

CITY COUNCIL

RULES OF PROCEDURE

CITY OF HUNTSVILLE, TEXAS



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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 legal and binding results. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while simultaneously 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; and last amended November 6, 2018] 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 (1st) and third (3rd) Tuesdays of each month. All regular sessions shall normally be scheduled to begin at 6:00 p.m. at City Hall. The meeting location may change to another location within the City of Huntsville, if City Hall becomes temporarily unavailable.

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. Routine matters may be placed on a consent agenda which will be treated as one agenda item. Each item included on the consent agenda must be numbered separately and be

reasonably explained. Questions and explanations of consent agenda items will be permitted, but there will be no general discussion or debate. Before the consent agenda is voted upon, any item included can be removed upon the request of any Councilmember. Any item removed from the consent agenda upon request will be handled separately in the same manner as an agenda item. Council will vote on the consent agenda as one item; passage of the consent agenda will be passage of each item included thereon. Failure to pass the consent agenda will not defeat each item included thereon. In such an event, each item will be considered individually.

- b. Three or more 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 the Mayor and Councilmembers. Agenda items may be removed only by the person who initially placed that item on the agenda.
- c. 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.
- d. 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 by 5:00 p.m. to the City Manager or City Secretary. 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.
- e. City Charter officers are subject to annual review, which the Charter officer and the Mayor will schedule 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 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. Pursuant to Charter Section 4.12, Except as otherwise provided in the Charter, no ordinance shall be finally passed until it has been considered by the Council at two (2) separate council meetings unless the requirements for reading it on two separate days be dispensed with by the affirmative vote of a two-thirds majority of the Council qualified and serving.

The requirement of consideration on an ordinance at two separate council meetings shall not apply and only one reading at one Council meeting shall be required for the final passage of an Ordinance relating to:

1. The adoption or amendment of a budget;
2. The assessment, levy or collection of taxes;
3. The calling of an election or the canvassing of the returns and declaration of the results of an election;
4. An emergency; or
5. When a state statute provides that it controls over a city charter.

In the event an ordinance is adopted as an emergency measure, the same shall be expressed in the title and the body of such ordinance. The Council may adopt emergency ordinances only to meet public emergencies affecting life, health, property, or the public peace

- b. Any action or ordinance that involves the expenditure of more than three hundred thousand dollars (\$300,000) that is not budgeted and/or 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.

City Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. All have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this

common goal should be acknowledged even though individuals may "agree to disagree" on contentious issues.

In Public Meetings

Practice civility and decorum in discussions and debates. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

Honor the role of the Chair in maintaining order. It is the responsibility of the Chair to keep the comments of Councilmembers on track during public meetings. Councilmembers should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

4.02. Council Relations with the Media.

All City press releases, media advisories, 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. When staff is answering a question from one Councilmember, they may direct the response to the individual Councilmember.

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.
- c. City Hall may not be used for political campaign-related functions or events. City resources or equipment may not be used for election campaigning, including, but 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.

- d. Citizens and visitors attending City Council meetings shall not bring food into the City Council Chamber at a regular meeting, special meeting or workshop
- e. No shouting, cursing, or singing is allowed at City Council meetings. Purposefully disrupting a public meeting may result in the offending party being made to leave the meeting and can lead to criminal charges.

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 for or against 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 prior to the start of the meeting, to be read aloud during the discussion of the item.
- b. Any vote that is not unanimous or to which there is an objection, 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 Chief of Police 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.

6.03. Enforcement of Rules.

The Standards of Conduct will be enforced in the following manner

- a. The Chair will request that a person in violation cease said violation
- b. If the violation continues, the Chair shall warn the person that he or she will be required to leave the meeting room if the violation continues
- c. If the violation continues, the Chair may order the person to leave the meeting room
If the person refuses to leave the meeting room, the Chair may order the Chief of Police or any peace officer at the meeting to remove the person from the meeting room

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
- Media Inquiries
- Items of Community Interest
- 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 Open Meetings Act. Therefore, public input to the City Council is encouraged on posted agenda items.

a. Public Comments.

Members of Public 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) Before the session is called to order, the person wishing to speak on an agenda item shall completely fill out a Public Comment Card and present it to the City Secretary. The Public Comment Card shall include the speaker's address. 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 identify the group represented if speaking for an organization or group.

(2) The speaker will have three (3) minutes to complete his/her comments on the agenda item unless otherwise permitted additional time by the presiding officer. Speakers' time may not be pooled or given to other speakers. The Mayor reserves the right to reduce the time from three (3) minutes to two (2) minutes on a particular agenda item if necessary to expedite the meeting in an efficient manner and to be able to address all the items on the agenda. The City Secretary shall maintain the time and advise the speaker when his/her time has expired. The Mayor may allow the speaker to finish his/her point and then take his/her seat.

(3) Members of the public who speak on agenda items must stay on topic.

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. Committee Established.

a. The following standing committee of the City Council is established:

(1) Finance Committee

b. The 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 appointed by the Mayor. The Mayor shall also appoint a chair, and may appoint a vice chair as appropriate. Committee chair 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 committee 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 appoint members of the committee subject to the confirmation and approval of the Council.

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 in accordance with Section 5.03.

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

PURPOSE	MOTION
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

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

ANNEX D

City Councilmembers Standards of Conduct

Avoid personal comments that could offend other Councilmembers. If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The Chair will maintain control of this discussion.

Demonstrate effective problem-solving approaches. Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Be punctual and keep comments relative to topics discussed. Council members have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Council members be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discussed scheduled issues.

