

CITY COUNCIL

RULES OF PROCEDURE

CITY OF RICHWOOD, TEXAS



As Adopted by resolution No. 23-81
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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 Richwood, Texas [Adopted: May 11,2013; and last amended May 15,2023] provides in Article 3 (The Council), Section 3.09 (Rule of Procedure) that “The City Council shall determine its own rules of procedure and may compel the attendance of its members.” 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 – MEETINGS

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

3.01. Regular and Special Council Meetings.

The Mayor and City Council have regular City Council meetings on the second Monday of each month at 6:00 p.m. in the City Hall Council Chambers, located at 1800 Brazosport Blvd N, Richwood, Texas; unless otherwise adopted by a majority of City Council. All meetings are open to the public unless specified as an Executive Session. A quorum is required. Special Meetings may be called at the request of the Mayor, City Manager, or City Council. A written agenda notice of all council meetings (regular or special) is required by law, to be posted 72 hours in advance of the council meeting including the date, hour, location, and subject of meeting.

3.02. Workshop Meetings.

Workshops are special meetings and scheduled as needed by the City Manager, Mayor or City Council. Workshops typically take place in the City Hall Council Chambers, located at 1800 Brazosport Blvd N, Richwood, Texas. Workshops tend to be a more relaxed atmosphere where council/staff can discuss general topics without taking a vote. Discussion typically goes until the presiding officer adjourns the workshop. All workshops are open to the public. A quorum is required to hold a workshop.

3.03. Emergency Meetings.

Emergency Meetings may be called at the request of the Mayor, City Manager, or City Council. At least one (1) hours' notice is required for an emergency meeting in the case of an "emergency or urgent public necessity," the nature of which must be stated in the notice.

3.04. Executive Sessions.

The Council may recess to an executive session for any purpose permitted by State law. The general subject matter for consideration will be expressed in the agenda or the motion calling for the session. Final action will not be taken by Council until the matter is placed on the agenda and a vote taken in an open meeting. Executive sessions are typically held in the Executive Conference Room located behind the Council Chambers. A governing body may generally hold a closed meeting for one or more of the following nine reasons:

- Consideration of specific personnel matters – Texas Government Code (TGC) 551.074
- Certain consultations with its attorney – TGC 551.071
- Discussions about the value or transfer of real property – TGC 551.072
- Discussions about security personnel, security devices, or a security audit – TGC 551.076
- Discussions about a prospective gift or donation to a governmental body
- Discussions by a governing body of potential items on tests that the governing body conducts for purposes of licensing individuals to engage in an activity – TGC 551.088
- Discussions of certain economic development matters – TGC 551.087
- Discussions of certain competitive matters relating to a city owned electric or gas utility for which the city council is the governing body – TGC 551.086
- Certain information regarding emergencies and disasters – TGC 418.183(f)

3.05. Agenda.

- a. The City Manager and the City Secretary, with consultation and concurrence of the Mayor, shall prepare an agenda for business to be considered at each regular Council meeting. It shall be the practice of the City to include on any regular Council meeting agenda all items that are deemed appropriate by the City Manager, the Mayor, or any two (2) Councilmember. For the Mayor or any two (2) Councilmembers to have an item placed on the regular meeting agenda, the request shall be in writing and shall be filed with the City Secretary no later than noon on the Monday the week before the regular meeting at which it is requested for consideration. If the filing is later than noon on the Monday before the regular meeting, the item shall be placed on the agenda of the next regular meeting, unless the Mayor and/or City Manager determine that delaying the requested item would be contrary to the City's best interest.
- 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.

3.06. Minutes.

- a. Action 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.
- b. The City Secretary shall maintain audio/visual recordings of City Council meetings in accordance with the applicable state law.
- c. Any questions regarding minutes shall be directed to the City Secretary prior to the council meeting.

3.07. City Legislation and Actions of Significant Public Impact and Concern.

Any action or ordinance of the City of Richwood 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 five hundred thousand dollars (\$500,000) 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 / Staff Relations with the Media or Public Information Requests.

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. Anyone requesting information pursuant to the Texas Public Information Act should go through the City Secretary's office. All requests for public information must be in writing and directed to the City Secretary.

4.03. Council approval of individual council members' non-routine requests for information or investigations by City Staff.

Any Council members' request to the City Manager for the Manager or City staff to create reports or other information, other than routine requests (i.e., requests for existing information or new research that can be answered under 30minutes), shall be added to a Council meeting agenda in the manner prescribed under section 3.05 of these Rules, considered under the Discussion and Actions Items portion of the meeting, and thereafter considered for authorization to proceed by a majority of the Council.

4.04. 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.

4.05. Citizens and Visitors.

- a. Reactions from the audience following the recognition and rewarding of citizens and special guests are 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.

Section 5 - DUTIES AND PRIVILEGES OF COUNCILMEMBERS

5.01. Seating Arrangement.

Council members are seated in order of position, with the Mayor seated in the middle.

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. All members of the council present shall vote upon every issue, subject or matter properly before the council and requiring a council vote; provided that, if any member of the council has a conflict of interest that fact shall be stated in the minutes and such member shall abstain from discussion and voting on the issue. If a councilmember abstains from voting without having a conflict of interest, the minutes shall reflect an “opposed” (nay) vote in the official records. No ordinance, resolution, order, action, matter or issue, shall be passed, approved, adopted, taken or consented to except by a majority vote of the members of council present and voting.
- b. 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.
- c. 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 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)
- Roll Call of Council Members
- Public Comments
- Presentations & Proclamations
- Consent Agenda Items (may be moved to Statutory Agenda by Councilmembers)
- Public Hearings
- Statutory Agenda Items
- Executive and/or Workshop Sessions (as appropriate)
- Reconvene in Regular Session (as appropriate)
- Mayor/Councilmember/City Manager Report
- Future Agenda Items
- Adjournment

7.02. Public Hearings.

The City Secretary shall schedule public hearings on the City Council's agenda to be held (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 unless a subsequent public hearing is required.

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 all regular sessions of the City Council regarding matters on the agenda to be considered prior to action being taken.

1. All members of the audience addressing the Council ("Speaker") shall direct their remarks to the person in charge of the meeting ("Chair").
2. No Speaker shall address the Council unless recognized by the Chair for that purpose.
3. Remarks shall be limited to those pertaining to matters before the City Council, to City business or policy, or to issues of community concern or interest. Profane, vulgar or abusive language or personal attacks will not be tolerated.

4. No Speaker shall continue to address the Council after being informed by the Chair that the Speaker's time for addressing the Council has expired.
5. The Speaker shall be limited to 3 minutes to address the Council. If a single individual has been designated, on behalf of a larger group, to speak for the group, then such individual shall be allowed a maximum of 5 minutes to speak. The Chair has the authority to grant additional time, if requested by a Speaker, for good cause. At the end of the Speaker's allotted time, the Chair shall direct the Speaker to wrap up and the Speaker shall not exceed 1 additional minute of speaking time.
6. Council shall not respond to Speakers; however, the Mayor may direct City administration to respond to the Speaker, if appropriate, outside of or during the meeting.

7.04 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. 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.

8.02. 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.

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 Richwood 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.

