

## CITY COUNCIL MEETING RULES OF PROCEDURE

### General Provisions

**Rule 1. Scope of Rules.** These rules shall govern the conduct of the Council and shall be interpreted to ensure fair and open deliberations and decision making. In general, these rules shall be interpreted to allow the majority to prevail but preserve the right of the minority to be heard.

**Rule 2. Rulings; Matters Not Covered.** The Presiding Officer, as defined by Rule 15, shall rule, initially, on all questions of procedure. The latest edition of *Robert's Rules of Order*, shall to the extent feasible, govern the proceedings of meetings. The City Secretary or authorized representative shall act as Parliamentarian for Council Meetings.

**Rule 3. Interpretation.** These rules are intended to supplement and shall be interpreted to conform with the statutes of the State of Texas and the ordinances of the City of Fair Oaks Ranch.

### Time and Place of Meetings

**Rule 4. Regular Meetings.** The City Council shall meet in regular session on the first Thursday and third Thursday in each calendar month beginning at 6:30 PM in the Fair Oaks Ranch Council Chambers or other appropriately posted location. The City Council, by a majority vote, may reschedule or cancel any regular meeting in a manner consistent with Open Meetings or other established requirements. The City may broadcast the regular meetings online and such method will be posted with the regular meeting notice for the public.

**Rule 5. Special Meetings.** A special meeting is any meeting, other than a regular meeting, where a quorum of Council Members is present to deliberate public business that the City Council has supervision or control over the topic being deliberated.

- A. Special meetings shall be called at the request of the Mayor or City Manager or at the written request of four Council Members to the City Secretary's office. Said meetings will be held at the time and place as posted on the meeting agenda. The City may broadcast special meetings online and such method will be posted with the special meeting notice for the public.
- B. Each member of the Council, the City Manager, the City Secretary, and the city attorney shall be notified of the special meeting.

**Rule 6. Executive Sessions.** The City Council may meet in executive session in compliance with the Texas Open Meetings Act. The Council will invite any necessary individuals needed for the executive session. A vote, if needed, on a matter discussed in an executive session will be made in an open meeting, and not in executive session.

**Rule 7. Absence of a Quorum.** A regular or specially called meeting cannot be called to order or continued in the absence of a quorum.

## **City Council Agenda and Agenda Packet**

**Rule 8. Agenda.** The Meeting Notice ("Agenda"). The agenda includes the meeting notice. The agenda is approved by the Mayor.

- A. Any member of City Council, outside of a City Council meeting, may place an item on an agenda by submitting a request in writing, to the City Secretary.
- B. At a meeting of City Council, any member of City Council may place an item on an agenda by making a request to place the item on a future agenda. No discussion shall occur at the meeting regarding the placement of the item on a future agenda.
- C. The City Manager may place any item on any City Council agenda.
- D. An item proposed by a Council Member may not be refused or postponed without the Council Member's consent.

**Rule 9. Agenda Packet.** The agenda packet includes the meeting notice ("Agenda") and any supporting documentation for agenda items. The City Manager shall supervise the preparation and approve the agenda packets for all meetings of the City Council.

Upon approval, agenda packets will be sent electronically, by the City Secretary's Office, to Council Members and the City Attorney and, can be picked up at City Hall during normal business hours.

Council Members may provide supportive documents to any agenda items that they own to the City Secretary's office in accordance with the packet preparation schedule.

**Rule 10. Consent Agenda.** The City Manager may separately designate items as consent items which shall be placed under Consent Agenda on the agenda and be acted upon by the Council under Rule 27. At the City Council meeting, an item may be pulled from the Consent Agenda and placed in the appropriate location of agenda at the request of any member of the City Council.

## **Conduct of Meetings**

**Rule 11. Roll Call.** Before proceeding with the business of the Council, the City Secretary determines the presence of a quorum as required by law and these rules by calling the roll of Members present and entering those named in the minutes.

**Rule 12. Presiding Officer.** The Mayor, or in the Mayor's absence or inability to perform, the Mayor Pro Tem, shall be the Presiding Officer at all Council meetings. If both the Mayor and Mayor Pro Tem are absent or unable to perform, the most senior Council Member present shall preside. In the event two or more Members equally possess the greatest seniority, then the eldest person among them shall preside. For this purpose, seniority is measured by current, continuous service on the City Council. The Mayor Pro Tem shall be a Council Member elected by the City Council at the first regular City Council meeting following each regular City election.

**Rule 13. Call to Order.** The Presiding Officer shall call the meeting to order.

**Rule 14. Control of Discussion.** The Presiding Officer shall moderate discussion of the Council on each agenda item to assure full participation in accordance with these rules and Robert's Rules of Order. The Presiding Officer will preserve order and decorum, preventing the impugning of any member's motives or other personal comment not relevant to the orderly conduct of business. All persons present in the meeting room should refrain from abusive, rude or inappropriate conduct.

**Rule 15. Agenda Items.** Each item will be considered in the numerical order as listed on the meeting notice unless otherwise approved by Council as defined in Rule 29. Each agenda item shall be introduced by the Presiding Officer. The standard procedure is as follows for addressing agenda items:

1. Reading of the item by the Presiding Officer. A majority of the Council may require reading ordinances or resolutions by caption.
2. The Presiding Officer will call upon the agenda item owner to present the item.
3. A Council Member may request and receive information, explanations or the opinions of the presenter or City Manager. It is preferred that all such questions of the presenter are conducted prior to any motions, if possible.
4. Ask for citizen comments and/or questions. Comments shall be no more than five minutes per citizen and may be terminated at the discretion of the Presiding Officer. Citizens may ask questions of the presenter and provide comments to the Mayor or any Council Member. Any member of the council may also ask questions of the citizen.
5. If applicable, the Presiding Officer shall ask for a motion; if made, ask if there is a second. If seconded, proceed to the next step. If no motion or second is made, item dies due to lack of motion.
6. Discussion held amongst Council Members on item motion. The Presiding Officer will offer the opportunity for each Council Member to speak once on a motion before allowing a Council Member to speak a second time. The Council Member who made the motion will be afforded the opportunity to speak first in favor of their motion.
8. Unless required by law or a Council Member requests a roll call vote, informal voting (Rule # 24) shall be used.

**Rule 16. Limit on Remarks.** Each Council Member shall limit their relevant remarks to a reasonable length.

Time limits for Council Member comments may be set for specific agenda items, or any single meeting, by a majority vote of the Council Members present. If limits will be set for a specific agenda item, it must be voted on prior to the agenda item motion.

**Rule 17. Presiding Officer's Right to Speak Last.** The Presiding Officer has the right to speak last on any item.



**Rule 18. Closing Motion Discussion.** Discussion shall be closed on any item by the Presiding Officer with the concurrence of a majority of the Council present, or by calling the question by any Council Member so long as all Council Members have been afforded the opportunity to speak at least once.

**Rule 19. Council Member Closing Announcements.** At every Regular Council Meeting Council Members are given the opportunity to provide announcements or reports under the appropriate agenda item.

**Rule 20. Comments Out of Order.** Council Members shall not sign up to speak during Citizens to be Heard. Council Members will refrain from speaking unless recognized by the Presiding Officer.

### **Council Action**

**Rule 22. Motion Required.** All actions requiring a vote shall be moved by a Council Member. A Council Member may make a motion to amend a motion. The amendment must receive a second before it may be discussed and must be voted on prior to voting on the main motion. A motion may be withdrawn or modified by its mover without asking permission. It is considered a motion, if a Council Member formally states, "I move to" or "I so move". Any other comments made by a Council Member regarding a potential motion or consideration of an amendment will not be considered a motion until formally stated.

**Rule 23. Recording Names of Moving Members.** The City Secretary shall record the name of the Council Member making each motion and seconding each motion.

**Rule 24. Call for Vote.** At the conclusion of the discussion or if a Council Member calls the question and is seconded, the Presiding Officer shall call for a vote by voice, show of hands or roll call. The Presiding Officer shall announce the results of the vote.

Roll call votes are called *in order of council places*. If a Member does not wish to vote, they answer *present or abstain*.

**Rule 25. Abstentions.** When abstaining, the member shall state they are abstaining and, if they choose, provide reason as to the abstention. The abstention votes will be recorded in accordance with Robert's Rules.

**Rule 26. Recusals.** If a member has a conflict of interest as defined by the Texas Local Government Code, Chapter 171, the member shall file an affidavit (See Appendix A) stating the nature and extent of the interest, with the City Secretary, in advance of the meeting.

**Rule 27. Separate Consideration.** Except as otherwise required by these rules, each agenda item shall be voted upon separately with the vote recorded by the City Secretary. Motions and votes within an agenda item may be split, as desired by City Council. City Council, by approval of a motion, reserves the right to group agenda items for consideration.

**Rule 28. Action on Consent Agenda.** The Consent Agenda shall be considered as a group, without separate discussion on each item. If any Consent Agenda items are removed, the Presiding Officer shall ask for a motion on the remaining Consent Agenda items.

**Rule 29. Consideration Out of Agenda Order.** At the request of a Council Member and with the consent of the Council any agenda item may be considered out of Agenda order.

**Rule 30. Council Action to Withdraw or Defer.** A Council Member wishing to withdraw or defer an item may make a motion to that effect.

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## **Citizen Participation**

**Rule 31. Public Participation during Council Meetings.** Comments and suggestions by the public are highly valued and encouraged during those parts of a meeting designated for public participation. Speakers shall register to speak in advance. If a topic is on the agenda public comments will be heard during the agenda item. If the topic is not on the agenda public comments will be heard during Citizens to be Heard.

When called forth, the speaker wishing to comment shall step to the microphone, and state their name, city of residence, or county of residence if they do not reside in a city. The Presiding Officer shall encourage speakers to keep comments civil and refrain from including abusive, rude, or inappropriate language.

### **Rule 32. Citizens to be Heard**

Citizens to be Heard will be placed on the agenda before the Consent Agenda and Consideration Items.

In accordance with the Open Meetings Act the Council may not discuss or take action on any item which has not been posted on the agenda. The Presiding Officer may refer a matter raised during Citizens to be Heard for investigation, response, or other action by staff. Speakers should limit their comments to five minutes each and direct all remarks to Council.

In lieu of appearing in person public comments may be submitted in writing (hard copy or electronically) to the City Secretary and received by the City Secretary 24 hours in advance of the meeting. The written comment must include the individual's name, city of residence, or county of residence if they do not reside in a city. The submission must clearly identify the requestor's desire for the comment to be presented at the council meeting. Comments must be limited to 750 words. All written comments will be presented during Citizens to be Heard. The Presiding Officer has discretion on how the comments will be presented.

**Rule 33. Total Time Limits.** Total time for public comment on any subject under Council consideration can be limited to a fixed period by the Presiding Officer. A majority vote of the Council may extend the time limitations of this rule.

## **Part VII. Miscellaneous**

**Rule 34. Suspension or Adjustment of Rules.** These rules or any part hereof may be suspended or adjusted for a specific purpose, or any single meeting, by a majority vote of the Council Members present.