

**REDLINED VERSION WITH PROPOSED REVISIONS**

**EXHIBIT “A”**

**CITY COUNCIL  
RULES OF ORDER AND PROCEDURE**

**City of Allen, Texas**

**Approved by a Vote of the City Council  
on**

**December 16, 1999, by Resolution No. 1787-12-99(R)  
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## 1. AUTHORITY

### 1.1 CHARTER

The City of Allen Charter Sections ~~2.18 and~~ 2.19 provide that the City Council shall determine its own rules of order of business and procedures for meetings. These shall be in effect upon adoption by the City Council and until such time as amended, suspended or new rules are adopted in the manner provided.

### 1.2 COUNCIL COMMITTEES

~~At the commencement of the City Council year.~~In June, the following standing committees and ad hoc committees, each to consist of up to three Councilmembers, shall be recommended for appointment by the Mayor with concurrence through a motion of the ~~full-entire~~ City Council. Committees shall set the schedule for meetings and may hold additional meetings upon request of a committee member or staff member.

#### a. Standing Committees

- The Mayor's Committee (membership consisting of the Mayor and the Mayor Pro Tem) which is responsible for review of the City Council meeting agenda prior to posting the final agenda.
- The Finance/Audit Committee which reviews the audit of the organization and any recommended changes to the employee pay and classification plan.
- The Nominating Committee which reviews applications, interviews candidates and makes recommendations to the City Council on appointments to City Boards and Commissions.

#### b. Ad Hoc Committees

Ad hoc committees are formed on an *as needed* basis with a clearly defined purpose and term, as well as reporting requirements.

### 1.3 COUNCILMEMBER APPOINTMENTS AND ASSIGNMENTS

~~At the commencement of the City Council year.~~In June, the Mayor nominates and the City Council confirms ~~by majority vote of the City Council the~~ Councilmember appointments to outside agencies, committees, task forces, boards and commissions, and liaison appointments to City boards and commissions. Councilmembers provide a link for representing the values, beliefs and position of the City Council to these entities. The representative will periodically report to the City Council on the activities of these organizations.

Council liaisons may attend, but are not required to attend, the meetings of the boards or commissions to which they have been appointed as liaison. Board and commission members may contact their Council liaison concerning the items of concern or interest with regard to their appointed board.

### 1.4 MAYOR TO ACT AS COUNCIL CEREMONIAL REPRESENTATIVE

~~According Pursuant~~ to Charter Section 2.05, the Mayor has been delegated the responsibility to act as the City Council's ceremonial representative at public events and functions. In the Mayor's absence, the Mayor Pro Tem assumes this responsibility. In ~~absence of both the Mayor's and Mayor Pro Tem's absence,~~ the Mayor will ~~appoint-select~~ another Councilmember to assume the responsibility.

### 1.5 COUNCILMEMBER PARTICIPATION IN COMMUNITY ACTIVITIES

From time to time, Councilmembers may choose to participate in community activities, committees, events and task forces. When a Councilmember participates in these types of activities, the Councilmember is acting as an interested party rather than acting on behalf of the City Council. Acting or participating on behalf of the City Council is limited to those instances when the City Council has formally designated the Councilmember

as its representative for the matter.

## **2. COUNCIL MEETINGS**

### **2.1 REGULAR MEETINGS**

Consistent with Charter Section 2.15, regular meetings of the City Council shall be set by resolution after which time the Council shall meet regularly at least once each month. The meetings are held in the City Council Chambers and begin at 7:00 p.m.

a. **Other Locations**

The City Council may, from time to time, elect to meet at other locations and upon such election shall give public notice of the change of location in accordance with provisions of State law.

b. **Location During Local Emergency**

If by reason of fire, flood or other emergency, it is unsafe to meet in the City Council Chambers, the meetings may be held for the duration of the emergency at such other place as may be designated by the Mayor or, in the Mayor's absence, by the Mayor Pro Tem or the City Manager.

c. **Cancellation of Meetings**

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 City Council. At other times, when the City Council deems appropriate, one or more regular meetings may be canceled by a majority vote of the City Council.

### **2.2 PRE-COUNCIL MEETING WORKSHOPS**

Immediately prior to each regular City Council meeting, beginning at 6:00 p.m., the City Council shall conduct a Workshop in order to allow the City Council to informally review items of interest that may be scheduled for formal presentation at future City Council meetings, or items that are strictly informational in nature. The City Council may not take formal action on items presented at the Workshop.

### **2.3 SPECIAL MEETINGS AND EMERGENCY MEETINGS**

Consistent with Charter Section 2.15, special meetings may be called at any time by the Mayor or by two or more members of the City Council. The City Secretary shall post notice thereof as provided by State law. Special meetings may be held at any location in the City as long as such meetings are conducted in accordance with State law. In 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 members of the City Council, and it shall be sufficient if the notice is posted two-one hours before the meeting is convened, as may be required by the Texas Open Meetings Act. Diligent effort to notify all Councilmembers shall be made prior to the emergency meeting.

(Texas Government Code, Section 551.045)

### **2.4 ADJOURNED MEETINGS**

The City Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the provisions of the Texas Open Meetings Act.

(Texas Government Code, Section 551)

### **2.5 EXECUTIVE SESSIONS**

The City Council may meet in Executive Session during any workshop, regular or special meeting, 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.

- a. The City Council may exclude from any such Executive Session any person or persons ~~which it is as may be~~ authorized by State law ~~to exclude from such sessions~~.
- b. The ~~general-specific Texas Government Code Section~~ authorized for the executive session and the subject matter for consideration shall be ~~expressed~~ announced by the mayor or the presiding officer in an open meeting before such session is held.
- c. Councilmembers may not reveal the nature of discussion from a closed session unless required by State law. Disclosure of the discussion from a closed session is a violation of the Code of Conduct.

## 2.6 NOTICE OF MEETINGS

Notice of meetings and the agenda for all City Council meetings shall be posted by the City Secretary on the City's official bulletin board and website pursuant to the requirements of the Texas Open Meetings Act. (Texas Government Code, Section 551)

## 2.7 QUORUM

Charter Section 2.19 states four members of the ~~seven-member~~ seven-member City Council shall constitute a quorum to do business and the affirmative vote of a majority of those present shall be necessary to adopt any ordinance or resolution, except as required by City Charter or State law.

## 2.8 CHAIR

Consistent with Charter Section 2.05, the Mayor shall preside at all meetings of the Council. The Mayor may participate in the discussion of all matters coming before the City Council.

The Mayor shall be required to vote as a member on legislative and other matters. The Mayor shall have the authority to preserve order at all City Council meetings, to enforce the rules of the City Council and to determine the order of business under the rules of the Council. The Mayor shall also have the power to administer oaths.

- a. **Absence of Mayor**  
Pursuant to Charter Section 2.05, the Council shall elect from among the Councilmembers a Mayor Pro Tem who shall act as Mayor during the absence or disability of the Mayor.
- b. **Absence of Mayor and Mayor Pro Tem**  
When the Mayor and Mayor Pro Tem are absent from any meeting of the Council, the members present shall choose another member to act as Mayor Pro Tem and that person shall, for the duration of the meeting, have the powers of the Mayor.

## 2.9 ATTENDANCE BY THE PUBLIC

Pursuant to Charter Section 2.15, all meetings of the City Council shall be open and public in accordance with the terms of provisions of the Texas Open Meetings Act except the Executive Session or closed meetings allowed by State law.

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.

## 2.10 MINUTES

In accordance with the provisions of Charter Section 2.18 and 2.19, action minutes of City Council meetings

will be kept. Action minutes will include final motions with votes. The minutes will also reflect the names of public speakers.

a. **City Council Approval of Minutes**

Minutes of meetings are generally submitted to the City Council within two weeks for approval. The Mayor and Councilmembers present shall be required to vote on the approval of the minutes, even if absent at the meeting for which the minutes pertain.

b. **Recording of Meetings**

Video or digital recordings of proceedings are maintained by the City Secretary for six months after approval by the City Council.

## **2.11 ESTABLISHING THE CITY COUNCIL MEETING AGENDA**

The City Manager shall establish a preliminary City Council meeting agenda based on the policy direction of the Mayor and City Council and specific items of business that require action by the City Council. The City Manager shall review the preliminary agenda with the Mayor's Committee prior to finalizing the final meeting agenda. If an individual Councilmember wants to place an item on the City Council meeting agenda, the written request may be made to the Mayor or by seeking the support of one other Councilmember for the placement of that item on the agenda. The request shall be made prior to the Mayor's Committee meeting where the agenda is finalized.

## **3. ORDER OF BUSINESS**

### **3.1 GENERAL ORDER**

City Council meetings will be generally conducted in the following order, unless otherwise specified. An Executive Session may be held at any time during a workshop, regular or special called meeting consistent with applicable State law.

#### ***WORKSHOP AGENDA***

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT  
QUESTIONS ON CURRENT AGENDA  
ITEMS OF INTEREST  
ADJOURN TO REGULAR MEETING

#### ***REGULAR MEETING AGENDA***

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT  
PLEDGE OF ALLEGIANCE  
PUBLIC RECOGNITION/CITIZENS' COMMENTS  
CONSENT AGENDA/APPROVAL OF MINUTES  
REGULAR AGENDA  
OTHER BUSINESS  
EXECUTIVE SESSION (*AS NEEDED*)  
ADJOURNMENT

### **3.2 NUMBERING AND INDEXING OF AGENDA ITEMS**

All items of any nature shall be numbered consecutively for purposes of consideration on the agenda. Upon passage, the City Secretary shall separately index all ordinances and resolutions.

### **3.3 PUBLIC RECOGNITION**

All special presentations and announcements will be calendared and coordinated through the City Secretary.

A period of time, not to exceed fifteen minutes at each City Council meeting, will be set aside for public recognition.

### **3.4 CONSENT AGENDA**

The Consent Agenda shall contain routine, non-controversial items that require City Council action but need little or no further City Council deliberation.

Agenda items may be removed from the Consent Agenda by-at the request of a Councilmembers or City staff and will be considered after approval of the entire Consent Agenda without the item requested to be removed and considered for a separate vote of the City Council.

### **3.5 ITEMS OF COMMUNITY INTEREST / COMMUNICATIONS**

Members of the City Council have the opportunity to briefly comment and notify others of items community interests including; expressions of thanks, congratulations or condolences; holiday schedule information; an honorary or salutary recognition of a public official, public employee, or other citizen; information about a City organized or sponsored event or other social, ceremonial, or community event; announcements involving an imminent threat to the public health and safety of the citizens that has arisen after the posting of the agenda..

### **3.6 STANDARD ADJOURNMENT**

The City Council establishes 11:30 p.m. as the hour of adjournment and will not continue beyond that time without a majority vote of the City Council. To assist in making the determination to continue an item under consideration, the City Council should find that discussion, deliberation and action on the item could be concluded by 12:00 midnight. If agenda items remain after the 11:30 p.m. adjournment, a special meeting may be scheduled or the items deferred until the next regular meeting. Deferred items will appear first on the regular agenda of the next meeting.

## **4. RULES OF CONDUCT**

### **4.1 GENERAL PROCEDURE**

These rules, consistent with the City Charter and any applicable City ordinance, statute or other legal requirement, shall govern the proceedings of the City Council.

### **4.2 AUTHORITY OF THE CHAIR**

Subject to appeal to the full City Council, the Mayor shall have the authority to prevent the misuse of motions, the abuse of any privilege, or the obstruction of the business of the City Council by ruling any such matter out of order. In so ruling, the Mayor shall be courteous and fair and should presume that the moving party is acting in good faith.

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.

### **4.3 MAYOR TO FACILITATE COUNCIL MEETINGS**

In the role of facilitator, the Mayor will assist the City Council in focusing agenda discussions and deliberations.



#### 4.4 COUNCIL DELIBERATION AND ORDER OF SPEAKERS

The Mayor has been delegated the responsibility to control the debate and the order of speakers. Speakers will generally be called upon in the order of the request to speak. With the concurrence of the Mayor, a Councilmember holding the floor may address a question to another Councilmember and that Councilmember may respond while the floor is still held by the Councilmember asking the question. A Councilmember may opt not to answer a question while another Councilmember has the floor.

#### 4.5 LIMIT DELIBERATIONS TO ITEM AT HAND

Councilmembers will limit their comments to the subject matter, time or motion being currently considered by the City Council.

#### 4.6 LENGTH OF COUNCIL COMMENTS

Councilmembers will govern themselves as to the length of their comments or presentation. As a courtesy, the Mayor will signal by hand or verbally to a Councilmember who has been speaking for over five minutes. This procedure is not meant to limit debate or to cut comments short, but rather to assist Councilmembers in their efforts to communicate concisely.

#### 4.7 OBTAINING THE FLOOR

Any member of the City Council wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Councilmember who seeks the floor when appropriately entitled to do so.

#### 4.8 MOTIONS

Motions may be made by any member of the City Council, including the Mayor or the then presiding officer, provided that before the Mayor or the then presiding officer offers a motion, the opportunity for making a motion should be offered to other members of the City Council. Any member of the City Council, other than the person offering the motion, may second a motion.

#### 4.9 PROCEDURES FOR MOTIONS

The following is the general procedure for making motions:

- a. Before a motion can be considered or debated it must be seconded.
- b. A Councilmember who wishes to make a motion should do so through a verbal request to the Mayor.
- c. A Councilmember who wishes to second a motion should do so through a verbal request to the Mayor.
- d. Once the 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. 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.

#### **MOTION AMENDMENTS**

When a motion is on the floor and an amendment is offered, the amendment should be acted upon prior to acting on the main motion. No motion of a subject different from that under consideration shall be admitted as

an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amended amendment prior to any other action to further amend the original motion.

#### **MOTION TO APPROVE / DENY**

A motion to approve or deny is a proposal to take a specific action. The maker of the motion may state “I make a motion to approve /deny Agenda Item #” or may state the recommended motion (under state law, certain motions require specific language in which case staff will provide the specific motion and indicate in the packet that the specific language must be used), or such person may state the agenda caption although it is not necessary.

#### **MOTION TO APPROVE WITH AMENDMENTS**

A motion to approve a specific action may include amendments recommended by a board, city attorney, another Councilmember or staff. The maker of the motion may state “I make a motion to approve Agenda Item # with the following amendment(s)” or such state recommended motion or the agenda caption with the amendment included.

#### **MOTION FOR RECONSIDERATION**

A motion for reconsideration indicates a councilmember wants the city council to reconsider a prior action of the City Council and if successful, for the City Council to consider taking different action. A motion to reconsider may be made at the same meeting or at the next succeeding meeting following the relevant City Council action, as long as the reconsideration request complies with the requirements of the Texas Open Meetings Act and applicable law. If the motion to reconsider a prior action is not made at the same meeting such motion and the related agenda item must be posted on the agenda for the meeting at which the motion is to be reconsidered. The maker of the motion may state: “I make a motion to reconsider Agenda Item #” or may state the full agenda caption.

A motion for reconsideration may only be made by a Councilmember who voted with the majority of the City Council on the action proposed to be reconsidered by the City Council. Any member of the City Council may second a motion for reconsideration.

#### **MOTION TO ADJOURN**

A motion to adjourn is to end a meeting. The maker of the motion may state “I make a motion to adjourn the meeting.”

#### **MOTION TO SET ASIDE STANDARD ADJOURNMENT**

A motion to set aside the standard adjournment time of 11:30 p.m. allows Council to finish business before midnight. The maker of the motion may state: “I make a motion to set aside the standard adjournment time to complete business before Council by midnight.”

#### **MOTION TO DEFER**

If Council is unable to complete all business on the agenda by stated time, the Council may defer items to a future meeting with a motion such as “I make a motion to defer the remaining agenda items to the next Council meeting on (date).”

#### **MOTION TO CONTINUE**

A motion to continue will leave the motion in its present condition for consideration on a date and time certain.

#### **MOTION TO REMOVE**

A motion to remove will take the matter off the agenda and will not be considered by the Council for an indefinite period of time.

#### **MOTION TO TABLE**

A motion to table will delay consideration of the item being discussed by the City Council.

#### **MOTION TO POSTPONE INDEFINITELY**

A motion to postpone indefinitely will kill or reject the item under consideration.

#### **MOTION TO REFER**

A motion to refer forwards the item under consideration to the named group, committee, or board for further study.

#### **MOTION TO LAY ON THE TABLE**

A motion to lay on the table allows the item to be temporarily set aside under discussion.

#### **MOTION TO TAKE FROM THE TABLE**

A motion to take from the table allows the matter to be discussed again and would only be used in conjunction with a motion to lay on the table at the same meeting.

#### **WITHDRAWAL OF MOTION**

A withdrawal of motion indicates a motion may be withdrawn or modified by the Councilmember who originally made the motion at any time prior to its passage. If the motion is modified, the Councilmember who seconded the motion may withdraw his/her second.

#### **MOTION FOR RECONSIDERATION**

A motion for reconsideration may be made at the same meeting or at the next succeeding meeting following a City Council action, as long as the reconsideration request complies with the requirements of the Texas Open Meetings Act.

A motion for reconsideration may only be made by a Councilmember who voted with the majority of the City Council on the action proposed to be reconsidered by the City Council. Any member of the City Council may second a motion for reconsideration.

### **4.10 VOTING**

#### **Abstention**

- a. If a Councilmember abstains because of a legal conflict of interest, ~~he/she~~ such member is not counted as present for quorum purposes and is not deemed to be “voting” for purposes of determining whether there has been a “majority vote of those voting and present.”
- b. When the Mayor or a Councilmember abstains ~~or excuses himself/herself from a portion of a Council meeting~~ because of a legal conflict of interest, ~~such the~~ Councilmember must file an affidavit with the City Secretary stating the nature and extent of the conflict before the agenda item is announced by the Mayor. The Mayor or City Secretary shall briefly state, on the record, the nature of the conflict ~~of the Councilmember~~. State law requires the inclusion of this information in the public record. A Councilmember with a legal conflict of interest shall excuse themselves from the dais for that portion of the Council meeting and may return once the Council has completed action on the agenda item.

### **Tie Votes**

A tie vote results in a lost motion. In such an instance, any member of the City Council may offer a motion for further action. If there is not an affirmative vote, the result is no action. If the matter involves an appeal and an affirmative vote does not occur, the decision appealed stands as decided by the decision-making person or body from which the appeal was taken.

### **Charter or Statute Voting Requirements**

Some actions taken by the City Council require more than a simple majority vote of the Councilmembers present for approval as may be required by either the Charter or State statutes.

**a. Charter Amendment – Two-thirds Vote**

An Ordinance submitting a proposed Charter amendment must be adopted by a two-thirds vote of the full City Council.  
[Texas Local Government Code, Article XI, Section 5, Texas Constitution, Section 9.002(a)]

**b. Changing Paving Assessment Plan – Two-thirds Vote**

Changes in plans for paving assessments require a two-thirds vote of the full City Council.  
(Texas Transportation Code, Section 313.053)

**c. Protested Changes in Zoning Ordinance – Three-fourths Vote**

If a proposed change to a zoning regulation or boundary is protested by owners of twenty percent or more of the area of the lots or land included in such proposed change, or of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet there from in accordance with Chapter 211 of the Texas Local Government Code, as amended, the affirmative vote of at least three-fourths of the full City Council is required for the proposed change to take effect.

An affirmative vote of at least three-fourths of the full City Council is required to overrule a recommendation of the Planning and Zoning Commission that a proposed change to a zoning regulation be denied.

(Texas Local Government Code, Section 211.006(d); Allen Comprehensive Zoning Ordinance Land Development Code)

If a Councilmember has abstained because of a legal conflict of interest and filed the required affidavit, the number of the members of full City Council is reduced by the number of such conflicted Councilmembers.

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## **4.11 NON-OBSERVANCE OF RULE**

Rules adopted to expedite and facilitate the transaction of the business of the City Council in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of, or invalidate any action taken by, the City Council.

## **5. PUBLIC HEARINGS**

### **5.1 GENERAL PROCEDURE**

The City Council procedure for the conduct of Public Hearings is generally as follows:

- a. Staff presents its report.
- b. Councilmembers may ask questions of staff.
- c. The applicant or appellant then has the opportunity to present comments, testimony, or arguments. In

the case of an appeal when the appellant is different from the applicant, the appellant should be called upon first to provide comments or testimony. The applicant or appellant shall have a total of fifteen minutes for a presentation when recognized by the Mayor or presiding officer.

The initial comments or presentation shall be limited to ten minutes and the rebuttal or concluding comments shall be limited to five minutes.

- d. Councilmembers may ask questions of the applicant and/or appellant.
- e. The Mayor opens the Public Hearing.
- f. Members of the public are provided with the opportunity to ask questions or make comments relevant to the matter being heard. All individuals addressing the Council shall state their name and address for the record.
- g. The Public Hearing is closed.
- h. The City Council deliberates on the issue.
- i. If the City Council raises new issues through deliberation and seeks to take additional public testimony, the Public Hearing must be reopened. At the conclusion of the public testimony, the Public Hearing is again closed.
- j. The City Council deliberates and takes action.
- k. The Mayor announces the final decision of the City Council.

## 5.2 CONTINUANCE OF HEARINGS

Any Public Hearing being ~~held, noticed or ordered to be held~~ by the City Council may ~~by, by order, notice or~~ motion, be continued to ~~any~~ subsequent meeting date and time certain.

## 5.3 PUBLIC DISCUSSION AT HEARINGS

When a matter for Public Hearing comes before the City Council, the Mayor will open the Public Hearing. Upon opening the Public Hearing and before any motion is adopted related to the merits of the issue to be heard, the Mayor shall inquire if there is anyone present who desires to speak on the matter which is to be heard or to present evidence regarding the matter. A Public hearing no matter what the subject matter is not a question-and-answer period. Speakers must address their comments to the City Council. Councilmembers should not address members of the public (other than the applicant or the applicant's representative) during a public hearing. After all members of the public who requested to speak have spoken, the City staff, Mayor or Councilmembers may respond to any questions or issues raised by members of the public.

### a. **Public Member Request to Speak**

Any person wishing to speak at a Public Hearing scheduled on the agenda shall complete a Public Meeting Appearance Card prior to the matter being reached, and present it to the City Secretary. Upon being recognized by the Mayor, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Mayor. All persons wishing to speak on the matter shall be limited to three minutes each and there shall be a cumulative limit of sixty minutes for all those speaking in favor of an item and a like limit for those speaking in opposition. The time limit may be extended by the Mayor or by a majority vote of the City Council.

### b. **Time Limits**

The Mayor, with the concurrence of the City Council, may ~~extend or limit~~alter any of the enumerated

time allocations based on the complexity of the item and the number of persons wishing to speak on the item.

~~e.~~ ***Questions of Speakers***

~~Members of the City Council who wish to ask questions of the speakers or each other during the Public Hearing portion may do so, but only after first being recognized by the Mayor. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue.~~

~~dc.~~ ***Materials for Public Record***

All persons interested in the matter being heard by the City Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained by the City ~~Manager's~~ Secretary's Office as part of the record of the hearing, in accordance with the requirements of State law.

~~ed.~~ ***Germane Comments***

During the Public Hearing, no person will be permitted to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the Mayor, but may be appealed to the full City Council.

#### 5.4 COMMUNICATIONS AND PETITIONS

Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the Mayor or City Secretary. A reading in full shall take place if requested by any member of the City Council.

### 6. ADDRESSING THE CITY COUNCIL

#### 6.1 STAFF PRESENTATIONS

Staff presentations will be concise and will provide factual background information on the item as well as a recommendation for the City Council.

#### 6.2 ORAL PRESENTATIONS BY MEMBERS OF THE PUBLIC

The following procedures will guide oral presentations by members of the public at City Council meetings:

- a. Prior to the meeting or during the meeting prior to a matter being reached, persons wishing to address the City Council should complete a Public Meeting Appearance Card and present it to the City Secretary.
- b. When called upon, the person should come to the podium state his/hersuch person's name and address for the record, and, if speaking for an organization or other group, identify the group represented.
- c. All remarks should be addressed to the City Council as a whole, not to individual members.
- d. Questions, if any, should be directed to the presiding officer who will determine whether, or in what manner, an answer will be provided.

#### 6.3 CITIZENS' COMMENTS; RIGHT TO SPEAK

Citizen Comments. This portion of the City Council meeting is set aside for members of the public to address the City Council on any item of business that is not formally scheduled on the agenda or scheduled as a Public

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Hearing. Members of the public should complete a Public Meeting Appearance Card prior to the ~~item being heard~~commencement of the meeting and present it to the City Secretary.

a. ***Timing***

Citizens' Comments are generally permitted at the beginning of the regular City Council meeting, as specified on the agenda. Presentations shall be limited to three minutes each, but may be extended for an additional two minutes with approval of ~~the Mayor or by~~ a majority of the City Council. Citizens' Comments shall be limited to a cumulative total not to exceed fifteen minutes for all speakers.

b. ***City Business***

Presentations under Citizens' Comments are limited to items within the subject matter jurisdiction of the City.

c. ***No Council Deliberations***

In compliance with the Texas Open Meetings Act, the City Council may not deliberate or vote on any matter raised in Citizens' Comments, except for the purpose of determining whether such matter should be placed on a future City Council agenda. The Mayor, however, may request the City Manager to provide additional information on a matter of general interest to the full City Council, the public at large and to the citizen making the comment.

Right to Speak. Texas Government Code Section 551.007 requires the City Council to allow a citizen to address the City Council prior to the City Council taking action on an item listed on the meeting agenda for action. The right of the public to speak does not include items on the agenda for a workshop or discussion items listed on the meeting agenda. A person who wants to speak and address the City Council regarding an item listed on the agenda for action shall complete a Public Meeting Appearance Card prior to the commencement of the meeting and present it to the City Secretary. The citizen may either speak during the Comments portion of the meeting or when the item is reached on the agenda after being recognized by the Mayor or presiding officer.

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#### **6.4 POWERPOINT PRESENTATIONS**

Members of the public may present a PowerPoint software presentation to the City Council utilizing the City's audio/visual equipment ~~or their own equipment~~.

- a. All PowerPoint presentations must comply with applicable time limits for oral presentations and cumulative time limits. Presentations should be planned with flexibility to adjust to any changes in these time limits.
- b. All PowerPoint presentations must be submitted to the City Secretary, ~~or appropriate staff~~, already formatted in PowerPoint no later than noon ~~on the day of~~before the City Council meeting ~~to allow for virus checks and confirm compatibility with City equipment~~via email or flashdrive.
- c. Any ~~disks, files or flashdrives~~ submitted believed to contain viruses or are unable to be scanned for viruses by City equipment will not be permitted ~~to be used on City equipment~~.
- d. If compatibility or viruses are at issue, a member of the public may provide a printed hard copy of the PowerPoint presentation to be projected onto the screen via a visual projector during the presentation or may make the PowerPoint presentation on their own equipment.

#### **6.5 PUBLIC MEETING APPEARANCE CARDS**

Public Meeting Appearance Cards may be used by members of the public who do not wish to or cannot verbally address the City Council during a meeting. A person may indicate ~~his/hersuch person's~~ comments and

support or opposition for an agenda item on a Public Meeting Appearance Card. During the public ~~testimony~~ hearing regarding the item or prior to taking action on an item on the agenda, the Mayor will indicate that the City Council has received written comments from (name of persons) in support of the project or issue and from (name of persons) in opposition. The minutes will reflect the City Council's receipt of written comments in support or opposition of the project or issue.

## **6.6 REPETITIOUS COMMENTS PROHIBITED**

- a. A speaker shall not present the same or substantially the same items or arguments to the Council repeatedly or be repetitious in presenting their oral comments. Nothing in the foregoing precludes submission of comments to the City Council in writing, for such action or non-action as the Council, in its discretion, may deem appropriate.
- b. In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged. Whenever any group of individuals wishes to address the Council on the same subject matter, those individuals are encouraged to designate a spokesperson to address the City Council. With the consent of the City Council, the Mayor may extend the time allocation for a designated spokesperson.

## **6.7 WAIVER OF RULES**

Any of the foregoing rules may be waived or suspended by a majority vote of the Councilmembers present when it is deemed that there is good cause to do so, based upon the particular facts and circumstances involved.

## **6.8 NON-EXCLUSIVE RULES**

The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the City Council, or of its presiding officer, to govern the conduct of City Council meetings as may be considered appropriate from time to time, or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the City.

# **7. COUNCILMEMBER ADMINISTRATIVE SUPPORT**

## **7.1 MAIL**

All general mail will be opened and date stamped and distributed to individual Councilmembers.

- a. ***Letters Addressed to the Mayor and City Council***  
All letters addressed to the Mayor and City Council requiring a response from staff ~~is~~ will be copied to all Councilmembers with a note as to which staff person will be preparing a response for the Mayor's signature. A copy of the response, along with the original letter, will be provided to each Councilmember.

Letters addressed to the Mayor and City Council that do not require a response but provide information on City Council agenda items or like matters are copied to the full City Council.

- b. ***Letters Addressed to Individual Councilmembers***  
All letters addressed to individual Councilmembers requiring a response from staff are copied to all Councilmembers with a note as to which staff person will be preparing a response for the addressee's signature. Copies of the responses, along with the original letters, are provided to the full City Council.

Letters addressed to individual Councilmembers that do not require a response from staff but provide



Cards and other Councilmember mail marked “personal” will not be opened and will not be copied to the full City Council.

All Councilmember correspondence prepared with City resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full City Council, not individual Councilmember's positions.

City Councilmembers will be provided individual stationery and envelopes to use for official communications reflecting their individual position as a Councilmember.

The City ~~Manager's Secretary's~~ Office will coordinate the typing of correspondence requested by individual Councilmembers. All correspondence typed for Councilmembers will be on City letterhead and will reflect the position of the full City Council and will be copied to the full City Council.

A master calendar of City Council events, functions or meetings will be maintained by the City Secretary's Office and provided to the full City Council.

Functions, events or meetings to be attended by individual Councilmembers will only be included on the master calendar at the request of individual Councilmembers.

Councilmembers may request information or research from staff on a given topic through the City Manager. Requests for policy direction will be brought to the full City Council at a regular meeting for consideration. All written products will be copied to the full City Council. The City Manager will determine if extensive staff time and resources are required to accomplish the request. If so, at his/her discretion, the City Manager may present that request to the full City Council prior to proceeding. Councilmembers may similarly request information from the City Attorney, City Secretary and Municipal Judge. If significant resources are required, the City Attorney, City Secretary or Municipal Judge will ask the City Manager to place the request on a City Council agenda for approval prior to any action.

In conjunction with the City's public safety departments and the Public and Media Relations ~~Officer~~Director, the City Manager's Office will coordinate the notification to the City Council of major crime, fire or other disasters or incidents.

While members of the City Council may maintain and use personal social media sites, blogs, web pages and websites, their status as an elected official requires that the content of any postings on those sites be in compliance with existing City policies, directives, rules and regulations.

~~The City's image as a professional organization is critical to maintaining the respect of its constituents. While the City recognizes that elected and appointed officials may choose to express themselves by posting personal information upon social media platforms or by making comments on sites hosted by other persons, groups or~~

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organizations, this right of expression should not interfere with the operation of the City. That is, while the City acknowledges its officials have the First Amendment right to free speech, the right is not absolute when involving matters of official City business, issues, or concerns

## 8. PROCEDURES ADMINISTRATION

### 8.1 BIENNIAL REVIEW OF CITY COUNCIL PROCEDURES

The City Council will review and revise the City Council Rules of Order and Procedure as needed, and at a minimum, every two years.

### 8.2 ADHERENCE TO PROCEDURES

During City Council discussions, deliberations and proceedings, the Mayor has been delegated the primary responsibility to ensure that the City Council, staff and members of the public adhere to the Council's adopted procedures.

### 8.3 CITY ATTORNEY AS PROCEDURE ADVISOR

The City Attorney assists the Mayor and City Council as a resource and as an advisor for interpreting the City Council's adopted rules and procedures.

### 8.4 APPLICABILITY OF PROCEDURES

The City Council Rules of Order and Procedures shall also apply to the City Council when sitting as other entities or agencies. The role of Mayor and Mayor Pro Tem shall be interchangeable with the Chair and Vice Chair, or President and Vice President when sitting as another entity.

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