

I SO MOVE

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**Legislative Procedure  
for the  
Governing Body**

# OBJECTIVE

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- **To become skilled:**
  - on legislative procedures for the efficient processing of government business;
  - on working as a team for the betterment of your community;
  - at participating in, and conducting, effective and productive meetings.

# Effective Meetings Need Effective Rules

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- So that the will of a majority of its members may be determined in an orderly manner.
- To promote the orderly and businesslike consideration of the questions which come before it.

# Roberts Rules of Order is Not the Only Way

- **Rules of Procedure should be adopted to meet the needs of the organization AND the community.**
- **Rules of Procedure that are adopted by the Governing Body are within the control of the Governing Body and may be amended by majority vote.**

# Roberts Rules of Order is Not the Only Way

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- The purpose of rules is to aid the governing body in performing its duties more efficiently and with fairness to its members and to those appearing before the body.
- Whenever a rule fails to serve this purpose, the rules may be suspended.

**Mason's Manual of Legislative Procedure**

# EFFECTIVE MEETINGS

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**WHAT IS A MEETING?  
TYPES OF MEETINGS  
THE AGENDA  
ORDER OF BUSINESS**

# WHAT IS A MEETING?

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- Any deliberation between a quorum of the members of the City Council. Four council members shall constitute a quorum. (2.8)
- City Council = the 3 at-large and 4 district representatives (2.4)

# Types of Meetings

- **Regular: 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of the month**
- **Special:**
  - Called by Mayor or majority of Council;
  - Call filed with City Secretary in written form, unless announced during regular meeting at which all members are present;
  - Call shall specify day and hour of meeting, and identify subject(s) to be considered.

# Types of Meetings

- **Workshops:**
  - Called by Mayor or majority of Council
  - Solely for the purpose of briefing & discussing
  - Citizens may sign up to address Council

**(3.1, 3.2, 3.3)**

# The Agenda

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- A successful meeting requires thoughtful preparation.
- The final planning document, **the agenda**, is an important factor in the success or failure of the meeting.

# The Agenda

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- **City Manager prepares the Agenda (5.1)**
- **Councilmembers should submit items by 2pm of the Wed. preceding the meeting, to facilitate timely & efficient delivery of agenda and supporting materials (5.1)**
- **City Manager shall deliver agenda to Council at least 72 hours before meeting (5.1)**

# The Agenda

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- Before a Councilmember may place an **action** item on an agenda, it must first be placed as a **discussion** item. If a majority wishes to further consider it, it may be placed on a future agenda for action. (5.1)
- If a Councilmember wants Council to discuss or consider a previously decided item, he or she may request it be placed on an agenda. At the workshop discussion, Council will decide whether to discuss or reconsider. (5.1)

# Order of Business

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- **Meeting begins with:**
  - Call to Order
  - Invocation
  - Pledge
  - Approval of the Agenda
  - Presentations

# Order of Business: Citizen Petitions and Information

- **Must be citizen of Killeen;**
- **Not in, or threatening, civil or criminal litigation with City or any of its officers or officials; Litigation not “reasonably anticipated.”**
- **May speak on one topic related to city business;**
- **Must address the entire council, not individual members;**
- **Three minute limit unless Mayor or councilmember allows a 1 minute extension;**
- **Majority vote required to extend time further;**
- **Sign up by 2pm on Wed. preceding Council meeting.**

(5.2.11)

# Order of Business: Minutes

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- **Council approves, amends or disapproves minutes from previous meetings.**

# Order of Business: Resolutions

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- Internal legislative act which is a formal statement of policy concerning matters of special or temporary character
  - Used where formal expression of policy or position is desired
  - Open to amendment

# Ordinances

17

- Highest ranking action of governing body, and is more formal and authoritative than a resolution.
- It is a local law that usually regulates persons or property, and is usually intended to be more permanent in nature.
- May only be amended by same procedure used to adopt

# Public Hearings

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- **Items upon which the public has the right to give input.**
- **May include accompanying Ordinance or Resolution**

# Effective Public Input in Meetings

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- **Do not allow public to enter into debate.**
- **Do not allow public to insult or intimidate elected officials, employees or other members of the public.**
- **Public input is to be respected, however, your constituents elected YOU to make decisions.**

# MAINTAINING DECORUM IN DEBATE

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**MAINTAINING CONTROL  
RULES OF DECORUM  
LIMITS ON DEBATE  
ENFORCEMENT OF DECORUM**



# How to Keep a Meeting Under Control

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- All questions and statements should be directed through the Mayor.
- **The Mayor must recognize the member prior to speaking.**
- One member should not interrogate another member or speaker except through the chair.

# How to Keep a Meeting Under Control

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- No Councilmember or member of the public should be permitted to attack a speaker's motives.
- Refrain from speaking adversely on a prior action not currently pending before the Council.
- Remember: The measure, not the member, is the subject of debate!

# How to Keep a Meeting Under Control

- ***Preservation of Order:*** Mayor shall preserve order and decorum, prevent personalities from becoming involved in debate or the impugning of members' motives, and confine members in debate to question under discussion. (4.3)
- ***Points of Order:*** Mayor determines all points of order, subject to right of any member to appeal to Council. Appeal must occur before debate or other business occurs. If appeal is taken, question shall be: "Shall the decision of the Presiding Officer be sustained?" A majority vote of Council is necessary to overrule Mayor's decision. (4.4)
  - May only appeal a ruling, not a response to an inquiry or opinion.
  - Members have no right to criticize the Mayor's ruling unless they appeal from his decision.

# How to Keep a Meeting Under Control

- ***Questions to be Stated:*** Mayor shall state all questions submitted for vote and announce the result. A roll call vote shall be taken upon request of any member. (4.5)
- ***Substitution of P.O.:*** Mayor may designate another Councilmember, in the absence or disqualification of Mayor Pro-Tem, to take his place in the chair, such substitution not to continue beyond adjournment. (4.6)

# Rules of Decorum

- ***Recognition by P.O.:*** Individuals may be recognized to address Council on agenda items, at discretion of Council, if person completes and submits Speaker Registration Form. Presentations requiring use of A-V equipment not accepted.  
(7.1)
  
- ***Order:*** Members must preserve order and decorum. Shall not:
  - Delay or interrupt proceedings or peace of the Council.
  - Disturb any member while speaking or refuse to obey the Mayor's orders.
  - Leave their seats during meeting without first obtaining Mayor's permission.
  - (7.2)

# Rules of Decorum

- *Getting the Floor, Improper References to be Avoided:* Member desiring to speak shall address Mayor, and upon recognition, shall confine themselves to the questions under debate, avoiding all personalities and indecorous language. (7.4)
- *Interruptions:* A member, once recognized, shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking, be called to order, he shall stop speaking until question is determined. (7.5)
- *Point of Order:* Member may interrupt debate for immediate consideration of motions and questions relating to rights and privileges of the Council. PO will decide, or may refer to Parliamentarian for a ruling. Appealable (8.8)

# Rules of Decorum

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- **Members should avoid speaking adversely on matters previously decided.**
- **Members should not speak against their own motion.**
- **NO ONE should be permitted to distract the assembly.**

# Limits on Debate

- ***Right to Floor:*** No member may speak more than once on any one subject until every member wishing to speak shall have spoken, and shall confine remarks to the subject under consideration. (2.13)
  - A member who has spoken twice on an issue has exhausted his right to debate that issue.
  - No member may speak longer than 10 minutes, absent consent of the body.
- ***Mayor may engage in debate.*** At the insistence of a majority of the Council, Mayor must relinquish the chair. (2.13, 7.3)

# Enforcement of Decorum

- *Warning:* Mayor may order any person to be quiet. If person persists in disturbing the meeting, Mayor may order person to leave meeting. If refuses, Mayor may order Sgt.-at-Arms to remove the person. (9.1)
- *Removal:* Sgt.-at-Arms shall carry out all orders/instructions of Mayor for purpose of maintaining order. (9.2)
- *Resisting Removal:* Any person resisting removal shall be charged with violating Penal Code sec. 42.05—Disrupting Lawful meeting. (9.3)

# Enforcement of Decorum

- *Motions to Enforce:* Any councilmember may move to require Mayor to enforce these rules and the affirmative majority vote shall require the Mayor to do so. (9.4)
- *Adjournment:* If meeting is willfully disturbed and orderly conduct of meeting is unfeasible and order cannot be restored by removing individuals creating the disturbance, the meeting may be recessed or adjourned. If adjourned, the remaining business shall be considered at the next regular meeting. (9.5)

# MOTIONS

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**TYPES OF MOTIONS**  
**MECHANICS OF MAKING A MOTION**  
**DEALING WITH MOTIONS**

# Main Motions

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- **The MOTION is the basis of parliamentary procedure.**
- **The MOTION provides a method of bringing business (a question) before the body for consideration and action.**

# Main Motions

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- Made by stating “I move to . . .”
- 2<sup>nd</sup> must be made within a reasonable but brief time period.
- Member calling for “point of order” mandates immediate second. Without a second, motion dies.
- No main motion can be made when another motion is pending. (8.1)

# Subsidiary Motions

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- Those that assist members in treating, or disposing of, a main motion.
  - Postpone indefinitely (2<sup>nd</sup>/D/NA/M/R)
  - Refer to Committee (2<sup>nd</sup>/D/A/M/R)
  - Postpone to a certain time (2<sup>nd</sup>/D/A/M/R)
  - Limit debate: Limited to merits of immediately pending motion. Discussion & debate may precede making of motion (8.5) (2<sup>nd</sup>/ND/A/T-T/R)
  - Table (2<sup>nd</sup>/D/NA/M/NR)
  - Amend (2<sup>nd</sup>/D/A/M/R)
    - ✦ **R.O.P.: Can amend amendment one time only.**
  - Call for Motion/Question: Stops Debate (N2<sup>nd</sup>/ND/NA/M)

# Privileged Motions

35

- Deal with rights and privileges of members and do not directly affect a main motion or relate directly to pending business.
  - Adjourn (2<sup>nd</sup>/ND/NA/**no vote**/NR)
  - Fix a time in which to adjourn (2<sup>nd</sup>/ND/A/M/R)
  - Recess (2<sup>nd</sup>/ND/A/M/NR)
  - Raise a question of Privilege (N2<sup>nd</sup>/ND/NA/NR)

# Incidental Motions

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- A method of transacting business rather than conducting the business itself.

- Suspend the Rules (2<sup>nd</sup>/ND/NA/T-T/NR)
- Division of a question (2<sup>nd</sup>/ND/A/M/NR)
- Point of order (N2<sup>nd</sup>/ND/NA/Ch/NR)

**8.8: Can interrupt debate; Mayor decides or refers to parliamentarian; subject to appeal**

# Restorative

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- **Reconsider:**
  - Councilmember's motion must make a showing that reconsideration is in the public's best interest.
  - Majority vote required, and deemed to be a finding that reconsideration is in public's best interest.
  - Motion must be made by councilmember on prevailing side, but may be seconded by any.
  - Motion must occur during same meeting as original action. (2<sup>nd</sup>/D if applied to debatable motion/NA/M/NR) (8.7)
- **Take from the Table (2<sup>nd</sup>/ND/NA/M/NR)**

# ALL MOTIONS

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- **Become the officially recorded statement by the Body. Therefore, must be worded in a concise, unambiguous, and complete form.**

# ALL MOTIONS

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**Only one MOTION [question] can be considered at a time; once a motion is before the Body, it must be adopted, rejected or disposed of in some other way.**

# WITHDRAWAL OF MOTION

40

- May be withdrawn or modified by mover w/o permission until stated by Mayor. Secunder may withdraw second.
- After motion stated, mover cannot withdraw or modify motion w/o majority consent.

(8.2)

# STATING THE MOTION

41

- Mayor must state motion after made, seconded and discussed, unless obliged to rule motion is out of order or wording is not clear.

(8.3)

# CALLING FOR THE MOTION

42

- Mayor may call for the motion without a vote if debate appears to have closed and if no member objects.
- Any member may “call for the motion” to take the vote on the immediately pending motion.
- Mayor shall take vote to close debate.

(8.6)

# MISCELLANEOUS

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**ABSTENTIONS  
BOARDS AND COMMISSIONS  
AMENDING PROTOCOL**

# Abstain

- Roberts states that “although it is the duty of every member who has an opinion on a question to express it by this vote, he can abstain, since he cannot be compelled to vote.”
- An abstention is counted as neither a “yes” vote nor a “no” vote.
- Elected officials have a responsibility to take a stand and vote on all matters on behalf of the people who elected them. A local rule that requires elected officials to vote on all matters, unless there is a conflict of interest, is permissible.

# Committees, Boards & Councils

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- **Committees**
  - Ad Hoc, Regular Council Committees: Mayor appoints, with Council consent by consensus.
- **Ad hoc committees shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by majority vote of Council**

**(10.1-3)**

# Committees, Boards & Councils

- **Citizen Boards, Councils & Committees:**
  - Council may create to assist in the operation of City government;
  - Membership & selection provided by Council, unless specified by Charter or Law;
  - Shall cease to exist upon accomplishment of purpose, or when abolished by Council;
  - Advisory in nature, except as specified by Charter or Law.
- **Types of Committee Membership:**
  - Regular, Ex Officio, Honorary

(10.2)

# Committees, Boards & Councils

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- **City Spokespersons/Endorsements:**
  - No member of Council, Mayor, City Manager or Board member shall speak on behalf of, or offer any endorsement or support of, the City unless authorized to do so by the Council.

**(10.4)**

# PROCEDURE FOR AMENDING RULES OF PROTOCOL

48

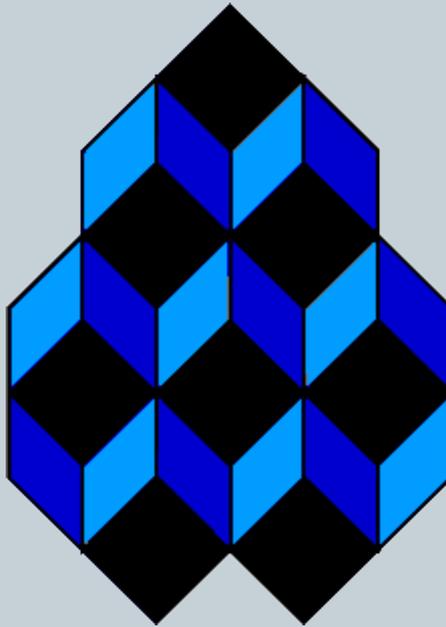
- **These rules may be amended, or new rules adopted by a majority vote of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.**

**(2.1)**

# How do you see things?

49

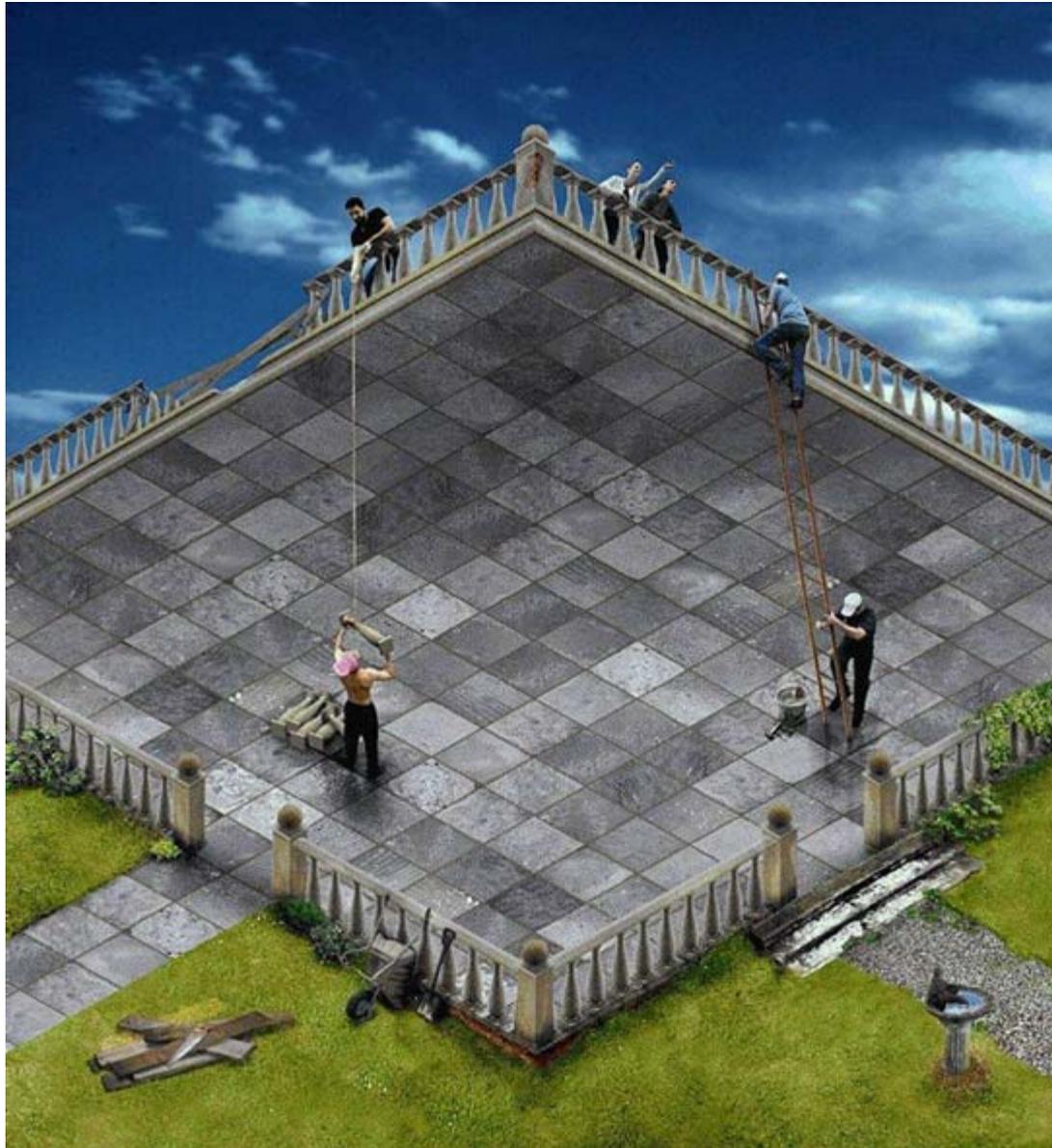
- How many full cubes are there?



# Who Do You See?

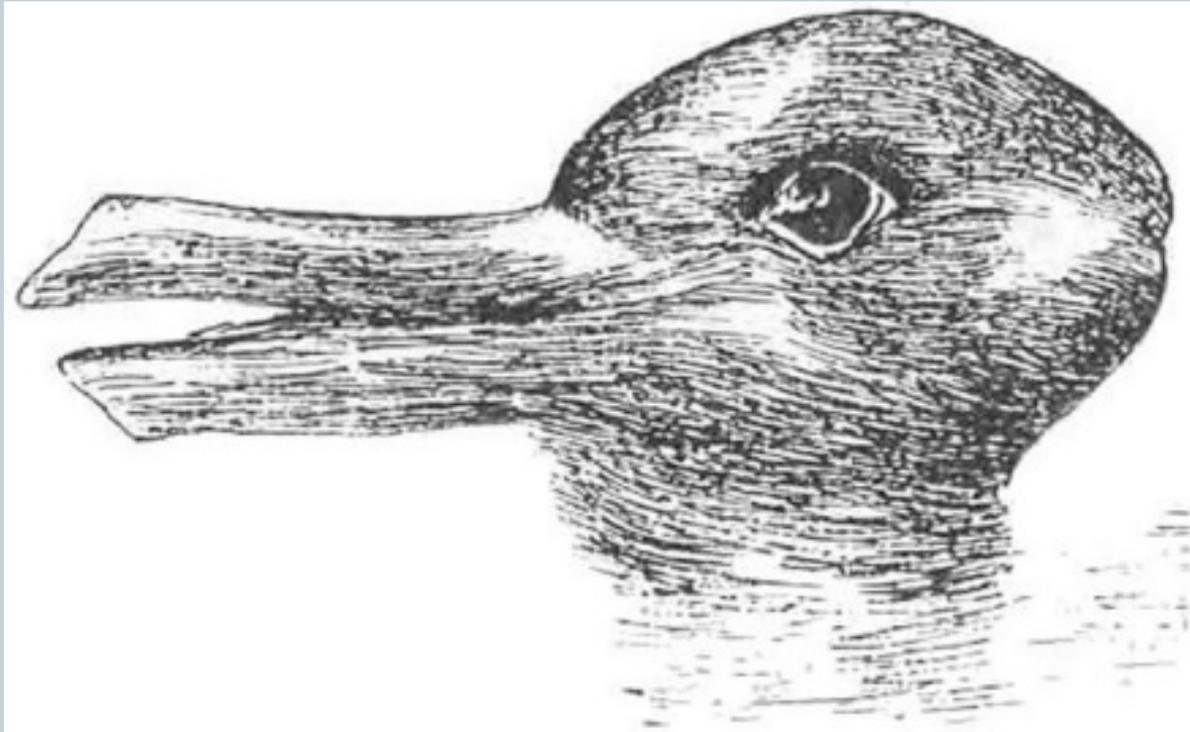
50





# What do you see?

52



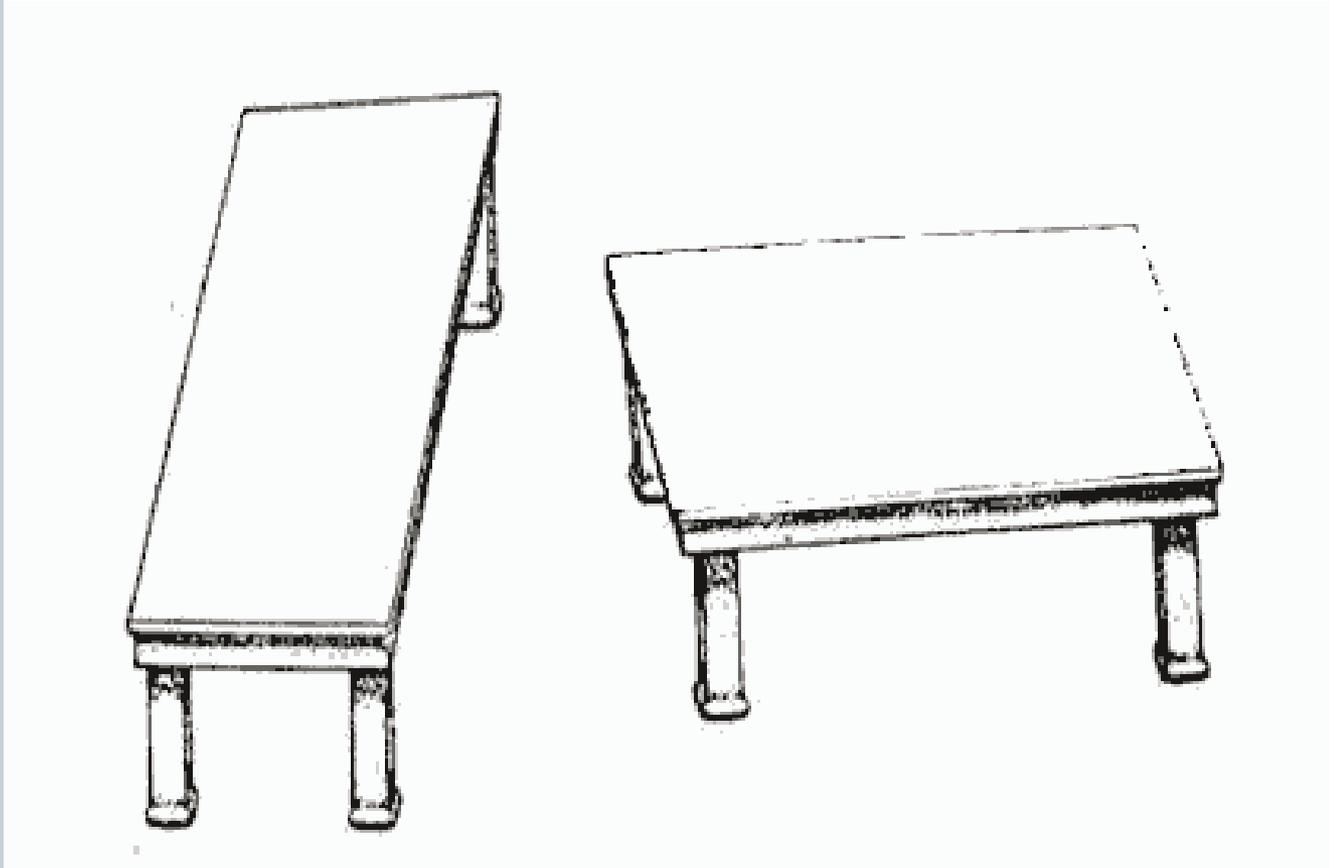
# What do you see?

53



# Which is larger?

54



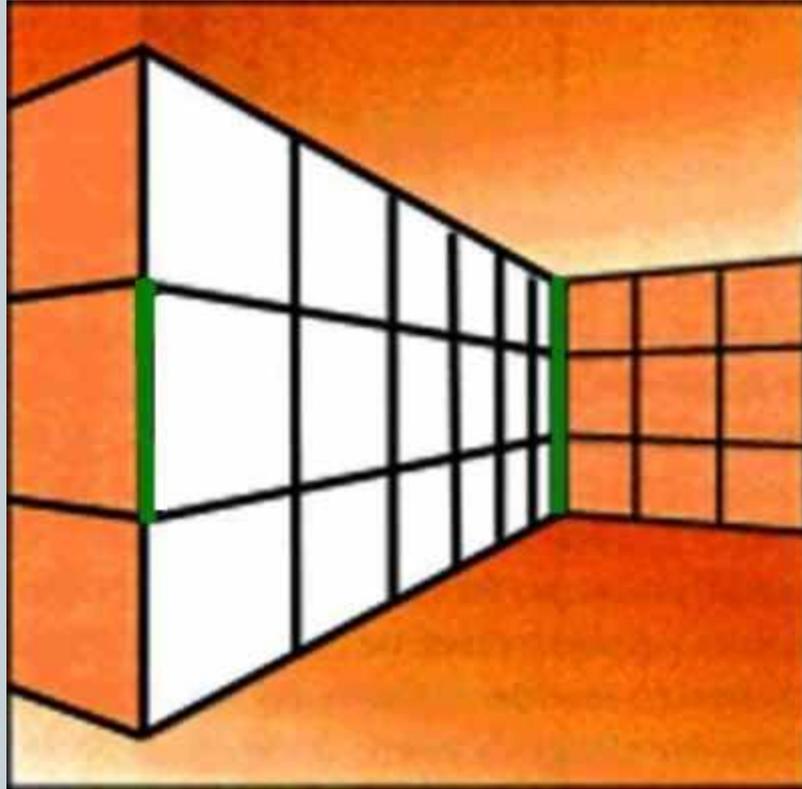
# “The Dress”

55



# Which green line is longer?

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\*the human brain interprets the image with perspective