrant it.</li> <li>11. If motion is defeated, consider reintroducing it at a subsequent meeting.</li> </ol>	<ol style="list-style-type: none"> <li>1. Speak against it as soon as possible. Raise question; try to put proponents on the defensive.</li> <li>2. Move to amend the motion so as to eliminate objectionable aspects.</li> <li>3. Move to amend the motion to adversely encumber it.</li> <li>4. Draft a more acceptable version and offer as amendment by substitution.</li> <li>5. Move to postpone to a subsequent meeting.</li> <li>6. Move to refer to committee.</li> <li>7. Move to recess, if you need time to round up votes or obtain more facts.</li> <li>8. Question the presence of quorum, if appropriate.</li> <li>9. Move to adjourn</li> <li>10. On a voice vote, vote emphatically.</li> <li>11. If the motion is adopted, move to reconsider, if you might win a subsequent vote.</li> <li>12. If the motion is adopted, consider trying to rescind it at a subsequent meeting.</li> <li>13. Have available a copy of the rule of procedure, City Charter, and <i>Robert's Rules of Order Newly Revised</i>, most recent edition, in case of a procedural dispute.</li> </ol>

