

DIVISION 2. - RULES OF PROCEDURE

Footnotes:

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Charter reference— *Council meetings, § 3.09; adoption of rules of procedure, § 3.09(d).***State Law reference**— *Open Meetings Act, V.T.C.A., Government Code § 551.001 et seq.*

Sec. 2-44. - Authority.

The Charter provides that the city council shall adopt rules of procedure governing all meetings of the city council, which shall provide for comments from the public at all regular meetings, subject to such limitations as may be imposed by the city council.

(Ord. No. 2017-1241, exh. A, § 1.1, 1-24-2017)

Charter reference— Adoption of rules of procedure, § 3.09(d).

Sec. 2-45. - Application of rules.

- (a) *Rules of procedure.* These rules shall apply to all city council workshops, regular and special meetings, and public hearings, except when in conflict with the Charter or other law.
- (b) *Rules of order.* The rules of procedure stated in the current edition of 'Robert's Rules of Order Newly Revised' are hereby adopted as the rules of parliamentary procedure for all meetings of the city council except when those rules conflict with the provisions of the city charter, this code, or other law.

(Ord. No. 2017-1241, exh. A, §§ 2.1, 2.2, 1-24-2017; Ord. No. 2023-1413, § 1, 3-21-2023)

Sec. 2-46. - Parliamentarian.

The city attorney shall be the city council's parliamentarian.

(Ord. No. 2017-1241, exh. A, § 2.3, 1-24-2017)

Sec. 2-47. - Motion to enforce.

Any member of city council may move to require enforcement of these rules; and, upon passage of such motion, the presiding officer shall be required to act.

(Ord. No. 2017-1241, exh. A, § 2.4, 1-24-2017)

Sec. 2-48. - Amendment and suspension of rules.

- (a) *Amendment to rules.* These rules may be amended, or new rules adopted, by a majority vote of the city council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior city council meeting.
- (b) *Suspension of rules.* As may be allowed by law, any provision of these rules not governed by the Charter or other law may be temporarily suspended by a two-thirds vote of the full city council. The suspension shall remain in effect until the meeting in which the suspension occurs is adjourned. The vote on any such suspension shall be notated in the minutes.

(Ord. No. 2017-1241, exh. A, § 3, 1-24-2017)

Sec. 2-49. - Meetings.

- (a) *Quorum.* A quorum is a majority of the full number of council members as defined by the Charter, section 3.09(c). No meeting of the city council shall be conducted without a quorum present.
- (b) *Regular meetings.* The city council shall meet on a regular monthly basis at the time and place determined by resolution of the city council adopted in accordance with section 3.09(a) of the Charter.

- (c) *Workshops and special meetings.* The city manager or his designee may call workshops on the city manager's or designee's own motion, and shall call workshops upon written request of the mayor, or three members of city council. No official action may be taken at any workshop.

(Ord. No. 2017-1241, exh. A, §§ 4.1—4.3, 1-24-2017; Ord. No. 2023-1421, § 1, 4-18-2023)

Charter reference— Monthly meeting time and place, § 3.09(a); special meetings, § 3.09(b); voting, § 3.09(c).

Sec. 2-50. - Public hearings.

A special meeting may be called for the purpose of holding a public hearing as provided in the Charter or other law. Items for consideration at such special meeting shall be limited to the matter subject to the public hearing. A public hearing may be placed on the agenda of any other meeting in the manner provided by the Charter.

(Ord. No. 2017-1241, exh. A, § 4.4, 1-24-2017)

Charter reference— Special meetings, § 3.09(b).

Sec. 2-51. - Agendas.

The city manager or his designee shall be responsible for creating an agenda for each meeting of the city council in the manner provided by the Charter and shall place items on the agenda pursuant to section 3.09(e) of the Charter.

(Ord. No. 2017-1241, exh. A, § 5, 1-24-2017)

Charter reference— Monthly meeting agenda, § 3.09(e).

Sec. 2-52. - Public comment.

- (a) *Public comment allowed at all open meetings.* The city council shall allow each member of the public who desires to address the city council at an open meeting of the city council to address the city council, subject to the limitations of this section.
- (b) *Request required.* Each member of the public who desires to address the city council must deliver to the presiding officer a written request to address the city council. The written request must be delivered to the presiding officer prior to the commencement of the meeting and must include:
- (1) The person's name;
 - (2) A description of each agenda item or non-agenda item for which the person desires to address the city council; and
 - (3) For any agenda item described, an indication of whether the person desires to address the city council before or during the city council's consideration of the item.
- (c) *Comment duration.* The total amount of time that a member of the public may address the city council on a given item is limited to three minutes, provided that any member of the public who addresses the city council on a given item through a translator is limited to six minutes. The presiding officer or his designee shall be timekeeper for purposes of enforcing this rule. No member of the public may yield time to any other member of the public.
- (d) *Public hearings.* Subsections (b) and (c) shall not apply to a public hearing.

(Ord. No. 2017-1241, exh. A, § 6, 1-24-2017; Ord. No. 2019-1305, § 2, 9-10-2019)

Sec. 2-53. - Deliberation.

- (a) *Role of the presiding officer.* The presiding officer shall be the chair at all meetings of the city council. The presiding officer shall assist the city council in focusing agenda discussions and deliberations, and shall control the debate and the order of speakers. The presiding officer shall have the authority to prevent the misuse of motions, the abuse of any privilege, or the obstruction of the business of the city council by ruling any such matter out of order, subject to the right of appeal to the city council, the majority of whom may override the ruling.
- (b) *Deliberation before motion.* Deliberation may occur prior to any motion on a matter before the city council. Any member of city council may make motions.

- (c) *Obtaining the floor.* Any member of city council wishing to speak must first obtain the floor by being recognized by the presiding officer. The presiding officer shall recognize any council member who seeks the floor at the earliest appropriate opportunity to do so, subject to the presiding officer's authority to control the order of speakers.
- (d) *Questions.* A council member holding the floor may request the presiding officer to address a question to another council member and that council member may respond while the floor is still held by the council member asking the question. The presiding officer may comply with such request at his discretion. The council member to whom the question is addressed may answer the question at his discretion.
- (e) *Limitations on deliberation.* Members of city council shall limit their comments and questions to the subject matter or motion currently being considered by the city council. Members of city council shall govern themselves as to the length of their comments or presentations.

(Ord. No. 2017-1241, exh. A, § 7, 1-24-2017)

Sec. 2-54. - Motion to suspend rules.

A motion to suspend these rules requires a two-thirds vote of the city council and, upon passage, shall suspend the rule stated in the motion.

(Ord. No. 2017-1241, exh. A, § 8, 1-24-2017)

Sec. 2-55. - Voting for adoption.

In accordance with section 3.09(c) of the Charter, and unless otherwise required by the Charter, these rules, or other law, each vote, order, decision, or other action taken by the city council shall require the affirmative vote of a majority of the full city council, provided that any abstention not required by law shall be counted as a vote against the matter under consideration, and provided that the mayor shall have the right to cast the deciding vote in the case of a tie, but shall not otherwise have any right, power, or authority to vote against or veto any action taken by the city council.

(Ord. No. 2017-1241, exh. A, § 9.1, 1-24-2017)

Sec. 2-56. - Vote on the consent agenda.

All items set out in the consent agenda shall be deemed passed upon the passage of a motion to approve the consent agenda, provided any member of city council may request at any time prior to the passage of such motion that one or more items be removed from the consent agenda to be considered and voted on separately. The remaining consent agenda shall immediately be voted on. Immediately after a vote on the remaining consent agenda, each item removed from the consent agenda shall be considered and voted on separately.

(Ord. No. 2017-1241, exh. A, § 9.2, 1-24-2017)

Sec. 2-57. - Roll call vote.

Upon request of any member of city council, a vote shall be taken by roll call in random order and the results notated in minutes.

(Ord. No. 2017-1241, exh. A, § 9.3, 1-24-2017)

Sec. 2-58. - Timing for vote.

Subject to a motion to call the question, no vote shall be taken on any matter until after an adequate time for deliberation.

(Ord. No. 2017-124, exh. A, § 9.4, 1-24-2017)

Sec. 2-59. - Vote of city council.

For purposes of these rules, a vote required of city council for passage of a matter shall mean a vote of a majority of all members of the full city council, regardless of the number of members present at the meeting at which the matter is presented for passage. Additionally, whenever the minimum number of votes required for passage of a matter results in a fraction, the minimum required shall be the lowest

integer exceeding such fraction. For example, the following apply to a seven-member city council:

(1) A majority is four members; and

(2) A two-thirds majority is five members.

(Ord. No. 2017-1241, exh. A, § 9.5, 1-24-2017)

Charter reference—Vote Voting, § 3.09(C).

Secs. 2-60—2-76. - Reserved.