



City of Meadowlakes

City Council Rules and Procedures



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CITY OF MEADOWLAKES CITY COUNCIL RULES AND PROCEDURES

SECTION I-AUTHORITY

Texas Local Government Code Section 51.01 authorizes a municipality to adopt an ordinance, act, law or regulation, consistent with state law, which is necessary for the municipality, interest and welfare of its citizens and to maintain good order of the entity. In order to provide the framework for the execution of these powers and authority, the following set of rules shall be in effect upon their adoption by the City Council and until such time as they are amended or new rules adopted in the manner provided for by these rules.

SECTION II-GENERAL RULES

2.1 Meetings to be Public. All meetings of the City Council shall be open to the public, with the exception of Executive Sessions.

2.2 City Council. For purposes of these rules, the collective membership of the Mayor and City Councilmembers shall be known as the City Council. Individually, each shall be referred to as Mayor or Councilmember.

2.3 Quorum. Three Councilmembers and the Mayor constitutes a quorum. (LGC §23.027). In the Mayor's absence, any four of the Councilmembers constitutes a quorum. At a special or emergency meeting or a meeting to consider imposition of taxes, two-thirds (2/3) of the number of Councilmembers is required for a quorum (LGC §22.039).

2.4 Minutes of Meetings. An account of all proceedings of the City Council shall be kept by the City Secretary and shall be entered in a book constituting the official record of the City Council. The Official City Council Minutes are action minutes and provide the action taken by the City Council and a summary of subjects discussed.

2.5 Questions to Contain One Subject. All questions submitted for a vote shall contain only one subject. If two or more points are involved, any Councilmember may require a division. Division shall be required only on the affirmative vote of three (3) Councilmembers. If no division is requested and approved, the question shall be submitted as originally framed.

2.6 City Manager. The City Manager or designee shall attend all City Council meetings unless expressly excused. The City Manager may make recommendations to the City Council and take part in all discussions of the City Council, but shall have no vote.

2.7 City Attorney. The City Attorney or designee may be required to attend a City Council meeting. The attendance of the City Attorney shall be based on the subject matter of the meeting. Attendance shall be based on the need established need by the Council, Mayor or City Manager.

2.8 City Secretary. The City Secretary or designee shall attend all meetings of the City Council unless expressly excused, and shall keep the official minutes and perform such other duties as may be requested by the City Council.

2.9 Employees. Any employee of the City, when requested by the City Manager, shall attend any meeting of the City Council and, if requested to do so by the City Manager, such employee may present information relating to matters before the City Council. Members of the City Council may request presentations by staff and/or particular staff members, but the City Manager will determine the staff spokesperson for providing information for a particular agenda item at the City Council meeting.

2.10 Executive Session. All matters discussed in Executive Session, as authorized by the Texas Open Meetings Act, may be deemed confidential by law. Participants authorized to attend Executive Sessions are not required to make public disclosure concerning the matters discussed in Executive Session. It shall be the policy of the City Council that the Mayor, individual Councilmembers, the City Manager, City Attorney, City Secretary and others who are authorized to attend Executive Sessions shall not make disclosure of confidential matters where the information has not been released to the general public. The presiding officer may be authorized to issue a statement regarding confidential matters upon approval of same by the City Council. The Mayor shall open and close an executive session at the location noted on the official agenda notice posted in compliance with the Texas Open Meetings Act. For purposes of regular agenda meeting postings, the opening and closing of an Executive Session shall be done in the Council Conference Room of City Hall. When the City is involved in litigation or a legal dispute, Councilmembers shall not comment on settlements, appeals, or other issues related to the subject until the matter is resolved. The City Attorney shall be authorized to provide any public responses or comments as needed on matters involving litigation.

SECTION III-TYPES OF MEETINGS

3.1 Regular Meetings. The City Council shall meet at least once a month at City Hall located at 177 Broadmoor, on the third (3rd)^{Note#1} Tuesday of each month at 5:00 p.m. or as otherwise established by the City Council. The City Council shall

determine whether or not to continue its meeting for additional time at or near 12:00 midnight if further items are on the agenda and have not been considered. The call for and conduct of all meetings of the City Council, both regular and special as provided in Section 3.2 hereof, shall be in accordance with state law.

3.2 Special and Emergency Meetings. Special meetings may be called by the Mayor, or two (2) City Councilmembers. The call for a special meeting shall be documented and filed with the City Secretary in written form (including e-mail), except that announcement of a special meeting during any regular meeting at which all Councilmembers are present shall be sufficient notice of such special meeting. The call for a special meeting shall specify the day and the hour of the special meeting. And list the subject or subjects to be considered. A Public Notice shall be posted at least 72 hours before the meeting is scheduled to begin. The agenda for any special meeting shall include a designation of the person(s) who called such meeting. In accordance with state law, the notice to the public of an emergency meeting must be posted at least two hours before the meeting is scheduled to begin. An emergency exists only if immediate action is required of the City Council because of an "imminent threat to public health and safety" or a "reasonably unforeseeable situation" and/or state law.

3.3 Recessed Meetings. Any meeting of the City Council may be recessed to a later time provided that no recess shall be for a longer period than until the next regularly scheduled City Council meeting. Such recess shall be held upon the approval of the vote of a majority of the City Council. Additional notice shall be posted in accordance with the Open Meetings Act for any recess beyond the next business day.

3.4 Work Session Meetings. Work session meetings may be called by the Mayor or any two (2) Councilmembers for the purpose of in-depth discussion or investigating or exploring matters of interest to the City without formal action being taken by the City Council. The time, place, and purpose of such work session meetings shall be stated in a notice complying with the Texas Open Meetings Act. Such work session meetings may be held in any appropriate location inside or outside the City Hall upon concurrence by any three (3) Councilmembers or as determined by the Mayor. Such work session meetings may include, but shall not be limited to, meetings with neighboring governmental bodies or agencies, meetings with any of the City's appointed boards, commissions, or committees, meetings with civic organizations or meetings for Councilmembers to research, evaluate, explore, investigate, or discuss any matter of interest or possible action affecting the City, subject to compliance with the provisions of the Texas Open Meetings Act. The City Council may establish regular work session meetings immediately prior to regular City Council meetings. In conjunction with the regularly scheduled City Council meeting, a City Council work session, prior to the regular City Council meeting, unless otherwise specified. The agenda for the City Council work session meeting may include, among other items: routine reports, information related to the regular agenda items, and issues for which the City Manager seeks direction or clarification.

3.5 Town Hall Meetings. The City Council may from time to time, at its discretion, call town hall meetings. Such meetings shall be special meetings of the City Council, and an agenda shall be posted in accordance with law outlining the topics to be discussed. The primary purpose of these meetings should be an opportunity for citizens to make comments and ask questions of the Mayor, Council and/or staff regarding issues that are of concern. The content and time allotted in the agenda shall reflect this primary purpose. Such meetings shall not be held within the 90 day period prior to the election of the Mayor and/or City Council. No formal action may be taken at a town hall meeting. The Council may respond to public comments or questions with statements of factual information and existing policy. If any presentation is to be made by the Mayor, Council and/or Staff in conjunction with a town hall meeting, the subject matter of those presentations shall be identified in the agenda.

3.6 Public Hearings. This section is only used when a statutorily required public hearing is part of order of business. The Mayor shall first request staff comments. The Mayor shall open the public hearing and receive citizens input in the following order: proponents, then opponents. While the public hearing is open, the Council may ask questions of the speakers, but may not deliberate or argue with the public on the matter at hand. Speakers at a public hearing are required to follow the rules established herein for citizen's comments. Upon conclusion of the citizens' comments, the Mayor shall close the public hearing. Council may deliberate or take action on the matter at hand upon the closing of the public hearing.

SECTION IV-CONDUCT OF MEETINGS

4.1 Presiding Officer. The Mayor, if present, shall preside at all meetings of the City Council and enforce these rules and procedures during a meeting. The presiding officer shall make decisions on questions of procedure, subject to review by the City Council as a whole. Following a decision of the presiding officer on a question of procedure, any two Councilmembers may appeal the decision to that City Council as a whole by the making a seconding of an appeal. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of the Mayor and Mayor Pro Tem, the presiding officer shall be the next available City Councilmember beginning with Place 1, and progressing up in consecutive order until a replacement is seated.

4.2 Call to Order. The meetings of the City Council shall be called to order by the presiding officer.

4.3 Motions. The following motions are available to be made:

- A. *Main Motion.* A subject shall be introduced by a main motion. The presiding officer shall seek a motion on the agenda item, but in the absence of any such motion, the presiding officer may make a motion.

Once seconded, no other topics should be taken up until after the motion is disposed of in accordance with these Rules. The Main Motion may be modified at the initiative of the originator and the concurrence of the Councilmember who seconded the Main Motion. Any motion requires a second or it dies for lack of a second. A presiding officer may second a motion.

- B. *Motion to Table or Postpone to a Certain Time.* This motion requires that consideration of the main motion be delayed until a certain stated time for, among other reasons, obtaining more information. A future date certain shall be set when the subject is considered. This motion is debatable and requires a majority vote of the members present for passage.
- C. *Motion to Table or Postpone Indefinitely.* This motion postpones consideration of the main motion in such a way that the issue being discussed may be taken up at an unspecified, later date when a majority of the members present vote to "call it from the table." This motion is not debatable and requires a majority vote of the members present for passage. The Open Meetings Act must be followed in posting the issue or case when it is called from the table.
- D. *Motion to Call the Question.* This motion is made to end discussion that has become lengthy, repetitious, or futile. When seconded, the presiding officer immediately calls the vote on the question of closing the discussion. This motion is not debatable and requires a majority vote of the members present for passage. If a motion to call the question is approved, any Councilmember who has not yet been heard shall be allowed up to three (3) minutes to comment on the item prior to a vote.
- E. *Motion to Reconsider.* The Council may reconsider a vote during the same meeting on motion by a member who voted on the prevailing (winning) side of the issue. This motion is debatable and requires a majority vote of the members present for passage. If that vote is affirmative, a second vote is held on the issue to be reconsidered.
- F. *Frivolous or Delaying Motions.* The presiding officer shall not entertain any motion that is frivolous or clearly made for purpose of delay.
- G. *Motion to Adjourn.* At the conclusion of business, the presiding officer may declare the meeting adjourned without waiting for a motion, but a member may move to keep the meeting open in order to make a motion to reconsider or to ask that an item be placed on a future agenda or a member may move to adjourn. When the meeting is adjourned by vote of the body, the meeting is immediately halted.

H. **Point of Order, Questions and Inquiries.** A point of order may be raised at any time and supersedes any issue being discussed at the time. No second is required for a point of order and no debate is allowed. The presiding officer shall rule on the point of order before proceeding. Anyone dissatisfied with the ruling may appeal to the Council for a final decision, this appeal must be seconded. The appeal is debatable and the presiding officer may participate in the debate without giving up the chair. A majority of No votes is necessary to reverse the ruling. Motions to Table, to Table Indefinitely or to Call the Question or appeal of a ruling thereon, shall be considered as Points of Order and must be addressed immediately without proceeding to further business.

Whenever necessary, advice may be asked as to correct procedures or facts may be requested. The presiding officer shall respond to the question or refer it to the proper person.

4.4 Preservation of Order. The presiding officer shall preserve order and decorum, prevent clash of personalities or the impugning of Councilmembers' motives, and shall confine Councilmembers in debate to the question under discussion.

4.5 Points of Order. The presiding officer shall determine all points of order as provided for in Section 4.3 above, subject to the right of any Councilmember to appeal to the City Council.

4.6 Questions to be Stated. The presiding officer shall state all questions submitted for a vote and announce the result.

4.7 Substitution for Mayor. The Mayor may call the Mayor Pro Tem, or in the Mayor Pro Tem's absence, any other Councilmember to take the Mayor's place in the meeting chair. Such substitutions shall not continue beyond meeting adjournment.

4.8 Amendment to the Minutes. Amendments to the Minutes are made by a motion during the item to consider approval of the minutes. The Minutes are action minutes and provide the action taken by City Council and a summary of subjects discussed. If a Councilmember desires that certain information be included in the minutes, the Councilmember shall state prior to the information, "For the record." If it is a lengthy statement, a written copy shall be provided to the City Secretary.

4.9 Written Correspondence. The City Council is not obligated to provide for a reading of correspondence into the public record on behalf of an absent individual as part of a City Council Public Hearing. The correspondence is provided to City Council and is included in the City Council agenda packet.

SECTION V-AGENDA

5.1 Preparation of Agenda.

- A. The order of business of each meeting shall be as contained in the City Council agenda drafted by the City Manager or City Secretary and approved by the Mayor. The agenda shall be a listing by topic of subjects to be considered by the City Council, and, in the case of regular meetings, shall be delivered to the City Council not less than 72 hours prior to the meeting time.
- B. The presiding officer will be able to place any item on an agenda at his/her discretion. Similarly, upon the written request, including e-mail, of any two Councilmembers, a requested item shall be included on an agenda. Such requests by either the presiding officer or two (2) Councilmembers shall be submitted to the City Manager or City Secretary not later than 4:00 p.m. on the six (6) days prior to regular City Council meeting. Once an agenda item has been requested per the above, such agenda item can only be removed from the agenda by the person(s) who requested the item.
- C. Upon final completion and approval by the Mayor and City Manager, the Pre-Agenda for the next Council meeting shall be distributed to the full City Council no later than noon on five (5) days prior to the next regularly scheduled Council meeting. Once the Pre-Agenda has been distributed, no item can be removed from the agenda.
- D. Items Omitted from Agenda. Any item not appearing on the agenda shall not be taken up for discussion as a matter of City Council business during a regular meeting unless it is of an emergency nature as authorized by the Texas Open Meetings Act and comes to the City's attention too late to appear on the agenda. Such special, urgent, or emergency issues shall be posted in compliance with the Texas Open Meetings Act and state law and may be added as a supplemental item to the regular agenda.
- E. A Councilmember may request a previously acted upon agenda item be reconsidered at the next City Council meeting provided the request is made from the prevailing side of the issue. A Councilmember is not entitled to make such a request if he/she is not from the prevailing side of the issue.
- F. The City Manager shall provide the City Council with a written analysis of and recommendation of items to be acted on by the City Council at its meetings. These communications shall be generally referred to as agenda packets. The agenda packets for all regular meetings shall be electronically delivered to the City Council by the Friday preceding the

date of the next regular meeting to which it pertains, unless an emergency condition makes it necessary to deliver the communication on a subsequent day.

- G. The City Secretary shall post notices of all City Council meetings in compliance with the Texas Open Meetings Act.

5.2 Consent Agenda. In preparing the agenda, the City Manager shall give consideration to the number and degree of complexity of items to be considered by the City Council for the purpose of conserving the City Council's time in meetings. Items which are anticipated to be routine and require little or no discussion by the City Council shall be listed under the agenda category styled "Consent Items." Prior to taking up the Consent Agenda, the Mayor shall determine if there are any items thereon which should be removed from the Consent Agenda for discussion. Any Councilmember may, upon request, remove any item from the Consent Agenda for discussion and separate action. Thereafter, all remaining Consent Agenda items may be acted upon by a single motion approving the Consent Agenda. Items removed from the Consent Agenda shall be considered on the ending resolution, which is for action not otherwise approved.

5.3 Oral Presentations by City Manager. Matters requiring the City Council's attention or action which may have developed since the deadline for delivery of the agenda packets may, upon approval of the City Council, and after satisfying the requirements of the Texas Open Meetings Act, be presented orally by the City Manager, or designated staff.

5.4 Citizen Participation at Meetings.

- A. Citizens and other visitors are welcomed to attend all public meeting of the City Council and will be admitted to the City Council chambers or other room in which the City Council is meeting up to the fire safety capacity of the room.
- B. Everyone attending the meeting will refrain from private conversations while the City Council is in session.
- C. Presentations by citizens must be confined to any City related issue. Extended discussion or debates will be not be allowed, the City Council will listen but will not usually comment on the issue. Citizens wishing to speak shall be allowed to speak, provided prior to the consideration of the item said person completes and delivers to the City Secretary an "Application to Address" form providing name, address and topic. "Application to Address" forms shall be completed at the Council meeting and must be turned in ten (10) minutes prior to stated time of the Council meeting. Persons wishing to express their position on an agenda item but who do not wish to speak may complete an

"Application to Address" form and indicate their support or opposition. The name and respective position of such person(s) shall be read into the record. Presentation by citizens shall be limited to a time period of not more than three (3) minutes with two (2) additional minutes to conclude, at the option of the presiding officer or the consent of the City Council, for each speaker. A speaker who has requested to address the Council on multiple voting items must speak on all items at the time the first item for which the speaker is registered is considered by the Council. Speakers will have a maximum of three (3) minutes to speak regardless of the number of items they wished to address. The applicant in any zoning case will be allowed up to ten (10) minutes to make their presentation. Any time spent by the City Council will not be counted against the citizen's time allotment. No person shall speak more than the time limits provided herein on any subject unless there is an exception supported by a majority of City Council. The presiding officer shall not be obligated to recognize a speaker for a second comment on a subject.

- D. Following a request by a Councilmember, the presiding officer may request that the City Council re-open the public hearing after a public hearing has been closed. Such public hearing may be re-opened upon the approval of a majority vote of the City Council.
- E. As a general rule, citizens may not participate in discussions of the City Council except when recognized by the Mayor and during citizen presentations, public hearings, and as otherwise provided for in these Rules.
- F. Once public input is closed, the matter shall be returned to the City Council for discussion, questions, deliberation, and action. Any Councilmember is entitled to ask questions of any person in attendance at the meeting.

SECTION VI-DECORUM AND DEBATE

6.1 Decorum and Debate. When a measure is presented for consideration to the City Council, the presiding officer shall recognize the appropriate staff or Councilmember to present the case, as needed.

- A. A Councilmember desiring to speak shall address the presiding officer and, upon recognition by the presiding officer, shall confine discussion to the agenda item under discussion. When two or more Councilmembers wish to speak, the presiding officer shall name the Councilmember who is to speak first. No member of the City Council shall interrupt another while speaking except where called to order by the presiding officer or by another Councilmember to make a point of

order or to make a point of personal privilege, or unless the speaker chooses to yield to questions from another member. If a Councilmember is called to order while he/she is speaking, he/she shall cease speaking immediately until the question of order is determined. If ruled to be in order, he/she shall be permitted to proceed. If ruled not to be in order, he/she shall remain silent or shall alter his/her remarks so as to comply with rules of the City Council. As a point of courtesy, no Councilmember should leave the remainder of an incomplete City Council meeting while in session with the intent of not returning without advising the presiding officer.

- B. The City Council is committed to conducting its business in a courteous, reasonable, and respectful manner. In that spirit, the City Council acknowledges that each Councilmember shall be entitled to speak and ask questions on any item and that in doing so, each Councilmember shall be mindful and respectful of each other's time and perspective. The Mayor shall not be obligated to recognize any Councilmember for a second comment on the subject or amendment until every Councilmember wishing to speak has been allowed a first comment. A complaint that a Councilmember's questions or comments have become excessive, redundant, repetitive, or otherwise may be made as a point of order as provided in Sections 4.3 and 4.5.
- C. Questions from speakers to the City Council with request for an immediate answer, except the applicants and persons representing applicants on platting or zoning cases, shall be prohibited. A Councilmember's questions to speakers should be to specific individuals and the presiding officer should explain to those individuals beforehand that they may come to the podium and answer if they choose to; but they cannot offer additional unsolicited input or engage in question and answer sessions with Councilmembers.
- D. No Councilmember shall be permitted to indulge in profanity or use language personally offensive, impugn the motives of Councilmembers, charge deliberate misrepresentation, or use language tending to hold a member of the City Council, the public, or City staff up for contempt.
- E. Citizens shall observe the same rules of propriety, decorum, and good conduct as the City Council. The Mayor shall not permit unrecognized speaker's comments or allow a member of the audience to indulge in profanities or use language tending to hold the City Council, the public, or City staff up for contempt.
- F. A speaker shall not present an argument on a matter previously considered by the City Council at the same session.

- G. No person shall make personal, impertinent, or slanderous remarks. Any person who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the security officer is so directed by the presiding officer, and such person shall be barred from further audience before the City Council during that session of the City Council.
- H. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the presiding officer.
- I. No signs, posters, or placards will be allowed at City Council meetings. Any such signage shall be removed by the security officer.
- J. The presiding officer shall exercise control over persons who disrupt the meeting, violate these Rules, or disregard the presiding officer in the following ascending order of action:
 - 1. Call the person to order, advising that person of the infraction.
 - 2. Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.
 - 3. Order the person to leave the meeting. If the offending person is a member of City Council, the presiding officer shall call for a vote on the expulsion of that Councilmember from the meeting, and such vote requires a majority for adoption.
- K. Citizens or other visitors attending city council meetings shall not bring food or drink into the city council chamber or into any other room in which the City Council is meeting.
- F. A police officer may remove an individual or individuals for disrupting a meeting as authorized by Texas Penal Code Section 42.05. When the Mayor fails to maintain order and decorum, the Councilmembers may compel the Mayor to enforce this provision following due parliamentary procedure, which affirms such compulsion by a majority vote of the City Council.

SECTION VII-RULES SUSPENSION

Any provision of these rules not governed by City Code or State law may be temporarily suspended by a two-thirds (2/3) vote of the City Council members present. The vote on any suspension shall be taken verbally via "Aye and "No" votes and entered into the minutes of the meeting.

