

**RESOLUTION NO. 478-03-10-14-7H**

**RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS  
ADOPTING RULES OF ORDER AND PROCEDURE FOR CITY COUNCIL MEETINGS**

**WHEREAS**, the City of Pflugerville Home Rule Charter Section 3.12 provides that the City Council shall determine its own rules and order of business by resolution; and

**WHEREAS**, the City Council finds it appropriate to adopt basic rules of order and procedure for their meetings; and

**WHEREAS**, the City Council finds the attached Exhibit A "City of Pflugerville Rules of Order and Procedure for City Council Meetings to be acceptable; **NOW THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS:**

That the City Council hereby adopts the City of Pflugerville Rules of Order and Procedure attached as Exhibit A; and

That the adopted City of Pflugerville Rules of Order and Procedure are hereby in effect until such time as amended, suspended, or new rules are adopted by subsequent resolution.

Approved this 14<sup>th</sup> day of October, 2003.

**CITY OF PFLUGERVILLE,  
TEXAS**

By:   
G. Scott Winton, Mayor

ATTEST:

  
Karen Thompson, City Secretary

## EXHIBIT A

### CITY OF PFLUGERVILLE RULES OF ORDER AND PROCEDURE FOR CITY COUNCIL MEETINGS

#### 1. CHARTER AUTHORITY

- a. The City of Pflugerville Home Rule Charter (Charter) Section 3.12 provides that the City Council (Council) shall determine its own rules and order of business by resolution. These rules shall be in effect upon adoption by resolution of the Council and until such time as amended, suspended, or new rules are adopted by subsequent resolution.

#### 2. CITY COUNCIL MEETINGS

- a. As required by Section 3.10 of the Charter, the Council shall meet at least once each month and may hold as many additional meetings as it deems necessary to transact the business of the city.
- b. Regular meetings of the Council will be held on the second and fourth Tuesdays of each month at City Hall, 100 East Main Street, Suite 500. Regular meetings will begin at 7:30 p.m. or as soon thereafter as practical. When the day for any regular meeting falls on a legal holiday, the regularly scheduled meeting for such day shall be deemed canceled unless otherwise specified by the Council. If Council deems appropriate, one or more regular meetings may be canceled by a majority of the Council.
- c. Special Council meetings may be called by the Mayor, or by petition of two Councilmembers, to address business that cannot be accommodated during regular meetings.
- d. In the case of emergency or urgent public necessity, which shall be expressed in the notice of the meeting, an emergency meeting may be called by the Mayor or by two Councilmembers, and it shall be sufficient if the notice is posted two hours before the meeting is convened. Diligent effort to notify all Councilmembers shall be made prior to the emergency meeting. (Texas Government Code, Section 551.045)
- e. The Council may occasionally elect to have meetings or worksessions at other locations within or outside the City limits.

#### 3. PRE-COUNCIL MEETING WORKSESSIONS

- a. Immediately prior to each regular Council meeting, beginning at 6:30 p.m., the Council will conduct a worksession in order to allow the Council to informally review items of interest that may be scheduled for formal presentation at future Council meetings, or are strictly informational in nature. The Council may not

take formal action on items presented at the worksession. If Council deems appropriate, the Council may elect not to conduct the pre-Council Meeting worksession.

#### 4. EXECUTIVE SESSIONS

- a. The Council may meet in Executive Session during any regular or special meeting, worksession, or anytime otherwise authorized by State law, to consider or hear any matter which is authorized by State law to be heard or considered in Executive Session.
- b. The Council may exclude from any such Executive Session any person or persons which it is authorized by State law to exclude from such sessions.
- c. The general subject matter for consideration shall be expressed in an open meeting before such session is held.
- d. Councilmembers may not reveal the nature of discussion from a closed session unless required by State law.
- e. If required by law, a Certified Agenda of each Executive Session shall be completed by the presiding officer and presented to the City Secretary in a sealed envelope.

#### 5. NOTICE

- a. Notice of each meeting will be given by posting the agenda for each meeting on the City's official bulletin board located at City Hall, 100 East Main Street, at least 72 hours prior to the meeting, pursuant to the requirements of the Texas Open Meetings Act. (Texas Government Code, Section 551)
- b. In the event of an emergency as defined under applicable law, the Mayor may add items to any agenda at any time not less than two hours prior to the meeting.

#### 6. QUORUM

- a. As specified by Charter Section 3.11, three Council members, excluding the Mayor (but not excluding the Mayor Pro Tem when acting as mayor) shall constitute a quorum for the purpose of transacting business. Except as otherwise provided by the Charter or State law, the affirmative vote of a majority of those members present and voting shall constitute valid action by the Council.

#### 7. PRESIDING OFFICER

- a. As specified by Charter Section 3.06, the Mayor presides at all meetings of the Council. In absence of the Mayor, the meeting will be presided over by the Mayor ProTem. In the absence of both the Mayor and Mayor ProTem, those Councilmembers present shall vote to elect a presiding officer for the meeting.

## 8. ORDER OF BUSINESS AND AGENDA

- a. As specified by Charter Section 3.06, the Mayor shall, with the advice of the City Manager and assistance from the City Secretary and other City staff members, as appropriate, prepare agendas for Council meetings. Any Councilmember may place an item on the agenda for a subsequent regular Council meeting with the consent of a second Councilmember. The agenda for each regular Council meeting shall be set by 5:00 p.m. on the Wednesday prior to the meeting so that agendas and materials pertinent to the meeting may be provided in a timely manner. Only emergency items may be added to the agenda after this time.
- b. The meeting will follow the order of business as set out in the agenda. However, the Mayor may take an item out of order if there is no objection from the Council, when reason suggests it will be of benefit to the meeting. If an objection is made, the Mayor will call for a vote to reorder business. A majority vote is required to reorder the business against objection.
- c. Each regular meeting agenda shall contain an item for Public Comment. During this item, any person who petitions to do so may address the Council for up to three minutes on items that are not on the agenda. No formal action, discussion, deliberation, nor comment will be made by Council during this time except to have the matter addressed on a future agenda.
- d. The agenda may contain a set of Consent Agenda items which will be acted upon by the Council in a single motion and vote, without debate. If any Councilmember objects to the inclusion of a consent item, it will be removed from the Consent Agenda and added to the regular agenda items. If a Councilmember questions a Consent item, but not so strongly as to require that it be removed from the list, his or her "no" vote or abstention can be entered in the minutes when the consent vote is taken.
- e. Each regular meeting agenda shall contain an item to allow for Mayor, Council, and City Manager Comments. This item is included to provide the opportunity to notify others of community events, functions, and other activities. This item also provides the opportunity to briefly comment of Council business, City operations, and projects.
- f. Each regular meeting agenda shall contain an item for future agenda items to allow for the discussion and planning for future meetings and agenda items.

## 9. ATTENDANCE BY THE PUBLIC

- a. All meetings of the Council shall be open and public in accordance with the terms and provisions of the Texas Open Meetings Act except the Executive Session or closed meetings allowed by State law.
- b. Citizens and other visitors attending Council meetings shall observe the same rules of propriety, decorum, and good conduct applicable to the members of the Council.

10. OPENING THE MEETING

- a. The Mayor will open each meeting at the time given on the meeting's agenda or as soon thereafter as practical.

11. OBTAINING THE FLOOR

- a. No audience members have the privilege to speak out at a Council meeting unless they have the floor. To obtain the floor it is necessary to be recognized by the Mayor. The Mayor will acknowledge one person at a time by calling their name or title. Any person so recognized has the floor until they relinquish it to the Mayor.
- b. The Mayor will be fair in acknowledging persons who wish to address the current item by permitting each Councilmember wishing to do so an opportunity to speak and allowing audience participation at appropriate times. The Mayor will limit speakers' remarks to the question under consideration and, as necessary, call down persons who are out of order.
- c. All audience members who have the floor should always direct their remarks to the Mayor and City Council, even when responding to the statements of another speaker.

12. DISCUSSION AND DEBATE

- a. The Mayor will open debate on each agenda item by reading the item and then acknowledging a Councilmember who wishes to speak. Informal discussion of an agenda item may take place prior to any motion on the item.
- b. In debate, all speakers will confine their remarks to the immediate question before the Council. Arraigning the motives of any speaker will not be allowed. However, the nature or consequences of a measure may be condemned in strong terms. It is not the person, but the measure, that is to be the subject of debate.
- c. Any audience member speaking without first being acknowledged by the Mayor is out of order. Any audience member who persists in disrupting the meeting by speaking out of order after being called down and warned by the Mayor, may be charged with disorderly conduct and removed from the meeting. During the meeting, no audience member shall disrupt the proceedings by physical action or verbal utterance.
- d. The Mayor and any Councilmember may close debate on an item by ordering the previous question (move the question). This is not debatable, and requires a majority vote to pass. If the vote to order the previous question is approved, debate and discussion will cease, and the Mayor will call for a vote on the previous question. After announcing the vote, the Mayor will move on to the next agenda item.

13. MOTIONS

- a. A main motion is used to initiate action on an item of business. A main motion requires a second, is debatable, and may be tabled or withdrawn before a final vote is taken.
- b. A Councilmember who wishes to make a motion or to second a motion should do so through a verbal request to the Mayor.
- c. Any Councilmember making a main motion may, prior to receiving a second, withdraw or change it. After a second, withdrawal or amendment requires the approval of the person who seconded the motion.
- d. Once a motion has been properly made and seconded, the Mayor shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Councilmember properly recognized by the Mayor.
- e. A new main motion may not be brought before the Council while the previous main motion is being debated. Each main motion must be disposed of before another is made.
- f. Secondary motions may be made during discussion of a main motion, require a second and a majority vote. Examples of secondary motions are: To table the main motion; To move the question; A point of order; To table the item for a definite or indefinite period; to refer the item to a committee; To amend the main motion; To recess; and to adjourn the meeting.
- g. The Mayor may not disregard any motion orderly made. All orderly motions will be entertained.
- h. Once the matter has been fully discussed and the Mayor calls for a vote, no further discussion will be allowed, provided, however, Councilmembers may be allowed to explain their vote.

#### 14. VOTING

- a. As specified in Section 3.13 of the Charter, voting on all motions regarding official actions of the Council shall be by roll call, and each member's vote shall be recorded in the minutes. No ballots or other secret methods of voting will be used.
- b. As specified in Section 3.13 of the Charter, except as prohibited by conflict of interest laws or the Charter, all members of the Council shall vote "yes" or "no" on every action, resolution, or ordinance requiring a vote. When a Councilmember abstains or excuses himself/herself from a portion of a Council meeting or vote on an item because of a legal conflict of interest, the Councilmember must briefly state, on the record, the nature of the conflict. State law requires the inclusion of this information in the public record.
- c. As provided in Section 3.06 of the Charter, the mayor shall not vote on any motion considered by the Council, except as required in order to break a tie.

15. ADJOURNING MEETINGS

- a. The motion to adjourn a meeting may be a main motion or a secondary motion. It requires a second, is not debatable, requires a majority vote to pass, and cannot be reconsidered. If the motion to adjourn passes, the Mayor will declare the meeting adjourned, and no further action or discussion of business will occur.



Agendizer

**Item Number: 7H**

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**Resolution adopting Rules of Order and Procedure for City Council Meetings.**

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**Summary:** The City Council reviewed a draft Rules of Order and Procedure document at their meeting on August 26, 2003. Changes have been made as suggested by the Mayor and City Council at that meeting and the document has been reviewed and revised by the City Attorney.

**Recommendation:** Amend the document as appropriate and/or approve the resolution.

**Action Required by:** There is no deadline for action.

**Prepared by:** Karen Thompson, City Secretary

**Fiscal Impact:** N/A

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**Attached Files: (Click to display file.)**

Resolution (htm)

Exhibit A (htm)

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>> Return to the agenda. <<