

CITY COUNCIL

RULES OF PROCEDURE

CITY OF DALLAS, TEXAS

As Adopted 8/11/93 and Amended by Resolution Nos.
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Section 1

AUTHORITY

The Charter of the City of Dallas, Texas, provides for open meetings of the city council at which reasonable opportunity shall be given for citizens to be heard under such rules as the council may provide. 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, Chapter III, Secs. 8 and 10]

Section 2

MEETINGS

2.1. **Regular Meetings.** The city council will meet at 11:00 a.m. on the day the council members take office, and thereafter each Wednesday at times set by the city council, unless postponed or canceled for valid reasons. [City Charter, Chapter III, Sec. 6]

2.2. **Special Meetings.** The city secretary shall call special meetings upon written request of the mayor, the city manager, or three members of the council. [City Charter, Chapter III, Sec. 7]

2.3. **Public Notice.** The agenda for all regular meetings and the notice listing items to be considered shall be posted by the city secretary on the City's official bulletin board in accordance with the Texas Open Meetings Act. [Chapter 551, Texas Government Code]

2.4. **Quorum.** Nine members constitute a quorum except when the number of council members, due to vacancies, is reduced to less than nine, in which event a quorum consists of all the remaining council members. [City Charter, Chapter III, Sec. 9.] A quorum of the city council must be present to conduct a city council meeting, except that a quorum is not required to hear proclamations and special recognitions.

2.5. **Compelling Attendance.** A lesser number than a quorum may adjourn from time to time and compel the attendance of absent members. [City Charter, Chapter III, Sec. 9]

2.6. **City Manager Participation.** The city manager, or acting city manager, shall attend all meetings of the city council unless excused. The city manager may make recommendations to the city council and shall have the right to take part in all discussions, but shall have no vote. [City Charter, Chapter VI, Sec. 2(6)]

2.7. **City Attorney Participation.** The city attorney, or designated assistant city attorney, shall attend all meetings of the city council unless excused and shall, upon request, give an opinion, either written or oral, on questions of law. The city attorney shall act as the city council's parliamentarian. [City Charter, Chapter VII, Sec. 3(7)]

2.8. **City Secretary Participation.** The city secretary or designated assistant city secretary shall attend all meetings of the city council and shall keep accurate records of all actions taken by the city council. [City Charter, Chapter IIIA, Sec. 3(1)]

2.9. **City Auditor Participation.** The city auditor or designated assistant city auditor shall be available in City Hall during all city council meetings to respond to inquiries made by the city council. Upon the request of any city council member, the auditor shall attend the briefing or deliberation of any specific agenda item.

2.10. **Executive Sessions.** The city council may meet in executive session when it is scheduled by the mayor upon request by the city attorney, city manager, city auditor, city secretary, or any member of the city council and when it is in compliance with the Texas Open Meetings Act. No vote shall be taken in an executive session on any matter under consideration nor shall any city council member enter into a commitment with another respecting a vote to be taken subsequently in a public meeting of the city council. The city council shall follow the letter and the spirit of the Texas Open Meetings Act, and closed executive sessions shall be kept to a minimum.

2.11. **Reserved.**

2.12. **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 committee has not arrived at a committee meeting within 15 minutes after the scheduled starting time of the meeting, the chair may cancel the meeting. At the beginning of each city council meeting, the mayor shall announce the schedule for breaks and lunch to be taken during the meeting.

2.13. **Briefing Meetings.** During briefing meetings, city council members shall refrain from calling on members of the public to speak unless arrangements with the mayor are made in advance of the meeting.

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 neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or the rules of the city council.

(b) A city council member desiring to speak shall address the chair 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 nor admonish staff members.

(d) A city council member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer, 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 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 to the particular matters before the assembly and in debate shall confine their remarks to the issues before the city council.

(f) When there is more than one speaker on the same subject, city council members will delay their comments until after all speakers on the subject have been heard.

(g) City council members shall refrain from eating food inside the council chamber.

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 also 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, including the city manager, other staff members, or members of the public shall be recognized by the presiding officer and shall limit their remarks to the matter under discussion.
- (e) All remarks and questions addressed to the city council shall be addressed to the city council as a whole and not to any individual member.
- (f) No staff member, other than the staff member having the floor, shall enter into any discussion either directly or indirectly without permission of the presiding officer.

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. If the presiding officer fails to act, any member of the city council may move to require enforcement of the rules, and the affirmative vote of a majority of the city council shall require the presiding officer to act.

(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. In case the presiding officer shall fail to act, any member of the city council may move to require enforcement of the rules, and the affirmative vote of the majority of the city council shall require the presiding officer to act.

(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. Video presentations requested by citizens as visual aids will not be broadcasted over cable television.

(f) Citizens or other visitors attending city council meetings shall not bring food or drink into the city council chamber or into any other room in which the city council is meeting.

3.4 **Enforcement.** The city manager, as chief law enforcement officer, 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. **Seating Arrangement.** City council members shall occupy the seats in the city council chamber assigned to them by the mayor, but any two or more members may exchange seats.

4.2. **Right of Floor.** A city council member who desires to speak must be recognized by the presiding officer. No member shall address the presiding officer or demand the floor while a vote is being taken.

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. **Right of Appeal.** Any member may appeal to the city council from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly explain the ruling; but there shall be no debate on the appeal, and no other member shall participate in the discussion. The presiding officer shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote "Aye," the ruling of the chair is sustained; otherwise, it is overruled.

4.5. **Voting.**

(a) Every member present when a question is called shall vote either "Yes" or "No" except on matters involving a conflict of interests or the consideration of the member's own official conduct. [City Charter, Chapter III, Sec. 10]

(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.

4.6. **Demand for Roll Call.** Upon demand of any member for roll call vote, made before the result is announced, the vote shall be taken on the city council chamber voting machine, or if the machine is unavailable, the roll shall be called for yes and no votes upon any question before the city council. It shall not be in order for members to explain their vote during the roll call.

4.7. **Personal Privilege.** The right of a member to address the city council on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are assailed, questioned, or impugned.

4.8. **Dissents and Protests.** Any member shall have the right to express dissent from or protest against any ordinance, resolution, or other action of the city council and have the reason for the dissent or protest entered in the minutes. Such dissent or protest may be filed in writing and presented to the city secretary for placement in the minutes not later than the next regular agenda meeting following the date of the city council's action on the matter.

4.9. **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.

4.10. **Excusal During Meetings.** No member should leave a city council meeting while in session without advising the presiding officer.

4.11. **Absence Because of Official City Business.**

(a) If a city council member is absent from an entire regular city council meeting, or an entire regular meeting of a city council committee to which he or she is assigned, because he or she is on official city business at the direction of the city council, the member shall request that the city secretary record in the minutes for that meeting that the member was absent because of official city business. The city secretary shall maintain a record of these absences on official city business so that such absences will not count against the city council member in determining his or her annual compensation under Chapter III, Section 4 of the Dallas City Charter.

(b) An absence for any of the following reasons will automatically be deemed to be for official city business at the direction of the city council and will not be counted against a city council member for purposes of determining the council member's annual compensation under Chapter III, Section 4 of the Dallas City Charter:

(1) Attending a meeting or conference of a professional organization of or association of municipalities or municipal officers.

(2) Testifying at a legislative hearing at the request of the mayor, the city council, the chair of the city council's legislative affairs committee, or the city manager.

(3) Attending a meeting of a board, commission, or committee to which the city council member has been appointed by the mayor or the city council.

(c) In addition to absences automatically considered to be on official city business at the direction of the city council under Paragraph (b) of this subsection, the city council may by resolution designate whenever a council member's absence is for official city business and not counted as a missed meeting for purposes of Chapter III, Section 4 of the city charter.

4.12. Absence from More than 50 Percent of a Meeting.

(a) If a city council member is absent from more than 50 percent of a regular city council meeting, or more than 50 percent of a regular meeting of a city council committee to which he or she is assigned, and he or she is not on official city business at the direction of the city council as approved under Subsection 4.11 of these Rules, the member will be deemed to be absent from the meeting, and the absence will be counted against the member for purposes of determining the member's annual compensation under Chapter III, Section 4 of the Dallas City Charter.

(b) If a city council committee meeting is scheduled to last for a designated length of time, then a city council member who is present during half or more of the scheduled length of the meeting shall be counted as having attended the meeting even if the meeting runs past its scheduled length.

(c) The city secretary, or a person designated by the city secretary or the city manager to record attendance of city council members at a meeting, shall maintain a record of each city council member's absences so that such absences can be used in determining the member's annual compensation under Chapter III, Section 4 of the Dallas City Charter.

Section 5

CHAIR AND DUTIES

5.1. **Chair.** 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 mayor pro tem, the deputy mayor pro tem shall preside. In the absence of all three, the council shall elect a chair. If the mayor vacates the chair during a meeting, and the mayor pro tem or deputy mayor pro tem is not available, the mayor may, subject to the approval of the city council, appoint a temporary chair. The first adjournment puts an end to this appointment. [City Charter, Chapter III, Secs. 2 and 11]

5.2. **Call to Order.** The meetings of the city council shall be called to order by the mayor or, in the mayor's absence, by the mayor pro tem or, in the mayor pro tem's absence, by the deputy mayor pro tem. In the absence of the mayor, mayor pro tem, and deputy mayor pro tem, the meeting shall be called to order by the city secretary.

5.3. **Preservation of Order.** The chair 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 chair shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken when requested by a member in accordance with Subsection 4.6.

5.5. **Call for Recess.** The chair may call for a 10-minute recess at regular intervals of approximately one hour at appropriate points in the meeting agenda.

Section 6

ORDER OF BUSINESS

6.1. Agenda.

(a) **Preparation and Distribution.** The order of business of each meeting shall be as contained in the agenda prepared as follows:

(1) 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 in accordance with the directives of the city council.

(2) The mayor shall determine the contents of the agenda relating to policy items. The mayor shall transmit these items to the city manager in time for distribution to the city council at the same time operational items are distributed.

(3) The city manager shall present the operational agenda to the city council. [City Charter, Chapter III, Sec. 13(a)(1) and (4)]

(b) Briefing Meetings.

(1) On the first and third Wednesday of each month, the city council will hold a briefing meeting, which shall begin at 9:00 a.m. At a briefing meeting, the city council shall present any proclamations or other recognitions scheduled for the day. At the conclusion of the proclamations, the briefings scheduled for the day will begin. The city manager will present options and recommendations at the end of each policy briefing. A council member may speak no more than two times on any briefing item, and each time will be limited to five minutes.

(2) Voting items will not be scheduled on briefing days except for emergencies, construction contracts, construction change orders, architectural and engineering contracts, and architectural and engineering supplemental agreements. Speakers may sign up to speak on any voting item placed on a briefing agenda. Speakers may also sign up to speak at open microphone periods at the beginning and end of each briefing meeting. Speakers shall appear in accordance with applicable rules established in Subsection 6.3 of these Rules.

(c) **Voting Agenda Meetings.**

(1) On the second and fourth Wednesday of each month, the city council will hold a voting agenda meeting, which shall begin at 9:00 a.m. At a voting agenda meeting, the city council shall hear speakers who wish to comment on matters that are scheduled on the city council's voting consent and individual item agenda for that day. The city council shall also hear open microphone speakers. Speakers shall appear in accordance with applicable rules established in Subsection 6.3 of these Rules. Upon completion of any speakers allowed under Subsection 6.3 to speak at the beginning of the meeting, the city council will consider the minutes, the consent agenda, and individual items for consideration until noon when they shall recess. No earlier than 1:00 p.m. the city council shall reconvene to conduct public hearings. At the completion of the public hearings, the city council shall resume its voting agenda.

(2) A city council member may speak no more than two times on any one voting agenda item, and each time will be limited to three minutes. After 5:00 p.m., the time will be limited to two minutes, unless altered by majority vote. A council member may be recognized to exceed established limits upon passage of a nondebatable motion made by a council member. Responses by the staff or citizens to a council member's questions will not be included in the council member's speaking time. The chair shall take care that responses are brief and to the point. Briefings will not be scheduled for voting days except for emergencies.

(d) **Fifth Wednesdays.** When a fifth Wednesday occurs in a month, the city council meeting may be used for special workshops, planning sessions, or other matters as agreed between the city manager and the city council.

(e) The times specified for speakers and city council activities at the briefing meetings and the voting agenda meetings may be adjusted on days when the city council determines to hold an evening meeting.

6.2. **Presentations by Members of Council.**

(a) The mayor shall include on an agenda any item requested by five city council members or by a majority of a city council committee to be brought before the city council. Unless the request is withdrawn by any of the five city council members or by a majority of the city council committee, whichever applies, the item must be placed on:

(1) the first briefing agenda scheduled at least 30 calendar days after receipt of the request by the mayor and the city manager, if the item is requested to be placed on a briefing agenda; or

(2) the first voting agenda scheduled at least 30 calendar days after receipt of the request by the mayor, if the item is requested to be placed on a voting agenda.

(b) The mayor shall not place on an agenda any item that has been voted on by the city council within the one-year period preceding the date requested for placement of the item on the agenda.

6.3. **Citizen Speakers.** At briefing meetings and voting agenda meetings, a person may address the city council concerning voting items on the agenda or may present a subject for the city council's consideration during the open microphone periods in accordance with the following rules:

(a) **Speakers to Register.** A person wishing to address the city council must first register with the city secretary and provide the following information: Name, residence address, daytime telephone number, the subject matter to be presented, and whether the subject is on the current city council meeting agenda. A person may register either in person or by telephone. The earliest a person may register for an upcoming city council meeting is 8:15 a.m. of the next regular business day following the previous city council meeting. The deadline for registering to address the council is 9:00 a.m. of the day of the meeting.

(b) **Manager May Contact Speaker.** On the Tuesday before the Wednesday city council meeting, the city secretary will provide the city manager with the registration information of persons who have registered up to that time. The city manager may direct a member of the city staff to contact the person to try to resolve a problem. Contact by a member of the city staff should in no way suggest that the person should not appear and address the city council.

(c) **Speaker 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:

(1) Only one person may approach the microphone at any one time, and only the person at the microphone will be allowed to speak.

(2) There will be no substitutions or pooling of speakers.

(3) Speakers must address their comments to the presiding officer rather than individual city council members or staff. Speakers may not refer to a city council member by name.

(4) Speakers may file copies of their remarks or supporting information with the city secretary. The city secretary will make the information available to the city council and city manager if requested.

(5) A person who addresses the city council during a public hearing must limit remarks to the specific subject matter being considered by the city council in that public hearing.

(6) Dallas citizens will be allowed to speak before nonresidents.

(7) Any person who has addressed the city council at either a briefing meeting or a voting agenda meeting in the preceding 30 days, excluding speaking at a public hearing, may only speak during the open microphone period at the end of the city council meeting.

(d) **Time Limits on Voting Items.** The length of time a person will be allowed to speak on voting items at city council meetings will be determined according to the following rules:

(1) A person who registers to speak on a voting item, other than a public hearing, will be called on at the time the item is considered by the city council, subject to the time restraints set forth in Subsection 6.1(c). A person who registers to speak on multiple voting items must speak on all items at the time the first item for which the speaker is registered is considered by the city council. Speakers will have a maximum of three minutes to speak regardless of the number of voting items they wish to address. The mayor may determine the order in which speakers are called. The order in which speakers are called is not required to be in the order that items appear on the agenda, nor are all speakers on a particular item required to be called at the same time. If an item is deferred from a city council agenda, a speaker who signed up to speak on the item may not be heard until the item is actually considered by the city council.

(2) The mayor may impose more restrictive time limits on voting items that are not public hearings, but for which a large number of persons register to speak.

(3) For called public hearings concerning applications to change zoning, to remove a flood plain designation, to change the name of a street, to use park land for another purpose, and similar cases, each person who registers will have a maximum of three minutes to speak, or if the city council approves by a majority vote, each side of the issue will be allowed a maximum of 15 minutes to make a presentation.

(4) For other called public hearings, including annexation, benefit assessment, budget, community development block grant, development code amendments, thoroughfare alignment, thoroughfare plan, and other specially-called hearings, each person who registers will have a maximum of three minutes to speak. The mayor may impose more restrictive time limits on public hearings for which a large number of persons register to speak.

(e) **Closed Public Hearings.** A person will not be permitted to address the city council during the consideration of a zoning ordinance placed on the agenda on which a public hearing has been held by the city council if the public hearing has been closed.

(f) **Open Microphone.** The city council will provide an opportunity for citizens to present concerns or address issues that are not matters for consideration listed on a posted meeting agenda during an "open microphone" period at city council meetings, subject to the following rules:

(1) Five persons may speak on any matter, including an agenda item, during an open microphone period at the beginning of each city council meeting. These first five speakers will be called in the order in which they registered to speak with the city secretary. Whenever a person fails to speak when his name is called, the name of the next speaker registered for the initial open microphone period will be called, until either five persons have spoken or all of the names have been called. An open microphone period will also be provided after the city council has concluded its agenda, at which time all speakers not heard earlier in the meeting may speak. For purposes of enforcing all provisions of Subsection 6.3 governing citizen speakers, a person who signs up to speak during the open microphone period at the beginning of a city council meeting, but who fails to speak when called upon, will be deemed to have spoken at the meeting.

(2) Each speaker may speak only once, and the length of time a person will be allowed to speak during the open microphone period is three minutes. If a large number of speakers register for the open microphone period, however, the mayor may, with the concurrence of a majority of the city council, impose more restrictive time limits in order to allow the maximum number of persons to speak.

(3) The order in which speakers will be called will be determined by the mayor, except that persons who have not spoken at a city council meeting in the past 30 days will be called first.

(g) During designated speaker times city council members may ask factual questions or make a brief acknowledgement of speakers. Speakers will have one minute to respond. More time may be granted to the speaker for a response at the discretion of the mayor or by a nondebtable motion approved by the city council. Council members will refrain from debate on any item during time allotted to speakers unless a specific time is granted by the mayor or by a nondebtable motion approved by the city council.

(h) **Use of Interpreters.** Whenever it is necessary for a speaker to use an interpreter to translate his or her comments to the city council, the time required for the translation will not be counted against the designated time allotted for the speaker to address the city council.

6.4. **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.

6.5. **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 oral report to the city council, but formal action, if required, shall be delayed until the next meeting.

6.6. **Public Hearings.**

(a) The city manager shall schedule public hearings on the city council's agenda to be held at least two weeks before the city council must vote on the matter, except for zoning and assessment hearings.

(b) By request of a majority of the city council or by the mayor, the city manager may schedule a public hearing on the same day or within two weeks before the time that a vote must be taken on the item.

(c) Whether a public hearing is closed or held open, the vote on the item may be placed on the agenda two weeks after the opening of the public hearing.

(d) The city council may schedule public hearings at times other than its regular meetings when it determines that the matter to be heard is a significant issue that requires more time than is available at regular meetings. The mayor may call an advertised public hearing at a specified time on any matters.

Section 7

CONSIDERATION OF ORDINANCES, RESOLUTIONS, AND MOTIONS

7.1. **Printed Form.** All ordinances and resolutions shall be presented to the city council only in printed form.

7.2. **City Attorney to Approve.** All ordinances shall be approved as to form by the city attorney. [City Charter, Chapter VII, Secs. 3 and 4]

7.3. **Distribution of Ordinances.** The city manager shall prepare copies of all proposed ordinances to be available for distribution to all members of the city council at the meeting at which the ordinance is introduced, or at such earlier time as is appropriate.

7.4. **Rules of Order.** The most recent edition of Roberts Rules of Order Revised shall govern the proceedings of the city council in all cases, unless they are in conflict with these rules.

7.5. **Order of Precedence of Motions.** The following motions shall have priority in the order indicated:

- | | |
|-------------------------------------|-------------------|
| 1. Adjourn (when privileged) | See notes 1 and 2 |
| 2. Take a recess (when privileged) | See notes 1 and 3 |
| 3. Raise a question of privilege | |
| 4. Lay on the table | |
| 5. Previous question | See note 5 |
| 6. Limit or extend limits of debate | See notes 3 and 5 |
| 7. Postpone to a certain time | See note 3 |
| 8. Commit or refer | See note 3 |
| 9. Amend | See notes 3 and 4 |
| 10. Postpone indefinitely | |
| 11. Main motion | See note 3 |

Note 1: The first two motions are not always privileged. To adjourn shall lose its privileged character and be a main motion if in any way qualified. To take a recess shall be privileged only when other business is pending.

Note 2: A motion to adjourn is not in order: (1) when repeated without intervening business or discussion; (2) when made as an interruption of a member while speaking; (3) while a vote is being taken.

Note 3: Can be amended - others cannot be amended.

Note 4: A motion to amend shall be nondebatable when the question to be amended is nondebatable.

Note 5: Two-thirds vote of members present required.

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 voting agenda meeting of the city council. If reconsideration of the council action has not been posted on the council agenda for the meeting at which the motion to reconsider is made, however, actual reconsideration of the item must be delayed until the next voting agenda 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.

7.7. **The Previous Question.** When the previous question is moved and seconded, it shall be put as follows: "Shall the main question be now put?" 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 two-thirds of the city council members present 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 stated by the chair. If the mover modifies the motion, the seconder may withdraw the second. After the question has been stated, the mover shall neither withdraw it nor modify it without the consent of the city 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.

7.10. **Appropriations of Money.** Before formal approval by the city council of motions providing for appropriation of money, information must be presented to the city council showing the purpose of the appropriation and the account to which it is to be credited. In addition, before finally acting on an appropriation, the city council shall obtain a report from the city manager as to the availability of funds and the city manager's recommendations as to the desirability of the appropriation.

7.11. **Deferral of Agenda Items.**

(a) A city council member may defer, until the next city council voting agenda meeting, a voting item appearing on the city council agenda by delivering a written list of the agenda item numbers to be deferred to the city secretary before 5:00 p.m. of the Friday before the city council meeting for any item on the regular agenda and before 5:00 p.m. of the Monday before the city council meeting (or if Monday is a city holiday, then 5:00 p.m. of the Tuesday before the city council meeting) for any item on the addendum to the agenda, unless the item:

(1) previously appeared on a city council meeting agenda and was deferred by request of a city council member;

(2) was previously presented and discussed at a city council briefing meeting within the past six months at which a quorum was present during at least part of the briefing on that item;

(3) is a public hearing or was previously discussed within the past six months at a public hearing before the city council; or

(4) was placed on the agenda pursuant to a request by five city council members or by a majority of a city council committee under Subsection 6.2 of these rules.

(b) A majority vote of the city council is required to:

(1) defer an agenda item described in Paragraph (a)(1), (2), (3), or (4);

or

(2) defer an agenda item to a time later than the next city council voting agenda meeting.

(c) The city manager may delete agenda items by delivering a written list of the agenda item numbers to be deleted to the city secretary before 5:00 p.m. of the Friday before the city council meeting for any item on the regular agenda and before 5:00 p.m. of the Monday before the city council meeting (or if Monday is a city holiday, then 5:00 p.m. of the Tuesday before the city council meeting) for any item on the addendum to the agenda.

(d) No later than 5:30 p.m. of the Friday before each city council meeting, the city secretary shall post a list of all items appearing on the regular agenda that were deferred by a city council member or deleted by the city manager. No later than 5:30 p.m. of the Monday before each city council meeting (or if Monday is a city holiday, then 5:30 p.m. of the Tuesday before the city council meeting), the city secretary shall post a list of all items appearing on the addendum to the agenda that were deferred by a city council member or deleted by the city manager. The lists must be posted adjacent to each entrance to the city council chamber in Room 6 E North. The city secretary shall not include on these lists any item described in Paragraph (a)(1), (2), (3), or (4).

(e) For the convenience of the public, other city council members, and the staff, a city council member should announce the intent to defer an item on the agenda as soon as that determination is made.

7.12. **Moratoriums.**

(a) No moratorium on the acceptance of applications for permits, certificates, licenses, or other city approvals may be imposed for a time period of greater than 120 days.

(b) No moratorium may be extended beyond its original time period unless three-fourths of all members of the city council approve the extension. An extension may not exceed an additional 120 days each time. When the city council desires to extend a moratorium, it shall direct the city manager to:

(1) publish a notice of the proposed extension in the official newspaper of the City at least 15 days before the date the extension is to be considered; and

(2) use best efforts to notify the organizations and associations whose members would be most directly affected by the extension.

(c) When the city council imposes a moratorium, it shall direct the city manager and all appropriate city boards and commissions to:

(1) expedite their performance of appropriate analyses, evaluation of alternatives, and preparation of recommendations as to what amendments, if any, should be made to the city's regulations during a moratorium; and

(2) submit these recommendations by a specified date.

7.13. Motions to Approve Designated Zoning Cases and Designated Public Subsidy Matters.

(a) A main motion to approve or deny a designated zoning case or a designated public subsidy matter must be seconded two times, with each second made by a different city council member. By seconding the motion, the city council member represents that he or she has reviewed the facts and developed an opinion on the appropriateness of city council consideration of the designated zoning case or designated public subsidy matter.

(b) For purposes of this subsection:

(1) DESIGNATED PUBLIC SUBSIDY MATTER means any of the following:

- (A) A tax abatement.
- (B) A housing tax credit.
- (C) An historic development tax abatement.
- (D) Federal grant money administered by the city.
- (E) Tax increment financing.
- (F) An economic development grant or loan.

(2) DESIGNATED ZONING CASE means a change of zoning on a specific property where:

- (A) the property is 25 acres or more;
- (B) the proposed floor area for retail or personal service uses is 200,000 square feet or more;
- (C) the proposed floor area for industrial uses is one million square feet or more;
- (D) the proposed zoning change is to a multifamily district of 10 acres or more;
- (E) the proposed zoning change allows 60 dwelling units or more per acre; or

(F) the city staff recommendation and the city plan commission recommendation regarding the proposed change of zoning do not agree.

(c) Paragraph (a) of this subsection does not apply to:

(1) a development code amendment or an area plan;

(2) a zoning ordinance on the consent agenda when the change of zoning was previously approved by the city council; or

(3) a motion to postpone to a certain time, commit or refer, or amend, except that any subsequent motion of this nature made at a later city council meeting and relating to the particular designated zoning case or designated public subsidy matter requires two seconds.

Section 8

VOTES REQUIRED

Approval of every ordinance, resolution, or motion shall require on final passage the affirmative vote of a majority of city council members present, except that the City Charter and certain state statutes impose other voting requirements on various questions. In addition, these rules set forth certain instances in which the number of votes required is greater than a majority of all members. As a matter of convenience, questions on which the voting requirement is varied by City Charter, State statutes and these rules are listed below:

8.1. Charter and State Requirements.

(a) **Removal of Certain Officers - Two-thirds Vote of All Members.**

Removal of the city manager (unless otherwise provided by contract) or removal of the city secretary or city attorney during a term of office requires a vote of two-thirds of all members of the city council. [City Charter, Chapter IIIA, Sec. 1; Chapter VI, Sec. 1; and Chapter VII, Sec. 1]

(b) **Establishment of Departments - Three-fourths Vote of All Members.**

Ordinances creating or making any change in a department require approval of three-fourths of all members of the city council. [City Charter, Chapter X, Sec. 1]

(c) **Changing Paving Assessment Plans - Two-thirds Vote of All Members.** Changes in plans for paving assessment require a two-thirds vote of all members of the city council. [Art. 1105b, Sec. 10, Vernon's Texas Civil Statutes]

(d) **Expulsion of Members - Two-thirds Vote of All Members.** Expulsion of a member of the city council requires an affirmative vote of two-thirds of all members of the city council. [City Charter, Chapter III, Sec. 16]

(e) **Changes in Zoning Ordinance - Three-fourths Vote of All Members.** Changes in zoning classifications, if denied by the city plan commission or where a hearing is held by the city council and the change is protested by owners of 20% or more of the area within 200 feet of the affected property, or within 200 feet of the front or to the rear of the property subject to rezoning, must have the approval of three-fourths of all members of the city council. [Art. 1011e, Vernon's Texas Civil Statutes; City Code, Chapter 51, Sec. 32-104]

8.2. City Council Rules Requirements.

(a) **Suspending Rules - Two-thirds Vote of Members Present.** A city council rule may be suspended by an affirmative vote of two-thirds of the members present. [Rules of Procedure, 10]

(b) **Special Meeting - Three Votes.** Special meetings may be called by the mayor, city manager or any three city council members. [Rules of Procedure, 2.2]

(c) **The Previous Question - Two-thirds Vote of Members Present.** An affirmative vote of two-thirds of the members present is required to approve the previous question. [Rules of Procedure, 7.7]

(d) **Limit or Extend Limits of Debate - Two-thirds Vote of Members Present.** Two-thirds vote of members present. [Rules of Procedure, 7.7]

(e) **Extension of Moratoriums - Three-fourths Vote of All Members.** A moratorium may be extended by an affirmative vote of three-fourths of all members of the city council. [Rules of Procedure, 7.12]

Section 9

CITY COUNCIL COMMITTEES

9.1. Committees Established.

(a) The following standing committees of the city council are established:

- (1) Economic development committee.
- (2) Budget, finance, and audit committee.
- (3) Quality of life and government services committee.
- (4) Trinity River Corridor project committee.
- (5) Public safety committee.
- (6) Transportation and environment committee.
- (7) Housing committee.

(b) Each standing committee shall review matters in its area of responsibility that are referred to it by the city council, the city manager, or an individual city council member. A standing committee may by majority vote recommend action to the city council, but committee recommendation is not necessary for a matter to be placed on the city council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the council.

9.2. Appointment.

(a) A standing committee shall consist of not less than three members of the city council appointed by the mayor. The mayor shall also appoint a chair and vice chair of each committee. Only city council members may serve on a standing committee.

(b) The mayor may remove and reassign members to and from the various standing committees.

9.3. **Committee Meetings.**

(a) Standing committees shall meet each month in accordance with the schedule adopted by the city council in its annual calendar, unless the chair cancels the meeting or establishes another meeting time. The chair may also schedule additional meetings, but such meetings may not exceed two each month unless called by the mayor or the council.

(b) The chair of a committee must place an item on the agenda of a committee meeting at the request of any three members of the committee. The request must allow for at least 72 hours public notice that the item will be considered at the committee meeting.

(c) A majority of the members of the committee constitutes a quorum. Committee meetings must be conducted in accordance with the Texas Open Meetings Act. Committees may also, as approved by the mayor or the council, conduct public hearings to receive public comments.

9.4. **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.

9.5. **Reserved.**

9.6. **Agenda and Information.** Before each committee meeting, the city manager shall provide an agenda and supporting information for each committee meeting to committee members and the public. Items may be scheduled on the agenda for committee briefing by the chair, the city council, the city manager, or the mayor.

Section 10

RULES SUSPENSION OR AMENDMENT

10.1. **Suspension of Rules.** Any provision of these rules not governed by the City Charter, City Code, or state law may be temporarily suspended by a two-thirds vote of the members of the city council present. The vote on any such suspension shall be taken by yeas and nays and entered upon the record.

10.2. **Amendment of Rules.** These rules may be amended, or new rules adopted, by a majority vote of the members of the city council present.