

**CITY OF HIGHLAND HAVEN**

**Resolution #221 (Revision 2)**

**July 15, 2014**

**A RESOLUTION ADOPTING RULES OF PROCEDURE, CONDUCT AND DECORUM FOR THE BOARD OF ALDERMEN OF THE CITY OF HIGHLAND HAVEN, TEXAS**

Whereas, the Board of Aldermen (the “Board”) desires order in the conduct of its meetings to allow the effective discussion and transaction of the business of the City; and

Whereas, the Board desires to ensure that members of the public who attend Board of Aldermen meetings can be heard in a fair, impartial and respectful manner; and

Whereas, the Board desires to ensure that its meetings are conducted in a way that is open to all viewpoints, yet free from abusive, distracting or intimidating behavior; and

Whereas, the Board wants to ensure that all discussions comply with the words and spirit of the Texas Open Meetings Act; and

Whereas, certain opinions issued by the Attorney General of Texas have advised that comments and discussion pertaining to issues not posted on an agenda should not be discussed during public meetings; and

Whereas, the Board desires to ensure that the rules governing decorum at its meetings are understood by persons attending the meetings;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF HIGHLAND HAVEN, TEXAS, THAT THE FOLLOWING RULES OF PROCEDURE, CONDUCT AND DECORUM ARE HEREBY ADOPTED:**

**Section 1. Types of Meetings and Schedules.**

- 1.01 Regular Meetings. The Board shall meet on the third Tuesday of each month at 7:00 p.m. to conduct regular business.
- 1.02 Special Meetings. The Mayor or upon the request of two Board Members, the Board may meet at any other time for special or workshop meetings as may be necessary.
- 1.03 Public Hearings. The Board may, from time to time, conduct Public Hearings during any other posted meeting. These hearings are called in order to solicit public input on specific matters posted as may be required by law or by desire of the Board.
- 1.04 Emergency Meetings. An emergency meeting of the Board may be convened in accordance with the Texas Open Meetings Act in certain emergency situations.

1.05 Working Meetings. Working meetings are held the first Tuesday of each month at 7:00 PM. Issues are discussed at these working meetings but no action is to be taken by the Board.

1.06 The Board may cancel meetings for the month of December. Meeting times may be changed on a one-time basis if necessary to accommodate special circumstances.

## **Section 2. Rules for Speakers.**

2.01 Recognition. Members of the public may address the Board at the following times during a meeting:

- a. Upon recognition by the Presiding Officer, during the Public Comment Period, if such a period is on the agenda for the meeting.
- b. Upon recognition by the Presiding Officer, during a Public Hearing on an agenda item.
- c. At the appropriate time for each agenda item at the discretion of the Presiding Officer.
- d. At other times with the permission of the Presiding Officer.

2.02 Comments and Questions. Speakers must address all comments and questions to the Presiding Officer. If a response is given, any response shall be from the Presiding Officer, or from persons recognized by the Presiding Officer to provide the response. Any Board Member may further respond upon their request.

2.03 Items Not Posted. Inquiries from speakers about matters not listed on the agenda will either be directed to the staff or may be placed on a future agenda for Board consideration.

## **Section 3. Rules for News Media.**

The use of media equipment, such as lights, cameras and/or microphones should be coordinated with the City Secretary prior to the meeting to ensure that this equipment does not disturb or otherwise conflict with or disrupt the meeting or the Board's activities.

## **Section 4. Rules for Public Hearings.**

These rules of procedure, conduct and decorum shall also apply to such Public Hearings, however, the Board may adopt such additional and supplemental rules for such meetings as may be necessary and appropriate to conduct such meetings in an orderly, efficient and proper manner.

## **Section 5. Rules of Procedure.**

5.01 Governing Rules. Except as to the extent of any conflict in these rules of procedure, conduct and decorum or state law, Roberts Rules of Order shall be followed.

5.02 Presiding Officer. The Mayor, or in the absence of the Mayor, the Mayor Pro-Tem, shall be the Presiding Officer at all meetings. If both the Mayor and Mayor Pro-Tem are absent, an acting Mayor Pro-Tem may be elected by the Board members present for the purpose of presiding at that meeting. The Presiding Officer shall preserve order and decorum and confine Board Members' debate to the question under discussion.

- 5.03 Time Limitations. Discussion on any Agenda item may be limited by the Presiding Officer to thirty (30) minutes, though the Presiding Officer, or the Board, by majority vote, may extend or shorten this limitation. Speakers, other than Board Members, staff, or invited speakers, must limit their comments to six minutes on each agenda item, and may not designate their time to be used by other presenters. The Presiding Officer, or a majority of the Board, may extend or further limit this time period in exceptional circumstances. The Board may overrule the Presiding Officer's determination of extension or further limitation by majority vote.
- 5.04 Decorum. No person shall engage in any of the following in the meeting room during a Board meeting:
- a. Shouting, unruly behavior, distracting side conversations, or speaking out when another person is talking.
  - b. Defamation, intimidation, personal affronts, impugning the motives of any person, profanity, or threats of violence.
  - c. Audible use of phones, pagers, radios, computers or other electronic equipment.
  - d. Any other disruptive behavior that impedes or disrupts the orderly conduct of the meeting
- 5.05 Calling to Order and Quorum. The Presiding Officer shall call the meeting to order no earlier than the time designated for a scheduled meeting. Except to adjourn, a quorum is necessary to conduct business at any meeting of the Board. Quorum is four (4) Board Members, or three (3) Board Members and the Mayor.
- 5.06 Right of Board Member to be Heard. Board Members desiring to speak shall gain the attention of the Presiding Officer and, upon recognition by the Presiding Officer, shall confine their remarks to the question under debate. The Presiding Officer shall not refuse to recognize another Board Member who desires to speak on a question under debate or to make a motion; however, such recognition does not diminish the Presiding Officer's authority under Robert's Rules of Order and these rules of conduct, decorum and procedure. The Presiding Officer shall be authorized to ask any member to cease or to limit discussion, or to call the question when it appears further discussion will not be meaningful.
- 5.07 Consideration of Agenda Items. The order of procedure for the consideration of an agenda item is as follows:
- a. If any Board Member desires to be recused from discussion of the agenda item, the Board Member shall announce the recusal upon announcement of the agenda item and shall not participate in discussion of that agenda item.
  - b. The agenda item is discussed by the board.
  - c. Members of the public may make comments.
  - d. A Board Member may make a motion.
  - e. Another Board member may second the motion.
  - f. Once the motion has been properly made and seconded, the Presiding Officer opens the matter for discussion among Board Members.
  - g. During deliberation, Board Members may ask anyone present a question for clarification.

- h. Once the matter has been fully discussed, the Presiding Officer calls for a vote if a motion is on the table, no further discussion will be allowed, provided, however, Board Members may be allowed to explain their vote.

## **Section 6. Enforcement of Rules.**

6.01 The Rules of Procedure, Conduct and Decorum will be enforced in the following manner:

The Presiding Officer will request that a person who is violating a rule cease the violation.

- a. If the violation continues, the Presiding Officer will warn the person that he or she will be required to leave the meeting room if the violation continues.
- b. If the violation continues, the Presiding Officer will order the person to leave the meeting room.
- c. If the person does not leave the meeting room, the Presiding Officer may order any peace officer to remove the person from the meeting room.

6.02 It is unlawful for any person to intentionally or knowingly resist removal from a meeting room by a peace officer in the course of enforcing the rules.

6.03 In addition to the procedures set forth in Paragraph 6.01, any person violating any provision of the Rules of Procedure and Decorum is subject to:

- a. cancellation of a speaker's remaining time;
- b. removal from the Board room;
- c. contempt citation; and/or
- d. such other civil and/or criminal sanctions as may be authorized under the Constitution, Statutes and Codes of the State of Texas.

## **Section 7. Agenda Preparation.**

7.01 Board Meeting Agendas: The following persons are authorized to request that a matter (or item) be placed on an agenda of an upcoming Board meeting:

- a. The Mayor
- b. A Board Member

7.02 Public Requests. A citizen of the community desiring to have an item placed on the agenda may ask the Mayor or a Board Member for such consideration and the Mayor or Board Member may, at that person's discretion, elect to have such an item placed on the agenda.

7.03 All agenda items and all supporting documentation shall be submitted to the City Secretary or Mayor at least seven days prior to the scheduled meeting.

**EFFECTIVE DATE AND EXPIRATION.** This RESOLUTION shall be in full force and effect from and after its date of approval.

**PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE CITY OF  
HIGHLAND HAVEN, TEXAS ON THIS THE 15th DAY OF JULY 2014.**

APPROVED:

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Irene Dauphin, Mayor

ATTEST:

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Dana Turner, City Secretary