

# RULES OF PROCEDURE FOR THE CITY COUNCIL OF THE CITY OF BELLVILLE, TEXAS

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## ARTICLE 1 AUTHORITY, APPLICABILITY, AMENDMENT, AND ANNUAL REVIEW

### 1.1 Authority

The Code of Ordinances of the City of Bellville, Texas, grants the City Council of Bellville ("Council") the right to determine its own Rules of Procedure; the following Rules of Procedure are enumerated under and by authority of said provision.

### 1.2 Applicability

These Rules of Procedure, adopted and amended from time to time by the Council, are applicable to the Council and to Council meetings. For guidelines in conduct and standard meetings procedures, these Rules of Procedure may be adopted by any other municipal board, commission, or committee appointed by the Council.

### 1.3 Amendment and/or Temporary Suspension

Any provisions of these rules not governed by federal law, State of Texas ("State") law or the City Code of Ordinances may be amended or temporarily suspended by a Super Majority vote of the Council.

In the case of amendment to these Rules of Procedure, such change(s) to these Rules of Procedure must be introduced at a Regular Meeting of the Council and shall have received Preliminary Approval of the Council at such meeting. Preliminary Approval shall mean a Basic Motion and a second with a Simple Majority vote. A Super Majority vote by Council is then required at a subsequent Regular Meeting to adopt any amendment to these Rules of Procedure.

In the case of a temporary suspension of any section of these Rules of Procedure, a Preliminary Approval is not required to adopt the temporary suspension.

### 1.4 Annual Review

Following the municipal elections each year, Council shall review these Rules of Procedure, make changes as appropriate. In the event no annual review occurs, the standing Rules of Procedure continue in effect. This does not limit the Council's right and ability to amend these Rules of Procedure at any other time during the year with Preliminary Approval and a Super Majority vote of Council Members.

## ARTICLE 2. GENERAL RULES OF PROCEDURE AND POLICIES

### 2.1 Construction of Authority

The construction of authority in all matters associated with the meetings and activities of the Council, including the respective Council meeting agenda, shall be: (1) the U.S. Constitution and statutes of the United States of America; (2) The Texas Constitution and statutes of the State of

Texas; (3) the Code of Ordinances of the City of Bellville, Texas; and (4) these Rules of Procedure.

## 2.2 Meetings Shall Be Public

All Council meetings shall be public (except Executive Sessions), and notices thereof shall be posted as provided under the Texas Government Code, Chapter 551, Open Meetings Act. Except in the case of an Emergency Meeting, notice of all Council meetings shall be given at least 72 hours before the time set for any meeting.

The Bellville City Hall is wheelchair accessible. If special accommodations are required, please contact the City Secretary a minimum of 24 hours in advance at 979-865-3136.

## 2.3 Conduct of Meetings

Council meetings shall be conducted according to the Rules of Procedure adopted by the Council, the duly posted meeting agenda, the Texas Open Meetings Act, and any other applicable State law. Public attendance and participation in Council meetings is encouraged and is subject to these Rules of Procedure and any applicable State law.

## 2.4 Regular Meeting

Regular Meetings of the Council shall be held in City Hall on the third Tuesday of each month at 5:30 p.m. The Council may, by Simple Majority vote at a Regular Meeting, change the days or times of meetings as circumstances may necessitate.

## 2.5 Special/ Town Hall Meetings

Special Meetings of the Council may be called upon request of the Mayor or a Simple Majority vote of Council at a Regular Meeting where a quorum of Council Members is present.

## 2.6 Emergency Meetings

Emergency Meetings are meetings held in case of an emergency or urgent public necessity. The purpose of the Emergency Meeting shall be expressed in the meeting notice. It shall be sufficient if Council Members receive, and notice is posted two (2) hours before the meeting is convened in accordance the Texas Open Meetings Act. Notice shall be provided also to the media in accordance with the Texas Government Code, Section 551.047.

## 2.7 Work Shops

Work Shops are called for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the Council. Work Shops shall be held on a date and place established by a Simple Majority vote of Council at a Regular Meeting where a quorum of Council Members is present. (See ARTICLE 5. WORKSHOP POLICIES AND PROCEDURES)

## 2.8 Executive Sessions

Executive Sessions are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act. No other subject but that posted on the agenda for the Executive Session is to be

considered. No voting or action shall be taken by the Council during an Executive Session. Adjournment of the Executive Session and any vote needed shall be made during the open public meeting in accordance with these Rules of Procedure and applicable State law.

Executive Sessions are sessions closed to the public. Items discussed in Executive Session are to remain private. Except for action taken in open session, no Council Member, staff member or legal counsel may discuss or reveal the proceedings of an Executive Session. Section 551.146 of the Texas Government Code makes such an act a class B misdemeanor and opens the person who reveals such information personally liable for any damages resulting from such action.

A certified record of the Executive Session will be created by the presiding officer or his or her designee, sealed and kept for two years, subject to opening by court order. Executive Sessions may be held after the regular Council meeting unless a reason necessitates, they be held prior to a regular Council meeting. The order in which an Executive Session may appear on the agenda is subject to the discretion of the Council. However, before said session begins, the presiding officer shall announce that the Executive Session is commencing.

#### 2.10 Quorum

Any three (3) Aldermen of the Council present at a Regular Meeting shall constitute a quorum. (Texas Local Government Code, Section 22.031.) For a Special Meeting or for a Council meeting dealing with tax, a quorum is established by any four (4) Aldermen being present. (Texas Local Government Code, Section 22.039.) A quorum of Aldermen is required for the transaction of any business and the affirmative vote of either a Simple Majority (or Super Majority, under distinct motions detailed in these Rules of Procedure) of those present shall be sufficient and necessary to adopt or repeal an ordinance, resolution, or motion.

#### 2.11 Conflict of Interest

All Council Members shall comply with the City Code of Ordinances and Local Government Code, Chapter 171 dealing with Conflicts of Interest. A Council Member prevented from voting by a Conflict of Interest shall file a Conflict-of-Interest Questionnaire with the City Secretary as soon as possible after the posting of an agenda which contains a conflict, unless an applicable Conflict of Interest Questionnaire has already been filed.

A Council Member prevented from voting by a Conflict of Interest shall step down from the dais and take a seat in the audience, 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 and shall not attend Executive Sessions regarding the matter.

#### 2.12 Presiding Officer

The Mayor shall serve as the presiding officer for all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tern shall serve as the presiding officer. In the absence of the Mayor Pro Tern, the City Secretary shall call the meeting to order if a quorum of the Council is present and the first order of business shall be for Council to elect by Simple Majority vote, a temporary presiding officer from the Council Members then seated and in attendance. The temporary

presiding officer shall serve in such capacity until the meeting is adjourned.

The presiding officer shall serve as the chair of all meetings and shall make rulings on all questions pertaining to these rules. All decisions of the presiding officer are final unless overruled by the Council through a Motion to Appeal as described in Article 3.9 - Courtesy, Decorum and Order of these rules, or the ruling is in violation of these Rules of Procedure or State law.

The presiding officer is entitled to participate in the discussion and debate and is entitled to vote on all business before the Council in the event of a tie-vote of the Aldermen present. Because the presiding officer conducts the meeting, it is common courtesy for the chair to take a less active role than other members of the Council in debates and discussions. The presiding officer is precluded from making motions or seconding motions. This practice in no way precludes the presiding officer from participating in the meeting fully and freely and voting in the case of a tie-vote of the Aldermen present.

#### 2.13 Minutes of Meetings

With the exception of Executive Sessions, the City Secretary shall keep an account of all proceedings of the Council meetings, and they shall be open to public inspection in accordance with State law.

## ARTICLE 3. PARLIAMENTARY PROCEDURE

### 3.1 Purpose

The purpose of this section of these Rules of Procedure is to establish orderly conduct of the meetings. Simple rules lead to a wider understanding and participation. Complex rules create two classes: (1) those who understand the rules, and (2) those who do not fully understand and those who do not fully participate. The ultimate purpose of these rules of parliamentary procedure is to encourage and facilitate decision making by the Council. In a democracy, the majority opinion carries the day. These rules enable the majority to express their opinion and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

### 3.2 Model Format for an Agenda Item Discussion

The following ten (10) steps may be used as a model or guidebook by the presiding officer ("Mayor"). The meeting is governed by the agenda and the agenda constitutes the only items to be discussed. Each agenda item may be handled by the Mayor in the following basic format:

1. Announce the Item. The Mayor should clearly announce the agenda item number and should clearly state what the subject matter of the agenda item by reading the caption for the item being considered.

2. Receive a Report. The Mayor should invite the appropriate people to report on the item, including any recommendation they might have.

3. Ask Clarifying Questions. The Mayor should ask the Council Members if they have any



technical questions for clarification. At this point, members of the Council may ask clarifying questions to the people who reported on the item, and they should be given time to respond.

4. Seek Citizen Input. The Mayor may invite citizen comments from those individuals who have submitted a Public Speaking Form to the City Secretary prior to the Council meeting. Upon conclusion of any citizen input, the Mayor should announce that public input is closed, or if a Public Hearing, close the Public Hearing.

5. Motion First. The Mayor should invite a Basic Motion from the Council before debate is given on the merits of the item. The Mayor should announce the name of the Council member who makes the Basic Motion.

6. Motion Second. The Mayor should determine if any member of the Council wishes to second the Basic Motion. The Mayor should announce the name of the Council member who seconds the Basic Motion. If no Council member wishes to second the Basic Motion, then the Basic Motion fails, and should be so stated by the Mayor.

7. Repeat Motion. If a motion is made and seconded, the Mayor should make certain that everyone (including the audience) understands the motion. This is done in three ways:

- a. The Mayor can ask the maker of the motion to repeat it;
- b. The Mayor can repeat the motion; or
- c. The Mayor can ask the City Secretary to repeat the motion.

8. Discuss the Motion. The Mayor should now invite the members of the Council to discuss the motion. If there is no desired discussion, the Mayor may call for a vote. If there has been no discussion or a brief discussion, then there is no need to repeat the motion before taking a vote. If the discussion has been lengthy, it is a good idea to repeat the motion before calling for the vote.

1. Vote. The Mayor calls for the vote. All members of the Council, excluding the Mayor, shall vote upon every question, ordinance or resolution. The Mayor shall only vote to break a tie vote of the other Council Members present. A Simple Majority vote determines whether the motion passes or fails, unless a Super Majority vote is required for passage of the motion. Any member of the Council shall recuse him/herself from voting on any question where the vote would constitute a Conflict of Interest. Any Council Member refusing to vote unless so recused shall be entered upon the minutes as voting in the affirmative. Action items require a vote.

2. Announce the Outcome. The Mayor announces the results of the vote and should also state what action (if any) the Council has taken.

### 3.3 The Basic Motions

The Basic Motion is the motion that puts forward a decision for consideration. A Basic Motion might be: "I move approval of the ordinance as submitted," or "I make a motion that we deny the resolution." A Basic Motion cannot be discussed, or action taken until such Basic Motion receives a second by another Council Member.

### 3.4 The Motion to Amend

If a Council Member wants to change a Basic Motion, he or she would have to move to Amend the original or previously amended motion. A Motion to Amend might be: "I move that we amend the motion to include the changes we discussed to the ordinance." A Motion to Amend seeks to retain the Basic Motion on the floor (a motion made and seconded), but to modify it in some way. The Motion to Amend must be also seconded and put a vote prior to the vote on the Primary Motion.

### 3.5 Discussion and Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, the Basic Motion as may be amended and seconded is eligible for full discussion. Discussion and debate can continue as long as the Council members wish to discuss it, or until a Motion to Limit Debate (see Section 3.7) is approved by a Super Majority vote of the Council Members present.

### 3.6 Other Motions

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Council to move on. The following motions are NOT debatable, and the Mayor must immediately call a vote on the motion, if seconded by another Council Member.

- Motion to Adjourn. This motion, if passed, requires the Council to immediately adjourn to its next Regular Meeting. This motion requires a Simple Majority vote.
  - Motion to Recess. This motion, if passed, requires the Council to immediately take a recess. Normally, the Mayor will determine the length of the recess which could last for a few minutes to several hours. It requires a Simple Majority vote.
  - Motion to Fix the Time to Adjourn. This motion, if passed, requires the Council to adjourn the meeting at the specific time set in the motion. For example, "I move we adjourn this meeting at Midnight." It requires a Simple Majority vote.
  - Motion to Table. This motion, if passed by a Simple Majority vote, requires discussion of the agenda item to be halted, and the agenda item to be placed on hold. The motion may contain a specific time to bring the item up again, or it may not specify a time.

- Motion to Remove from Table. This motion, if passed by a Simple Majority vote, allows the Council to remove an item previously placed on hold. A vote in favor of removing an item from the table must be made before the Council can take action on an item that was tabled. The Motion to Remove from Table must be made during a Regular Meeting in which the tabled item is on a duly posted Regular Meeting agenda.

### 3.7 Motions Requiring a Super Majority Vote to Pass

A Super Majority vote consists of three-fourths or more of the seated Aldermen, i.e. four or more Aldermen votes (three Aldermen votes to pass as a Simple Majority, plus at least one more Aldermen vote).

- Motion to Limit Debate. This motion is sometimes referred to as, "moving the question" or, "calling the question." When a member of the Council makes such a motion, the member is saying, "I have had enough discussion, let's vote on the issue." When such a motion is made, the Mayor should ask for a second, stop the discussion and vote on the motion to limit debate. The motion requires a Super Majority vote to pass, meaning the number of Aldermen voting for the motion must equal four or more.
- Motion to Object to the Consideration of an Item. This motion, if passed, precludes the Council from even considering the item on the agenda. It does not preclude the item from appearing on a future agenda. The motion requires a Super Majority vote to pass. (Normally, this motion is unnecessary, because the objectionable item can be defeated outright or tabled.)
- Motion to Suspend the Rules. This motion is debatable but requires a Super Majority vote to pass. This motion allows the Council to suspend its own rules for a particular purpose. For example, the Council may desire to give a particular speaker more time than normally allowed. A "motion to suspend the rules and give the speaker ten additional minutes," accomplishes this desire.

### 3.8 Motion to Reconsider

A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. As such, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper Motion to Reconsider is made.

A Motion to Reconsider requires a Simple Majority vote to pass, but there are two special rules that apply only to the Motion to Reconsider. The first issue involves timing. A Motion to Reconsider must be made at the meeting where the item appeared on the agenda and was voted upon.

Secondly, the Motion to Reconsider can only be made by a Council Member who voted in the majority on the original motion. The Motion to Reconsider may be seconded by any Council Member regardless of how they voted on the original motion.

If a Motion to Reconsider passes, then the original matter is back before the Council, and a new

original motion is in order. If seconded, the matter may then be discussed as if it were on the floor for the first time.

### 3.9 Courtesy, Decorum and Order

These Rules of Procedure are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of the City's business. It is the responsibility of the Mayor (and the members of the Council) to maintain that atmosphere of courtesy and decorum. The Mayor should always ensure that debate and discussion focus on the item and the policy in question, not on the personalities of the participants of the discussion. Debate on policy is healthy; debate on personalities is not. To assist in the creation and maintenance of that atmosphere, the following Rules of Procedure shall govern all meetings:

1. Request to Speak. Before a Council Member, staff member, citizen or an audience member may speak, they must first be recognized by the Mayor. Upon recognition, the person requesting to speak shall hold the floor and shall make their point clearly and succinctly. Public comments must be kept relevant to the subject before the Council. The Mayor shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, overly redundant or slanderous remarks may be barred by the Mayor from further comment before the Council during the meeting. Audience members who wish to speak during a Council meeting must first complete a Request to Speak Form and submit it to the City Secretary. The Mayor has the right to cut a speaker off if the discussion becomes too personal, too loud, too crude, irrelevant, impertinent, redundant, or slanderous. Pursuant to H.B. 2840, citizens now have the right to speak at the beginning of each agenda item prior to board deliberation. H.B. 2840 also allows the City Council to set reasonable procedures so that order can be maintained. The City Council welcomes citizen participation and requires speakers who wish to speak prior to any (or all) specific agenda item/s also complete the Sign-In Sheet prior to the start of the meeting. The speakers must specifically designate which agenda item/s they will be speaking on. Those speakers will be called on at the beginning of the agenda item/s and will be given up to three minutes to speak prior to board discussion.
2. Order. All speakers shall be recognized by the Mayor or presiding officer prior to speaking. If a person speaks without being recognized, the Mayor or presiding officer may rule them 'out of order' and remind them that they do not have the floor. While the Council is in session, all Council Members must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting, nor disturb any other person while speaking or refuse to obey the orders of the Mayor. Council Members should not leave their seats during a meeting without first obtaining permission of the Mayor or making a Motion to Recess.
3. Improper References Prohibited. Speakers shall confine themselves to the question under debate, avoiding all personal attacks and indecorous language.
4. Interruptions. A Council Member, once recognized, shall not be interrupted when

speaking unless it is to call him or her to order, or other such interruption expressed below. If the Council Member, while speaking, is called to order, he or she shall cease speaking until the question of order is determined, and if the Council Member is found to be in order, he or she shall be permitted to proceed speaking. Allowable interruptions or points of order are as follows:

a. A Point of Privilege. The proper interruption would be: "Point of Privilege." The Mayor would then ask the interrupter to, "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room might be too hot or cold, or a fan motor might interfere with a Council Member's ability to hear.

b. A Point of Order. The proper interruption would be: "Point of Order." The Mayor would then ask the interrupter to, "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Mayor called for a vote on a motion that permits debate without allowing any discussion.

c. A Motion to Appeal. If the Mayor makes a ruling that a Council Member disagrees with, that member may appeal the ruling of the Mayor by stating, "motion to appeal." If the motion is seconded and after debate if it passes by a Simple Majority vote, the ruling of the Mayor is reversed.

d. A Call for orders of the day. This is simply another way of saying, "let's return to the agenda" if a Council Member believes the discussion has strayed from the agenda. The motion does not require a vote. If the Mayor discovers that the discussion has strayed from the agenda, he or she simply returns to the business of the day.

e. Withdraw a Motion. During the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Council Members are free to make the same motion or another motion.

### 3.10 Enforcement of Rules and Procedures

The following Rules of Procedure may be used to enforce the good order and decorum of the meeting. The enforcement action may be taken by the Mayor under his or her own action, or upon a Motion to Enforce made by any Council Member.

1. Warning. The Mayor may order any person (Council Member, staff member or audience member) in violation of these rules to be silent.

2. Removal. If, after receiving a warning from the Mayor, the person continues to

disturb the meeting or breach the peace and good order of the meeting, the Mayor may order the person to leave the meeting. If the person does not leave the room, the Mayor may order the Sergeant-at-Arms to remove the person.

3. Sergeant-at-Arms. The Sergeant -at-Arms shall be the highest-ranking police officer in attendance at the Council meeting, or such other officer designated by the Chief of Police for that purpose.

Upon instruction of the Mayor, it shall be the duty of the Sergeant-at-Arms to remove from the Council meeting any person who intentionally disturbs the proceedings of the Council. A violation of these rules may be deemed an attempt to disrupt, obstruct, and/or interfere with a lawful meeting and subject the violator to prosecution under State law for disrupting a lawful meeting. (Section 42.05, Texas Penal Code)

4. Resisting Removal. Any person who resists removal by the Sergeant-at-Arms may be charged with violating Section 42.05 of the Texas Penal Code.

5. Motion to Enforce. Any Council Member may move to require the Mayor to enforce these Rules of Procedure and the affirmative vote of a Simple Majority of the Council shall require the Mayor to do so. A Motion to Enforce is an allowable interruption and is not debatable.

### 3.11 Council May Discipline its Own Members

In the event a Council Member violates the Code of Ordinances, these Rules of Procedure or any other ordinance of the City or acts in a manner that causes embarrassment or disgrace to the City of Bellville, the Council on Super Majority vote may discipline the offending Council Member. Such action may only take place after an Executive Session is held to discuss the offense. The offending Council Member shall be present at the Executive Session to answer any questions asked by Council Members or make other statements as he or she may desire to make in his or her defense. If the offending Council Member refuses to attend the Executive Session, the remaining Council Members may proceed in his or her absence. The outcome of The Executive Session may be as follows and shall be made publicly in open session in accordance with the Texas Open Meetings Act:

1. No Action. The Council chooses to take no action.

2. Private Censure. The Council may choose to privately censure the offending member, leaving their comments to the offending member left in the confines of the Executive Session.

3. Public Censure. The Council may choose to publicly censure the offending member through a resolution passed by Super Majority vote and entered into the public record.

## ARTICLE 4. AGENDA ORDER

### 4.1 Agenda Preparation

The Mayor and the City Administrator or an appropriate designee, shall prepare an agenda and cause the same to be posted a minimum of 72 hours prior to any Council meeting. Agendas shall be delivered to the Council on or before 4:00 PM of the day of the posting, or within such other times as established by the Council from time to time. In the event of an Emergency Meeting of the Council, this provision shall be suspended when not inconsistent with the provisions of federal or State law or the City Code of Ordinances.

To facilitate the agenda process, any Council Member during a Regular Meeting may request that an item be placed on the next Regular Meeting agenda. Prior to a Regular Meeting, the Mayor, two Council Aldermen, or the City Administrator may place an item on the Regular Meeting agenda. Agenda items must be provided to the City Administrator's office at City Hall by 12:00 noon on the seventh (7<sup>th</sup>) calendar day preceding the date of the Regular Meeting. Staff assistance, if required, should be requested through the City Administrator. If the agenda topic does not allow for staff to adequately prepare information for Council's consideration, the item may be postponed until the next Regular Meeting.

### 4.2 Call to Order

The Mayor shall call the meeting to order. The Mayor shall announce that a quorum of the Council is present and shall state for the record the names of all Council Members that are absent.

### 4.3 Invocation and Pledges of Allegiance to the United States and Texas Flags

All meetings of the Council shall begin with an invocation and the pledges of allegiance to the United States and Texas flags. The Council shall recite the Pledge of Allegiance, first to the United States Flag, and then to the state Flag of Texas. The Council may welcome individuals and organizations, young and old, to lead the Pledges.

### 4.4 Adoption of Agenda Order

The Mayor shall call for a motion to adopt the agenda order, as posted.

### 4.5 Approval of Minutes

The Mayor shall call for a motion to approve the minutes of any meeting presented to Council Members for their review.

### 4.6 Presentation & Proclamations

The Mayor shall make any presentation or deliver any proclamation as may be required from time to time. Outside entities and organizations granted permission to make a presentation shall be placed in this section.

### 4.7 Citizen Forum on Non-Agenda Items

All persons desiring to speak to the Council on a non-agenda item must submit a Request to

Speak Form to the City Secretary at least five (5) minutes before meeting starts.

#### 4.8 Questions & Comments from Mayor, Aldermen, and City Attorney

Any individual Council Member and the City Attorney may make comments. The Mayor and any Aldermen may request items to be placed on a future agenda at this time. No discussion or deliberation of the items may take place at this time.

#### 4.9 Staff Reports

This section is used for routine reports provided by staff to the Council.

#### 4.10 Public Hearings

This section is only used when a statutorily required Public Hearing is part of the order of business. The Mayor shall first request staff comments. The Mayor shall open the Public Hearing and receive citizen input in the following order: proponents, then opponents. While the public hearing is open, Council may ask questions of the speakers, but may not deliberate or argue with the public on the matter at hand. Those speaking at a public hearing are required to follow the rules established herein for citizen comments. Upon conclusion of citizen comments, the Mayor shall close the public hearing. Council may deliberate or act on the matter at hand upon the closing of the public hearing.

#### 4.11 Regular Agenda Items

Regular Meeting agenda items shall be considered and acted upon individually by the Council and approved by either a Simple Majority vote or a Super Majority vote, as delineated in these Rules of Procedure.

#### 4.12 Recess Open Session Meeting

The Mayor shall recess the open meeting session of the Council meeting as noted on the agenda if an Executive Session is warranted.

#### 4.13 Convene Executive Session

This section is only used when it is necessary for the Council to convene in Executive Session. Executive sessions are sessions closed to the public. They are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act.

If the subject of the Executive Session warrants, the Executive Session may be held prior to the Regular Meeting session, but typically the Executive Session will be held at the end of the Regular Meeting session.



#### 4.14 Adjourn Executive Session

The Mayor shall adjourn the Executive Session at the close of discussions in Executive Session.

#### 4.15 Open Session Reconvened

The Mayor shall reconvene the Council public/open session of the Regular Meeting.

#### 4.16 Any Action Necessary Resulting from Executive Session

This section is only used if Council conducts an Executive Session. Action on Executive Session items must be taken during public/open session of a Regular Meeting. Action may include the taking of no action at all.

#### 4.17 Meeting Adjournment

The Mayor shall adjourn the meeting upon passage of the Motion to Adjourn by a Simple Majority vote of Council.

### ARTICLE 5. WORK SHOPS POLICIES AND PROCEDURES

#### 5.1 Purpose

Council may call and hold a Workshop for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the Council. The following Rules of Procedure shall prevail for the call and conduct of Workshop meetings.

#### 5.2 Agenda

Only a limited number of matters shall be considered by the Council during a Workshop, and sufficient time for consideration of such matters shall be provided. An abbreviated agenda order shall be used for all Workshop agendas.

#### 5.3 Documents and Exhibits to be Presented

When possible, staff shall make available to the Council Members all documents, exhibits, maps, plats, architectural drawings, specifications or other similar documents at least 72 hours before the beginning of the Workshop.

#### 5.4 Technical Questions

All questions of a technical nature, which require a detailed explanation for understanding, may be considered in a Workshop. Council Members may, through the City Administrator, request the attendance of such staff members or outside experts as may be required to answer such questions.

#### 5.5 Prohibitions Against Formal Actions

No formal actions may be taken at a Workshop. Council Members may provide staff direction on the matter being considered and ask that the item be placed on a Regular Meeting or Special Meeting agenda for formal action.

#### 5.6 Audience Comments or Questions

Audience comments or questions will not be considered at a Workshop.

### ARTICLE 6. RULES GOVERNING CITIZEN COMMENTS

#### 6.1 Purpose

It is the desire of the Council to hear from the citizens of Bellville and to stimulate discussion

and offer a forum for a cordial and meaningful public debate on matters that are properly a concern of the Council. The following Rules of Procedure shall control and govern citizen's comments.

#### 6.2 Reading of Rules for Citizen Comments

Immediately preceding the opening of a public Council meeting, the Mayor may read the rules governing citizen comments.

#### 6.3 Rules Governing Citizen Comments

1. A maximum of thirty (30) minutes will be devoted to receiving comments from the public on each agenda item. Each speaker is limited to one presentation per meeting and a maximum timed limit of three (3) minutes on any item except for a public hearing item.

2. No individual may address the Council without submitting a Request to Speak Form at least five (5) minutes prior to the beginning of the meeting. The form must clearly state the subject or issue or agenda item on which the citizen wishes to speak. If the subject matter does not pertain to City business, the Mayor shall advise the individual and/ or make recommendations as to how they may get the issue addressed.

3. No Council Member or any other person(s) may dissuade or otherwise oppress an individual from speaking if the individual has submitted a Request to Speak Form and the individual's issue or topic pertains to an agenda item or to City business and the individual is in compliance with these Rules of Procedure.

4. Citizens speaking on agenda items shall restrict their comments to the subject matter listed.

5. Citizens speaking on non-agenda items shall only speak on matters pertaining to City business or issues which the Council would have the authority to act upon if brought forth as an agenda item.

6. Council may not act upon or discuss any issue brought forth as a non-agenda item; except to:

- a. Make a statement of specific factual information given in response to the inquiry, or
- b. A recitation of existing policy in response to the inquiry.

Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

7. Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, or personal attacks are strictly prohibited, and violators may be removed from the Council chambers.

8. No placards, banners or signs may be displayed in the Council chambers or City Hall. Exhibits relating to a presentation are acceptable.

9. Arguing, intimidation or other disruptive behavior is prohibited. Discussion and/or debate are acceptable only on items specifically listed on the agenda.

10. Unauthorized remarks from the audience, stomping of feet, applauding, whistles, yells, or any type of disruptive behavior is prohibited. Applause of appreciation may be acceptable when recognizing a significant event or achievement.

11. Council meetings are the workplace to carry out the business of the City of Bellville; therefore, any conduct that could constitute harassment in the workplace is prohibited.

12. In all cases, the Mayor shall preside over the Council meeting and ensure that proper conduct and decorum is observed.

#### 6.4 Preservation of Order

The Mayor shall preserve order and decorum and, if necessary, shall cause to be silenced or removed from the Council chambers any person speaking out of order or disrupting the order of the meeting.

## ARTICLE 7. BOARDS, COMMISSIONS AND COMMITTEES

### 7.1 General

The Bellville Economic Development Corporation is detailed under [ ]. All other standing boards and commissions are detailed under of the City of Bellville Code of Ordinances. Ad hoc committees may be temporarily appointed and terminate upon completion of a specific task or special purpose for which it was created, or when abolished by a Simple Majority vote of the Council. No ad hoc committee shall have powers other than advisory to the Council.

### 7.2 Meeting Times and Agenda Order

Boards, commissions, and committees shall set their own meeting times. Each board, commission, and committee shall set their own agenda, so long as it is in accordance with the Texas Open Meetings Act, if applicable

### 7.3 City Appointed Boards

Bellville Economic Development Corporation, Airport Advisory Board, Sens Activity Center Board, Parks Board, Library Board, Building Standards Commission, Bellville Housing Authority Board.

### 7.4 Appointments

Citizens interested in serving on a City appointed board, commission or committee shall submit an application form to the City Secretary. Citizens currently serving on a City appointed board, commission or committee with expiring terms and who wish to continue their tenure shall submit an updated application form to the City Secretary. In a Regular Meeting, the Mayor shall select and nominate individuals from the submitted applications to fill open positions and expiring terms on boards, commissions and committees. The Council votes on the Mayor's nomination(s). The Basic Motion to accept the Mayor's nomination requires a second, and a

Simple Majority vote of the Council shall be required to confirm the appointment. If the Basic Motion fails, the Mayor may select and nominate in the same Regular Meeting a different individual(s) from the submitted applications for the Council's consideration and confirmation requiring a Basic Motion, second and Simple Majority vote of the Council. If no nomination is confirmed by Council in a Regular Meeting, the position(s) will remain open, and the issue will be placed on the agenda for the next Regular Meeting. Any application filed with the City Secretary for an open position or expiring term under consideration at a Regular Meeting shall be circulated to Council prior to the Regular Meeting and included as an information supplement to a duly posted agenda.

#### 7.5 Board Members' Service

Members appointed to boards, commissions and committees *serve* at the will of the Council and may be removed, replaced, or not reappointed at the discretion of the Council, by Simple Majority vote, with or without cause.

#### 7.6 Open Government Training

Upon initial appointment, within 90 days of taking the oath of office or assuming duties, all board, commission, and or committee members subject to the Texas Open Meetings Act shall be required to watch the Texas Public Information Act and the Texas Open Meetings Act training videos as provided by the Office of the Attorney General and present the respective training completion certificate(s) to the City Secretary.

#### 7.7 Council Liaisons

One Council Member may be appointed as the Council liaison to each of the City's boards, commissions and committees. Council liaisons will be appointed by Council with consideration given to applicable expertise. Council liaisons may attend, but are not required to attend, the meetings of the boards, commissions or committee to which they have been appointed as liaison. Board, commission and committee members may contact their Council liaison concerning items of concern or interest regarding their appointed board.

## TABLE OF MOTIONS AND POINTS OF ORDER

<b>MOTION/ORDER</b>	<b>REQUIRES SECOND</b>	<b>DEBATABLE</b>	<b>AMENDABLE</b>	<b>VOTE TYPE</b>
<b>Basic Motion</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Simple</b>
<b>Motion to Amend the Basic Motion</b>	<b>*</b>	<b>No</b>	<b>Yes</b>	<b>N/A</b>
<b>Motion to Adjourn</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>Simple</b>
<b>Motion to Recess</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>Simple</b>
<b>Motion to Fix the Time to Adjourn</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>Simple</b>
<b>Motion to Table</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>Simple</b>
<b>Motion to Remove from Table</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>Simple</b>
<b>Motion to Limit Debate</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>Super</b>
<b>Motion to Object to the Consideration of an Item</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>Super</b>
<b>Motion to Suspend Rules</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>Super</b>
<b>Motion to Hire/Fire City Administrator</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Super</b>
<b>Motion to Reconsider</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Simple</b>
<b>Point of Privilege</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>N/A</b>
<b>Point of Order</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>N/A</b>
<b>Motion to Appeal</b>	<b>Yes</b>	<b>Yes</b>	<b>No</b>	<b>Simple</b>
<b>Call for Orders of the Day</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>N/A</b>
<b>Withdraw a motion</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>N/A</b>
<b>Motion to Enforce</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>Simple</b>

\* For the purposes of these Rules of Procedure, a Motion to Amend a Basic Motion is not debatable and requires the approval of the Council Member who made the original Basic Motion and the Council Member who seconded the original Basic Motion. Any subsequent amendments shall require the approval of the Council Member who made the original Basic Motion and the Council Member who seconded the original Basic Motion.

