

**DALLAS COUNTY
WATER CONTROL & IMPROVEMENT
DISTRICT # 6**

BOARD OF DIRECTOR'S

RULES OF PROCEDURE

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TABLE OF CONTENTS

1.

AUTHORITY

A.	<u>Power</u>	-1-
B.	<u>Effective date</u>	-1-

II.

GENERAL PROCEDURE

A.	<u>Meeting to be public</u>	-2-
B.	<u>Quorum</u>	-2-
C.	<u>Attendance</u>	-2-
D.	<u>Vacancies</u>	-2-
E.	<u>Minutes of Meetings</u>	-2-
F.	<u>Questions submitted to the Board of Directors</u>	-2-
G.	<u>Right to Speak</u>	-2-
H.	<u>Rules of Order</u>	-2-
I.	<u>Suspension of Rules</u>	-2-
J.	<u>Amendment of Rules</u>	-2-
K.	<u>Attendance of the General Manager</u>	-2-
L.	<u>Attendance of Employees</u>	-3-

III.

TYPES OF MEETINGS

A.	<u>Regular Meetings</u>	-4-
B.	<u>Special Meetings</u>	-4-
C.	<u>Executive Session</u>	-4-
D.	<u>Joint Sessions</u>	-4-
E.	<u>Recessed Meetings</u>	-4-

IV.

PRESIDING OFFICER OF THE BOARD OF DIRECTORS AND DUTIES

A.	<u>Presiding Officer</u>	-4-
B.	<u>Preservation of Order</u>	-4-
C.	<u>Points of Order</u>	-4-
D.	<u>Questions Stated</u>	-4-
E.	<u>Vote of the Presiding Officer</u>	-4-

V.

ORDER OF BUSINESS

A.	<u>Agenda</u>	-6-
B.	<u>Procedure for Submitting Requests for Item(s) to be on Board Meeting Agenda(s)</u>	-6-
C.	<u>Procedure for Hearing Requested Items for Board consideration</u>	-6-
D.	<u>Public Comments</u>	-7-

VI.

MOTIONS AND VOTING PROCEDURE

A.	<u>Introducing a Motion</u>	-8-
B.	<u>Debating a Motion</u>	-8-
C.	<u>Altering a Motion</u>	-8-
D.	<u>Withdrawal of Motions</u>	-8-
E.	<u>Voting</u>	-8-
F.	<u>Tie Vote</u>	-9-
G.	<u>Abstention from Voting</u>	-9-
H.	<u>Tabling an Agenda Item</u>	-9-

VII.

VOTING - STATE STATUTORY REQUIREMENTS

A.	<u>Levying Taxes</u>	-7-
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VIII.

CONSIDERATION OF ORDERS, RESOLUTIONS AND CONTRACTS

A.	<u>Forms of Presentation</u>	-11-
B.	<u>Vote Required</u>	-11-
C.	<u>Emergency Measure</u>	-11-

IX.

CREATIONS OF BOARDS, COMMITTEES AND COMMISSIONS

A.	<u>Committees</u>	-12-
B.	<u>Intra-Board Committees</u>	-12-
C.	<u>Boards and Commissions</u>	-12-
D.	<u>Appointments of Consultants</u>	-12-

X.

ELECTION OF OFFICERS

A.	<u>Board Vacancy</u>	-13-
B.	<u>After Election</u>	-13-
C.	<u>Election Process</u>	-13-
1.	<u>Nominations</u>	-13-
2.	<u>Voting</u>	-13-
3.	<u>This election process</u>	-13-

I.
AUTHORITY

- A. **Power:** the of Directors shall determine its own rules of procedure (Texas Water Code Sec. 54.108).

- B. **Effective date:** the following set of rules shall be in effect at the time of their adoption by the Board of Directors and shall be subject to amendment or suspension by the Board of Directors in the manner set forth in these rules.

II.
GENERAL PROCEDURE

- A. **Meeting to be public:** all meetings of the Board of Directors shall be public in accordance with State laws governing open meetings
- B. **Quorum:** a majority of the Board of Directors shall constitute a quorum. Three (3) members shall be considered a majority.
- C. **Attendance:** the Board of Directors may compel the attendance of its members.
- D. **Vacancies:** in the event of a vacancy existing in the office of President, Vice President, Secretary, Treasurer, or Director for any cause whatsoever, the remaining members of the Board of Directors shall, in accordance with Article X of these rules and procedures and by a plurality vote thereof at a regular meeting, elect a member or members to fill the vacancy or vacancies thus existing and such member or members so elected by the Board of Directors shall serve in such position for the remainder of the unexpired term thereof.

In the event a member of the Board vacates a position on the Board, that position shall be filled with a qualified person according to Article X of these rules and procedures and in compliance with the Texas Water Code. The person elected by the Board will serve in such position for the remainder of the position's unexpired term.

- E. **Minutes of Meetings:** minutes of all Board meetings shall be kept and which shall constitute one of the archives of District #6. Minutes of all open meetings are accessible to the public at all reasonable times.
- F. **Questions submitted to the Board of Directors:** all questions submitted for a vote shall contain only one subject. If two or more points are involved, any member of the Board of Directors may require a division if the question reasonably admits of a question.
- G. **Right to Speak:** any member of the Board of Directors desiring to speak may do so after being recognized by the Presiding Officer and shall confine his remarks to the subject under consideration.
- H. **Rules of Order:** Robert's Rules of Order, most current edition, shall govern the proceedings of the Board of Directors in all cases where not in conflict with these rules, in which case these rules preside.
- I. **Suspension of Rules:** any provision of these rules not governed by the Texas Water Code of State law may be temporarily suspended by a four-fifths (4/5) vote of the Board.
- J. **Amendment of Rules:** these rules may be amended or new rules adopted by a four-fifths (4/5) vote of all members of the Board of Directors, provided that the proposed amendment or new rules shall have been introduced at a prior meeting of the Board.
- K. **Attendance of the General Manager:** the General Manager shall attend all meetings of the

Board of Directors with the right to take part in all discussions but shall have no vote.

- L. **Attendance of Employees:** employees of the Water District shall attend Board meetings when requested to do so by the General Manager or the Board as a majority consensus. If requested to appear, they may present information relating to matters before the Board.

III.
TYPES OF MEETINGS

- A. **Regular Meetings:** the Board of Directors shall hold at least one regular meeting in each month at a time to be fixed by the Board for such regular meetings and may hold as many additional meetings during the month as may be necessary for the transaction of the business of the Water District and its citizens. It shall be the policy of the Board to meet at 7:00 P.M. on the second (2nd) and fourth (4th) Tuesday of each month unless otherwise changed.

The Board shall have the latitude by a majority vote of the quorum to occasionally cancel one meeting in a month for convenience of holidays or some emergency but not on a routine basis to exceed (2) months consecutively.

- B. **Special Meetings:** special meetings may be called by the President, Vice President (when acting in the place of the President) or by any three members of the Board.

The call for a special meeting shall be filed with the Administrative Secretary of the District in written form signed by the requesting members at least three (3) days prior to the special meeting, except in the case of an emergency, in which case the nature of such emergency shall be expressed in the notice. The call for a special Board meeting made at a regular meeting, at which all members of the Board are present, shall be sufficient notice of such meeting. If any member of the Board is absent from any regular meeting when such special meeting is called, such member shall be given written notice by the Administrative Secretary of the District. The call for a special meeting shall specify the day and hour of such meeting and the items to be considered.

- C. **Executive Session:** the Board of Directors may meet in executive sessions at the call of the President, Vice President (when acting in the place of the President), or any three members of the Board upon those matters allowed under State law.

- D. **Joint Sessions:** the Board of Directors may meet with other Board and Commissions in joint sessions at the call of the President, the Vice President (when acting in the place of the President), or any three members of the Board of Directors at such times as the business of the District requires.

- E. **Recessed Meetings:** any meeting of the Board of Directors may be recessed to a later time provided that no recess shall be for a longer period than until the next regular meeting.

IV.

PRESIDING OFFICER OF THE BOARD OF DIRECTORS AND DUTIES

- A. **Presiding Officer:** the President of the Board shall preside over the meetings of the Board of Directors. The Vice President shall be selected from among the members of the Board of Directors and shall perform all duties of the President in his/her absence or disability. In the absence of both the President and the Vice President, the Board of Directors shall select a member of the Board to act as presiding officer for such meeting.
- B. **Preservation of Order:** the Board of Directors meeting shall be called to order by the Presiding Officer and the Presiding Officer shall preserve order and decorum and confine members in debate to the question under discussion.
- C. **Points of Order:** the Presiding Officer shall determine all points of order, subject to the right of any Board member to appeal to the Board. If an appeal is taken, the questions shall be "Shall the decision of the Presiding Officer be sustained?" The question shall then be decided by a majority vote of the members of the Board present.
- D. **Questions Stated:** the Presiding Officer shall state all questions submitted for a vote prior to the vote.
- E. **Vote of the Presiding Officer:** the Presiding Officer shall state all questions submitted for a vote prior to the vote.

V.
ORDER OF BUSINESS

Adopted 12-10-02 Resolution 02-12-01

- A. **Agenda:** the order of business of each Board of Director's meeting shall be contained in an Agenda prepared under the supervision of the General Manager and shall generally be as follows:
- I. Call to Order and Invocation, and Pledge of Allegiance
 - II. Approval of Minutes
 - III. Appointments
 - IV. Executive Session
 - V. Public Hearings, Consideration of Orders, Resolutions and Bids
(Includes Open and Closed hearings where appropriate)
 - VI. General Managers Agenda
 - VII. Items from the Board of Directors
 - VIII. Meeting Adjournment

The agenda shall be delivered to the home of, or place designated by, each Board member on the Wednesday prior to the Tuesday Board meeting.

B. **Procedure for Submitting Requests for Item(s) to be on Board Meeting Agenda(s):**

Executive session - Only Board Members, General Manager or Legal Counsel for the District may place items on the Executive session.

Appointments - any person desiring to present an item for the Board's consideration may do so by written request to the General Manager (or General Managers's designate) of the District no later than 5:00 PM, Friday 11 days prior to the Tuesday meeting at which time the item is to be considered. Without such notice, items may not be presented to the Board.

Public Hearings, Consideration of Orders, Resolutions, Bids or Contracts - Only Board Members, General Manager or Legal Counsel for the District may place items for consideration in this category.

General Manager's Agenda - Only the General Manager (or his Executive Staff and District Consultants) may place items for consideration in this category.

Items From Directors - This category is provided to give Board members time to bring up issues for future agendas and also to inquire on various District issues. No action may be taken on issues in this category.

C. **Procedure for Hearing Requested Items for Board consideration:** should the person fail

to appear at the Board meeting at which he/she has requested an item to be considered by the Board, that item may or may not be acted on by the Board unless that person has earlier requested the item to be tabled.

- D. **Public Comments:** any person desiring to address an agenda item must sign a request form and present it to the General Manager (or the General Manager's designate) prior to the Call To Order. The first ten (10) people to sign-in between 6:30 and 7:00 p.m., prior to the meeting being called to order, shall be allowed to address the Board of Directors on items on the agenda only. Each person shall be given three (3) minutes each.

VI.
MOTIONS AND VOTING PROCEDURE

- A. **Introducing a Motion:** to properly introduce a motion, a Board member should take care to use introductory phrases such as: “I move that . . .”, “I make the motion that . . . “, or, if the Presiding Officer asks to hear a particular motion, use “I so Move”. Members wishing to make a particular motion that hasn’t been solicited by the Presiding Officer must be recognized to do so. A motion contrary to a particular motion requested by the Presiding Officer is out of order and not recognized. If the request by the Presiding Officer does not receive a motion, then the Presiding Officer will open the floor for other motions. Only one motion will be considered at a time.

As a rule, every motion should be seconded. When a member seconds a motion, the President will call for discussion and members wishing to speak must be recognized. Discussion must be orderly and timely. See Section VI.B.

Once a motion has been made and seconded, no other motion is in order until the Board has voted on the first motion.

If a motion is debatable, the Presiding Officer will ask if there is any discussion on the question. If the motion is not debatable, the Presiding Officer will immediately put the question as in Section IV. D. of these rules and procedures.

Ranking of motions will be according to Robert’s Rules of Order, most current edition, and Articles II and III.

- B. **Debating a Motion:** the right to debate a motion is shared equally by all Board members. Therefore, no member may debate the question a second time until all other members have spoken once. No member has the right to speak more than twice on the question or to speak for more than five (5) minutes at a time. The member debating must discuss the issue at hand. A speaker who departs from the question is out of order. If the Presiding Officer fails to allow time for discussion of a question, members have the right to claim the right to speak even though the vote has been announced. If however, the vote has commenced, a member may not debate the issue.
- C. **Altering a Motion:** often during discussion, a motion needs changing to make it more compatible with the ideas of the members of the Board. Motions may be amended by adding to the end or inserting elsewhere in the existing motion, a word or words necessary to accomplish the desired effect. Amending also includes eliminating words or substituting words to accomplish the desired effect.
- D. **Withdrawal of Motions:** the maker of a motion may withdraw or modify the motion at any time until it has been stated by the Presiding Officer. If a motion is modified, the Board member who seconded the motion may withdraw his second (if desired), until the presiding officer states the question to be voted on.
- E. **Voting:** the Administrative Secretary shall call the roll of each Board member who will respond by either “Yes” or “No”. A Board member may vote against the motion they made,

however, they may not abstain from voting on that motion.

- F. **Tie Vote:** in case of a tie vote on any proposal, that item will be automatically tabled to the next regular meeting for reconsideration. Should the vote at the second meeting end in a tie that will be considered as failing.
- G. **Abstention from Voting:** no member of the Board shall be excused from voting except on matters where there is a definite conflict of interest as defined by State law. Directors having a conflict of interest on items considered by the Board must announce said conflict immediately after the item has been read by the Presiding Officer. The said member with the conflict shall then exclude him/herself from the discussion and voting on the question has been completed (in accordance with Article 54, Section 118 of the Texas Water Code).
- H. **Tabling an Agenda Item:** items tabled by action of the Board, unless otherwise provided shall be brought back up for consideration only by the Board.

VII.
VOTING - STATE STATUTORY REQUIREMENTS

- A. **Levying Taxes:** orders providing for the assessment and collection of taxes shall require the approval of two-thirds (2/3) of the members of the Board of Directors.

VIII.

CONSIDERATION OF ORDERS, RESOLUTIONS AND CONTRACTS

- A. **Forms of Presentation:** each proposed Order, Resolution or contract shall be introduced in written or printed form and shall not contain more than one subject which shall be clearly expressed in the title, except Orders, Resolutions or contracts making appropriations of authorizing the contracting of indebtedness or issuance of bonds or other evidence of indebtedness.
- B. **Vote Required:** at least three (3) members of the Board shall be present to constitute a quorum to adopt or change an Order, Resolution or contract.
- C. **Emergency Measure:** no Order, unless it is declared an emergency measure, shall ever be passed at a called meeting but may be passed at any regular meeting of the Board unless otherwise provided herein. All Resolutions may be passed at any special or called meetings called for that purpose.

An emergency measure is an Order for the immediate preservation of the public business property, health or safety, or providing for the daily operations, which the emergency is set forth in the Order. Orders appropriating money to defray current or other expenses of the District where an emergency exists or for any other purpose where an emergency exists may be passed as emergency measures; except that no Order making a grant, renewal or extension of a franchise or other special privilege or regulating the rate or rates to be charged for services furnished to the public generally by public utilities, or providing for any tax or assessment, shall be passed as an emergency measure, nor shall such an Order be finally passed on the date it is introduced, but must be passed, read and voted upon at two separate meetings of the Board of Directors to be held not less than ten (10) days apart, one of which shall be a regular meeting.

IX.
CREATIONS OF BOARDS, COMMITTEES AND COMMISSIONS

- A. **Committees:** the Board may appoint citizen advisory committees as the need may arise. Any committee so created shall cease to exist upon the completion of its purpose or when abolished by the Board.
- B. **Intra-Board Committees:** the President may, as the need arises, appoint intra-Board committees. Any committee so created shall cease to exist upon the completion of its purpose or when abolished by the President. No more than two (2) Directors may serve on any one committee.
- C. **Boards and Commissions:** the Board of Directors may create Boards and Commissions to assist in the conducting and operation of the Water District with such duties as the Board may specify. Such duties may not be inconsistent with District Orders or State laws. Such Boards and Commissions shall cease to exist when abolished by the Board of Directors.
- D. **Appointments of Consultants:** at the beginning of each fiscal year, the Board shall annually appoint or reappoint all consultants of the District, such as but not limited to, the District's engineer(s), attorney(s), auditor(s) and bonding agent(s). If the Board fails to reappoint services that consultant shall be considered terminated.

X.
ELECTION OF OFFICERS

- A. **Board Vacancy:** if a vacancy occurs on the Board for any reason, the Board will fill that officer's position in accordance with Section II. D. Of these rules and procedures.
- B. **After Election:** at the first regular meeting after the bi-annual election process and after the seating of any new members, or reseating of incumbent members, the Board will appoint officers in accordance with Section 54.106 of the Texas Water Code.
- C. **Election Process:** the method of electing officers will be as follows:
 - 1. **Nominations:** the Presiding Officer will open the floor for nominations first for the position of President. If a new President has been elected, the outgoing President (or person presiding) will relinquish the seat immediately to the new President, who, in turn, will complete the election process.

Members wishing to make a nomination must be recognized by the Presiding Officer. Nominations need not be seconded. A motion for nominations to cease must be seconded and voted on by the members. If no motion for nominations to cease has been made and there is no additional nomination of officers, the Presiding Officer will announce the nominations closed.

- 2. **Voting:** once all nominations for a position have been made, the Presiding Officer will announce each candidate in the same order nominated and ask members to cast their ballot by the uplifted hand. There will be no vote to oppose a candidate.

At the end of the balloting, the Director receiving the most votes by plurality is selected for that position. A nominated member may vote for him/herself, A member may only vote one time for each officer position.

- 3. **This election process:** will also be used for the filling of a vacated Board position.