

CITY OF GRANBURY
CITY COUNCIL
RULES OF PROCEDURE
NOVEMBER 19, 2019

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Section 1.
AUTHORITY

The Home Rule Charter of the City of Granbury, Texas, requires the City Council to determine its own rules of procedure and order of business. The Rules of Procedure establish guidelines to be followed by all persons attending a City Council meeting, including members of the City Council, administrative staff, news media, and visitors. (City Charter, Section 2.11)

Section 2.
MEETINGS

2.1. Regular Meetings. A regular meeting of the City Council shall mean a meeting of a quorum of the City Council at which the City Council members are briefed or vote on matters of interest to the city and shall include City Council Work Sessions. The City Council shall regularly meet on the first and third Tuesdays of each month. Meetings will be held at the City of Granbury Council Chambers and shall begin at 6:00 p.m., unless otherwise posted.

2.2. Special Meetings. Special Meetings are subject to call by the Mayor and/or the City Manager with notice given to the City Secretary.

2.3 Work Sessions. The City Council or the City Manager may call for a City Council Work Session in order to be briefed on matters of interest to the city and conduct other city business with notice given to the City Secretary.

2.4. Public Notice. The agenda for all regular and special meetings and the notice listing items to be considered shall be posted by the City Secretary in accordance with the Texas Open Meetings Act.

2.5 Quorum. A quorum of the City Council must be present to conduct a City Council meeting. The Mayor and three (3) members of the Council, or in the Mayor's absence, any four members of the Council qualified and serving, shall constitute a quorum. When the Council is reduced to less than four (4) members by death, resignation, non-residence or for any other reason, the remaining members of the Council shall constitute a quorum for the purpose of filling vacancies on the Council. (City Charter Section 2.11.1)

2.6 Compelling Attendance. A lesser number than a quorum may adjourn from time to time and compel the attendance of absent members.

2.7 Punctuality and Breaks. City Council members shall arrive at City Council and committee meetings at or before the scheduled time for the meeting to begin. If a quorum of a City Council has not arrived at a meeting within fifteen (15) minutes after the scheduled starting time of the meeting, the Presiding Officer may cancel the meeting.

2.8 City Manager: The City Manager, or Acting City Manager, shall attend all meetings of the Council unless excused. He may make recommendations to the Council and shall have the right to take part in all discussions of the Council, but shall have no vote.

2.9 City Attorney: The City Attorney, or Acting City Attorney, shall attend all meetings of the Council unless excused, and shall upon request give an opinion, either written or oral, on questions of law.

2.10 City Secretary: The City Secretary, or Acting City Secretary, shall attend all meetings of the Council unless excused, and shall keep the official minutes and perform such other duties as may be requested of him/her by the Council.

Section 3. CODE OF CONDUCT

3.1. City Council Members.

(a) During City Council meetings, City Council members shall assist in preserving order and decorum and shall not, by conversation or otherwise, delay or interrupt the proceedings or refuse to obey the rules of the City Council.

(b) A City Council member desiring to speak shall address the Presiding Officer and, upon recognition by the Presiding Officer, shall confine discussion to the question under debate, avoid discussion of personalities and indecorous language, and refrain from personal attacks and verbal abuse.

(c) A City Council member desiring to question the administrative staff shall address questions to the City Manager who shall be entitled either to answer the inquiries or to designate some member of City staff for that purpose. City Council members shall not berate or admonish administrative staff members.

(d) A City Council member, once recognized, shall not be interrupted while speaking, unless a point of order is raised by another member, or unless the speaker chooses to yield to

questions from another member. If a City Council member is called to order, by a point of order while speaking, that member shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall remain silent or make additional remarks so as to comply with rules of the City Council. (e) City Council members shall confine their questions and remarks to the particular matters before the City Council.

3.2. Administrative Staff.

(a) Members of the administrative staff and employees of the City shall observe the same rules of procedures and decorum applicable to members of the City Council.

(b) Although the Presiding Officer has the authority to preserve decorum in meetings, the City Manager is responsible for the orderly conduct and decorum of all City employees under the City Manager's direction and control.

(c) The City Manager shall take such disciplinary action as may be necessary to ensure that decorum is preserved at all times by City employees in City Council meetings.

(d) All persons addressing the City Council, shall be recognized by the Presiding Officer and shall limit their remarks and questions to the matter under discussion.

(e) All remarks and questions addressed to the City Council shall be addressed to the Presiding Officer representing the City Council as a whole.

(f) No staff member, other than the staff member having the floor, shall enter into any discussion with the City Council, either directly or indirectly, without permission of the City Manager.

3.3. Citizens and Other Visitors.

(a) Citizens and other visitors are welcome to attend all public meetings of the City Council and will be admitted to the City Council Chamber or other room in which the City Council is meeting up to the fire safety capacity of the room.

(b) Everyone attending the meeting will refrain from private conversations while the City Council is in session.

(c) Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the Presiding Officer, and the person shall be barred from further audience before the City Council during that session of the City Council.

(d) Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the Presiding Officer, who may direct the

sergeant-at-arms to remove offenders from the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the presiding officer.

(e) 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.

3.4. Enforcement. The Police Chief or his designee shall act as sergeant-at-arms for the City Council and shall furnish whatever assistance is needed to enforce the rules of the City Council.

Section 4. DUTIES AND PRIVILEGES OF MEMBERS

4.1 [Intentionally Left Blank]

4.2 Right of Floor. A City Council member who desires to speak must be recognized by the Presiding Officer.

4.3 Conflict of Interest. A member prevented from voting by a conflict of interest shall leave the City Council meeting during the debate, shall not vote on the matter, and shall otherwise comply with the state law and City ordinances concerning conflicts of interest.

4.4 Voting.

(a) Every member present when a question is called shall vote either Aye or Nay except on matters involving a conflict of interest or the consideration of the member's own official conduct.

(b) 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.

4.5 Excusal from Attendance. City Council members are expected to attend meetings and stay in attendance during each meeting. No member shall be excused from attendance at a City Council meeting except for good and valid reasons.

4.6 Excusal During Meetings. No member should leave a City Council meeting while in session without the approval of the Presiding Officer of those good and valid reasons.

Section 5.
PRESIDING OFFICER AND DUTIES

5.1. Presiding Officer. The Mayor, if present, shall preside as Chair at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of both the Mayor and the Mayor Pro Tem, the longest serving member of the Council present shall act as Presiding Officer for such meeting.

5.2. Call to Order. The meetings of the City Council shall be called to order by the Presiding Officer.

5.3. Preservation of Order. The Presiding Officer shall preserve order and decorum, call upon the sergeant-at-arms as necessary to enforce compliance with the rules, and confine members in debate to the question under discussion.

5.4. Questions to be Stated. The Presiding Officer shall state all questions submitted for a vote and announce the result.

5.5. Call for Recess. The Presiding Officer may recess at appropriate intervals during the meeting agenda.

Section 6.
ORDER OF BUSINESS

6.1. Agenda. The order of business of each meeting shall be as contained in the agenda prepared as follows:

(a) The agenda shall be a listing by topic of subjects to be considered by the City Council, and shall be delivered to members of the City Council in advance of each meeting.

(b) The City Manager shall be in charge of preparing the agenda.

6.2. Placement of Items of Agenda. Any item requested by one or more members of the City Council or by the City Manager shall be placed on the agenda and said agenda item shall include a designation in the staff report denoting whom on the council requested the item be placed on the agenda. All agenda items must be submitted to the City Secretary by 12:00 noon on Monday the week prior to the scheduled meeting. All agenda items shall be submitted to the City Secretary via email and must be accompanied by any and all necessary attachments or other documentation.

6.3. Public Hearings. A person may address the City Council for any public hearings, subject to first being recognized by the Presiding Officer, concerning items on the agenda-in accordance with Subsection 3.3 of these rules, subject to Subsection 6.4 of these rules, and subject to Subsection 6.5 of these rules, as set out herein.

6.4. Speakers to Register. A person wishing to address the City Council must first register, using the designated written form, with the City Secretary and provide the following information: Name, daytime telephone number, residence address, email address, the subject matter to be presented, and whether the subject is on the current City Council agenda. Speakers registering to speak to current agenda matters will be called upon at the time the matter is to be considered by the City Council.

6.5. Speaker Rules. The City Secretary shall present to each citizen speaker registering to address the City Council a copy of the following rules:

"IN ORDER THAT THE CITY COUNCIL MAY PROPERLY CONSIDER EACH MATTER BROUGHT TO IT BY CITIZENS, SPEAKERS ARE ASKED TO OBSERVE THE FOLLOWING RULES:

(a) Only one person may approach the microphone at any one time, and only the person at the microphone, upon recognition by the Presiding Officer, will be allowed to speak for no more than three minutes unless otherwise directed by the Presiding Officer.

(b) Speakers must address their comments to the Presiding Officer rather than individual City Council members or staff.

(c) Speakers may file copies of their remarks or supporting information with the City Secretary who will make the information available to the City Council and City Manager if requested."

6.6. Citizen Comments on Matters Not on the Agenda. The City Council will provide an opportunity for citizens to present concerns or address issues that are not matters of consideration listed on a posted meeting agenda during this period at one City Council meeting per month, subject to the rules in subsection 6.4 and 6.5 above. The Council will be allowed to receive input or information for a future agenda item but will not be allowed to enter into any discussions. The Council shall allot a maximum of 30 minutes for citizen comments during the designated Council Meeting.

6.7. Public Comments on Agenda Items (For Non-Public Hearing Agenda Items). The Council shall allow members of the public to speak on any item listed on the agenda pursuant to Texas

Local Government Code 551.007. Each person wishing to speak may register to speak pursuant to 6.4 of these rules. Each person properly registered to speak shall be given three (3) minutes to address the governing body on any such item listed on the agenda then before the governing body, and during such time period as established pursuant to the placement of “Public Comment” on the Council’s agenda.

6.8. Communications to Mayor and City Council. The City Manager shall provide the City Council with an analysis of major items to be acted upon by the City Council at its meetings. The analysis shall be delivered to the City Council members preceding the meeting at which the item is to be discussed.

6.9. Oral Presentations. Matters requiring the City Council's attention or action may be presented orally by the City Manager. If matters have developed since the deadline for delivery of the agenda, the City Manager, or any City Council member, may make an oral report to the City Council.

6.10. Council Requests for Staff Reports. City Council Members may request staff reports and other staff work through the City Manager or City Attorney. If the request involves a significant use of staff resources, the City Manager or City Attorney shall have the discretion to ask the Council Member to “postpone definitely” the request to a certain date with a consensus from the City Council.

6.11. Oral Presentations by City Manager. Matters requiring the Council’s attention or action which may have developed since the deadline for delivery of the written communication to the Council may, upon approval of the Council, be presented orally by the City Manager. If formal Council action on a subject is required, such action shall be delayed until the next succeeding City Council Meeting, except the immediate action may be taken if approved by a two-thirds majority of all members of the Council.

Section 7.

CONSIDERATION OF ORDINANCES, RESOLUTIONS, AND MOTIONS

7.1. City Attorney to Approve. All ordinances shall be approved as to form by the City Attorney.

7.2. Recording of Votes. The vote upon the passage of all ordinances and resolutions shall be taken in open meeting by a canvass of the City Council, and the vote of each Councilperson shall be entered upon the minutes, and every ordinance or resolution, upon its final passage, shall be

recorded in a book kept for that purpose and shall be authenticated by the signature of the Mayor or Mayor Pro-Temporary and the City Secretary. (City Charter, Section 2.11)

7.3. Action by City Council. Unless otherwise provided by the Charter or state law, no action of the City Council shall be of any force or effect unless it is adopted by the favorable votes, during the council meeting where the action is introduced, of not less than three (3) members of the City Council qualified and serving. Decisions on annexation or de-annexation require favorable votes by not less than four (4) members of the City Council, qualified and serving (City Charter, Section 2.11).

7.4. Personal Privilege. The right of a City Council member to address the Council on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are assailed, questioned or impugned.

7.5. Dissents and protests. Any City Council member shall have the right to express dissent from or protest against any ordinance or resolution of the City Council and have the reason therefore entered upon the minutes. Such dissent or protest may be filed in writing, and presented to the City Council not later than the next regular meeting following the date of passage of the ordinance or resolution objected to.

7.6. Reconsideration.

(a) A motion to reconsider any action of the City Council may be made, seconded, and voted on not later than the next succeeding meeting of the City Council. If reconsideration of the City Council action has not been posted on the City Council agenda for the meeting at which the motion to reconsider is made, actual reconsideration of the item must be delayed until the next meeting, after the posting requirements of the Open Meetings Act are met.

(b) A motion to reconsider an action of the City Council may only be made by a member who voted with the prevailing side. It can be seconded by any member. No question shall be twice reconsidered except by unanimous vote of the City Council, except that action relating to any contract may be reconsidered at any time before the final execution thereof.

(c) Certain actions of the City Council that involve specified procedural requirements set out by statute, charter or ordinance shall not be subject to reconsideration.

7.7. The Previous Question. When the previous question is moved and seconded, it shall be put as follows: "If there is no further discussion, the motion will be considered?" There shall be no further amendment or debate, but pending amendments shall be put in their order before the main question. If the motion for the previous question is lost, the main question remains before

the City Council. An affirmative vote of at least 4 votes shall be required to approve the previous question. (To demand the previous question is equivalent in effect to moving "that debate now cease and the City Council immediately proceed to vote on the pending motion." In practice, this is done with the phrase "Call for the Question," or by simply saying "Question.")

7.8. Withdrawal of Motions. A motion may be withdrawn, or modified, by its mover without asking permission until the motion has been called for a vote. If the mover modifies the motion, the seconder may withdraw the second. After the motion has been called for a vote, the mover shall neither withdraw it nor modify it without the consent of the Council.

7.9. Amendments to Motions. No proposal of a subject different from that under consideration shall be admitted as a motion or amendment to a motion. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. The Presiding Officer shall be the judge of appropriate amendments.

7.10. Tabling a Motion. To "lay on the table" is properly used only when it is necessary to suspend consideration of a main motion in order to deal with another matter that has come up unexpectedly and which must be dealt with before the pending motion can be properly addressed.

7.11. Taking a Motion from a Table. A main motion that has been laid on the table may be taken up again by adoption of a motion "to take from the table". A motion can be taken from the table at the same session (or meeting) or at the next session (or meeting). Otherwise, the motion dies.

7.12 Motion to Postpone Definitely. Action on a pending question may be postponed to another time. Alternatively, a motion can be postponed until after a specific event has occurred, such as after an officer makes a relevant report. Postponing a motion is permitted so long as:

- (a) There is a meeting on the date the motion is postponed to;
- (b) The date to which the main motion is being postponed is not too late for it to be effective.

7.13. Parliamentary Procedure. When not specifically addressed by these Rules of Procedure, the Presiding Officer shall, to the best of his/her ability, adhere to the Parliamentary Procedure.

7.14. Tie Vote. In the event of a tie in votes on any motion, the motion shall be considered lost.

Section 8.
RULES SUSPENSION OR AMENDMENT

8.1. Suspension of Rules. Any provision of these rules not governed by the City Charter, City Code, or state law may be temporarily suspended by the Presiding Officer without objection or in the event of objection by a two-thirds vote of the members of the City Council present. The vote on any such suspension shall be entered upon the record.

8.2. Amendment of Rules. These rules may be amended or new rules adopted, by a majority vote of the members of the City Council present. These rules shall be readopted, amended or replaced at the first meeting of the City Council following the annual municipal election.

Section 9.
SPEAKING ON BEHALF OF THE COUNCIL

9.1 Speaking for Council. No Council member shall have the authority to speak on behalf of the Council. Council may give their opinions about pending issues, but shall not predict the outcome of any vote.

9.2 Public Notice. Public notice of information shall be made only by a Public Information Officer, which duties can be assigned to any staff by the City Manager.

Section 10.
Boards, Commissions and Committees

10.1 Citizen Boards, Commissions, and Committees: The Council may create other Committees, Boards, and Commissions to assist in the conduct of the operation of the City government with such duties as the Council may specify not inconsistent with the City Charter or Code. Memberships and selection of members shall be as provided by the Council if not specified by the City Charter or Code. Any Committees, Boards, or Commissions so created shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the Council. No committee so appointed shall have powers other than advisory to the Council or to the City Manager, except as otherwise specified by the Charter or Code.

10.2 Council Appointments to Boards, Commissions, and Committees: Council members desiring to make appointments shall use best efforts to distribute candidate information to other Council members at least one week in advance of the City Council Meeting at which the motion to appoint the candidate is to be made.

PASSED AND APPROVED on this the 19th day of November 2019.



Nin Hulett, Mayor

ATTEST:



Carla Walker, City Secretary

