

RESOLUTION NUMBER 1-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTON LAKES, TEXAS, ESTABLISHING RULES GOVERNING CITY COUNCIL MEETINGS, INCLUDING WORKSHOPS AND PUBLIC HEARINGS, AND MEETINGS OF COMMITTEES APPOINTED BY THE CITY COUNCIL.

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WHEREAS, because the City of Weston Lakes, Texas (the "City"), does not have written rules for the conduct of official meetings, overview rules are necessary to ensure the effectiveness and efficiency of City government meetings; and

WHEREAS, the Texas Government Code, Chapters 551 and 552, which cover open meetings and open records, places responsibilities on Texas municipalities to structure meeting agendas and records to be responsive to citizen requests for information; and

WHEREAS, orderly and structured meetings are required to meet the requirements of good governance and it is deemed essential for the City Council to adopt formal meeting rules based upon modified *Robert's Rules of Order*, as described and hereafter set forth; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTON LAKES, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. City Council meetings. The regularly scheduled meetings of the City Council will be on the fourth (4<sup>th</sup>) Tuesday of each month, beginning at six o'clock (6:00) p.m. An agenda of each meeting will be posted at the place of the meeting not less than 72 hours in advance of said meeting, as required by Texas Government Code, Chapter 551. Special meetings may be called as required to address special actions by the Mayor. An agenda of such special meetings is also required to be posted at the place of the meeting not less than 72 hours in advance of any such meeting. Emergency meetings may also be called and an agenda posting is required not less than 2 hours before said emergency meeting is to begin. Emergency meetings are rare and will only be called in case of an imminent threat to public health and safety or a reasonably unforeseen situation. A nonemergency item may not be placed on an agenda unless 72- hour notification is given. An emergency item may be added to a regularly scheduled meeting with 2 hours notification and must clearly identify the emergency or urgent public necessity.

Section 2. General agenda. The general agenda of the meeting will include a Call to Order, an Invocation, a Pledge of Allegiance to the Flag of the United States of America, public announcements, public comments, items to be considered by the City Council, such as resolutions or ordinances, and an adjournment.

Section 3. Placement of items on the Agenda. The Mayor will control the agenda. Items may be placed on the agenda by City Councilmembers by a request to the Mayor. Requests by Councilmembers will normally be approved. Citizen requests for agenda items may be considered by the Mayor.

Section 4. Public comments. Each meeting will have 20 minutes allocated for public comments. Public participation is encouraged. Each individual desiring to make public comments must make their desires known before the Call to order. A sign-up sheet will be available at the entrance to the meeting and the individual requesting to speak will be required to identify the subject matter of their comment. Each individual will be allotted 3 minutes for their comment, which may be extended by a majority vote of the City Council after a motion and a second to do so. Comments should be related to an agenda item; however, if a comment is made that is not related to an agenda item, the City Council is prohibited by Texas Government Code, Chapter 551, from responding to the comment except to state or correct a fact, or to state that Council will consider the matter in a future meeting after being properly placed on the agenda.

Section 5. Consent agenda. Consent agendas contain items that are uncontroversial or recurring items that are routine in nature, required by rule or law, but must be formally approved by the City Council. Consent agenda items will be grouped and identified in the agenda and will be approved as a group with a single motion, second, and vote, without discussion or debate. If any Councilmember objects to an item being on the consent agenda, it will be removed and placed on the agenda in its appropriate place.

Section 6. Meeting decorum. The Mayor is the presiding officer of the Council and, as such, will control the meeting and be the final arbiter of the rules of the meeting. In the absence of the Mayor, the Mayor Pro Tem will be the presiding officer. In the event the Mayor and Mayor Pro Tem are absent a quorum of the attending Councilmembers will select a presiding officer. All comments from the public and the City Council will be addressed to the presiding officer. Mayor and Councilmen will be addressed by their title, "Mayor" or "Councilmember", as appropriate, "Madam Mayor" or "Mr. Councilmember" is also appropriate. Councilmembers will not usually respond to citizen comments except by addressing them to the presiding officer.

Section 7. Meeting rules.

- a. *Motions, seconds, discussion, and votes.* All items to be presented to the City Council will be by agenda item and a motion of one of the Councilmembers after being recognized by the presiding officer. The presiding officer will acknowledge the motion and ask for a second. After

receiving a second on the motion, the presiding officer will ask for discussion. Each Councilmember will make comment as appropriate after being recognized by the presiding officer. At the conclusion of comments, the presiding officer will call for a vote and ask for the “yeas” and “nays.”

- b. *Discussion.* Discussion or debate of a particular issue by a Councilmember is generally restricted to 10 minutes in accordance with *Robert’s Rule of Order*; however, the presiding officer may limit time based upon the focus of the discussion and the appropriate relevance to the agenda item. Departure from the item under motion is subject to a ruling that the Councilmember is out of order.
- c. *Vote.* An item, resolution, or ordinance passes with a majority vote of the Councilmembers. The Mayor shall cast a vote in the case of a tie. A tie can occur when a Councilmember is absent, or one of the Councilmembers recuses himself from a vote or legally abstains.
- d. *Workshops sessions.* City Council workshop sessions may be called by the Mayor for the purpose of addressing certain matters in detail. Although considered informal, such matters are subject to agenda posting requirements, in accordance with the Texas Open Meetings Act and recording of minutes is required. Workshops usually are held in conjunction with a City Council budget review prior to Council approval and the holding of a public hearing on the City’s annual budget. Public comments are allowed at workshops in the same manner as in regular City Council meetings, but will be limited to the agenda item. Comments at a budget workshop/session would be limited to budget items. Workshops sessions may include presentations by subject matter experts and/or consultants providing the Council outside expertise.
- e. *Public hearings.* Public hearings are, in some areas, statutorily required as in the case of the Uniform Budget Law (Section 102.001, *et seq.*, Texas Local Government Code), which requires a public hearing on the City budget prior to its adoption. Others are voluntary or required by other statutes. Public hearings are designed to obtain citizen input on important matters and issues facing the City. The Mayor presides over the public hearings, which are set up to allow individuals to present opposite sides of an identified issue. The agenda will clearly state the purpose of the hearing, and the presiding officer will clearly state again for the record the purpose of the meeting. The duration of the hearing will be limited to 2 hours. *Robert’s Rules of Order* will apply and proper decorum and courtesy will be enforced. Comments will be directed to the presiding officer who will be addressed by his proper title (“Mayor” or “Councilmember”). Citizens will be treated respectfully and addressed by the presiding officer as “Mr.,” “Mrs.,” or “Ms.,” as appropriate.

- f. *Notification.* Notification of a public hearing is the same for a City Council meeting, 72 hours prior to the meeting, unless otherwise prescribed by law. Such notification will include a detailed description of the purpose of the meeting. If an agenda item relates to an ordinance, such ordinance will be included or attached to the meeting notification. In case of a budget hearing, the proposed budget will be attached.
  
- g. *Citizen input.* Proponents and opponents on any issue will be required to sign in and identify the subject matter of their discussion. Each citizen will be given a minimum of 3 minutes for their discussion depending on the number of proponents and opponents. No one presenter will be given a disproportionate amount of discussion time. The subject of citizen comments pertaining to a budget hearing, may address the overall budget, a single item on the budget, or multiple entries in the budget, and may be in either support or opposition to such item.
  
- h. *Decisions by City Council.* Decisions may or may not be made at the public hearing; however, the time and date of announcement of the proposed decision will be given, and the reason for a delay if a decision is not made at the end of the public hearing, as well as an explanation of Council's reason for delaying the decision.

**PASSED AND APPROVED** by a vote of 5 “ayes” in favor and 0 “nays” against on this first and final reading on the 27<sup>th</sup> day of January 2009.

**ATTEST:**

**APPROVED:**

/s/  
Clifton H. Aldrich  
Mayor Pro Tem

/s/  
Mary Rose Zdunkewicz  
Mayor