

ORDINANCE 2019-12-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS AMENDING ORDINANCE 2015-07-01 – COUNCIL PROCEDURE – COUNCIL MEETING RULES OF PROCEDURE; AMENDING CHAPTER 23, CITY COUNCIL; ARTICLE II RULES OF PROCEDURE.

BE IT ORDAINED by the City Council of the City of Alpine, Texas that the Code of Ordinances – City of Alpine, Texas; Chapter 23, City Council; Article II Rules of Procedure be replaced in its entirety as follows:

Sec. 23-21. - Meetings.

- (a) All regular city council ("council") meetings ("meeting(s)") shall normally be held at 5:30 p.m. at Council Chambers, 803 W. Holland, Alpine, Texas on the first and third Tuesdays of every month, except December when only a first Tuesday Meeting shall be held. Special council meetings may be held when necessary for the transaction of the business of the city, shall normally be held at 5:30 p.m. at Council Chambers as above, and may only be called by written request from the mayor or three councilmembers, using the form adopted by resolution, if possible; this request may be circulated by any councilmember. Posting proper notice may change the location or time, or part or all of any meeting. All unfinished meetings shall recess no later than completion of the agenda item pending at 9:00 p.m., unless by motion and majority vote the council decides to continue the meeting; meetings shall be recessed under the following conditions:
- (1) If any of the five councilmember's present cannot attend the next day to reconvene, the meeting must adjourn, unless all the councilmembers who cannot attend the next day give permission to recess.
 - (2) If recessed, the meeting shall be reconvened in the same place, at the same time, and on the next day, unless by motion and majority vote the council decides to set a different time and/or place.
- (b) The mayor shall, with three councilmember's, constitute a quorum; if the mayor is absent, four councilmember's shall constitute a quorum. All rulings from the mayor or mayor pro tem on procedural or substantive matters shall be subject to appeal and reversal by motion and majority vote of council at any time. The mayor or the mayor pro tem may vote only in the case of a tie, on any meeting agenda ("agenda") item ("item(s)").
- (c) In order to ensure clarity about the position of each councilmember during a vote, the mayor or mayor pro tem shall ask for a positive statement for those in favor of a motion by stating "aye" or raising of their hand, those not in favor of a motion by stating "nay" or raising of their hand, and those who abstain from voting by stating "abstain" or raising of their hand.
- (d) The mayor or mayor pro tem shall preside with fairness and impart maintaining absolute neutrality by posture, demeanor, action and language during all meetings. The mayor shall not:
- (1) Restrict orderly speech, in any way, of any councilmember's or city manager's presentation of any item.
 - (2) Restrict orderly speech, in any way, of any councilmember's or city manager's discussion of any item.
 - (3) At the written request of any councilmember or the mayor, the department heads of finance, public works, gas and utilities, along with the police chief, shall attend

meetings until dismissed by a majority vote of the council under Item B or any subsequent item in the order of business, or until the meeting is adjourned. The specific topic the department head needs to address should be included in the written request. Citizens or anyone attending a meeting shall be given an opportunity to ask questions on the specific topic before city staff are dismissed.

- (e) The mayor, any councilmember, or the city manager ("manager") may place items on any meeting agenda ("agenda"), using the form adopted by resolution if possible. All resolutions or ordinances require sponsorship by a councilmember or the city manager. The manager is responsible for the preparation of the agenda, but may not alter submitted items without permission of the submitter. The submission deadline for all meetings is 5:00 pm. The last submission day is Wednesday before regular meetings, or the sixth day before special meetings.
 - (1) Items shall indicate the requestor's name and sufficient explanation so that any citizen can understand the substance of the item.
 - (2) Presentations to be made during: Presentations, public hearings, information and discussion/action items must meet the submission deadline listed above. The only exceptions to this are the: City mayor, city manager and city staff reports.
 - (3) Any item requiring financial expenditure by the city must identify the line item of the budget the expenditure will come from or the financing strategy to be utilized by the city or the future budget requirements. The city manager will be available (and make Staff available) to help pull the back-up information together at the elected officials request.
 - (4) Information Packets with back-up materials will be delivered to the Mayor and City Council members by 5:00 P.M. on the Friday prior to the Council meeting.
 - (5) A redacted version of the packets, redacting all personnel or legal materials, will be available on the City website at least 24 hours prior to the scheduled meeting.
- (f) Meetings are held pursuant to the provision of the Texas Open Meetings Act (Government Code Chapter 551). Citizens desiring to address the city council, or express their opinion about a particular meeting Agenda Action Item are limited to three minutes.
- (g) Before a vote is taken on any item, the city secretary or designee shall read the written motion, and then shall ask whoever made the motion if the motion is correctly stated.
- (h) Robert's Rules of Order may be generally followed for procedural matters. The council may adopt or revoke any specific rules of procedure at any time by resolution. Presiding officer of meeting must adhere to meeting rules/procedures. Councilmembers are allowed to call a point of order to facilitate the running of the meeting.
- (i) Citizen comments after the meeting can be directed to their individual councilmember or the city manager.
- (j) Written minutes, audio recordings, and video recordings shall be made of all meetings. The official minutes should reflect what was done, not everything that was said; and as a minimum shall include:
 - (1) The text of all main motions, as amended;
 - (2) The text of all "points of order" and "appeals", along with the reason given by the mayor or mayor pro tem for the ruling of them;
 - (3) The results of the vote, both as whether the motion was "adopted" or "lost" and as the way each councilmember voted.

- (k) The council and the city attorney shall determine who may or may not attend executive sessions.

(Ord. No. 2015-7-01, 9-1-2015)

Sec. 23-22. - Order of business.

The order of business for city council meetings ("meetings") is listed below, and all items shall be listed on all regular or special meeting agendas, even if not needed for a given meeting.

**CITY OF ALPINE REGULAR CITY COUNCIL
MEETING ANY DATE, 5:30 P.M.**

Notice is hereby given that the City Council of the City of Alpine, Texas will hold a meeting at 5:30 P.M. on any date in the City Council Chambers, at 803 West Holland, in the City of Alpine, Texas for the purpose of considering the attached agenda. This notice is posted pursuant to the Texas Open Meetings Act (Section 551.043, Texas Government Code).

PUBLIC NOTICE - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.

Members of the Audience will be provided an opportunity to address the Council on any agenda item after determination of quorum and proof of notice of the meeting. Remarks will be limited to a total of 3 minutes per person. Please speak into the microphone located at the podium and state your name and address. If you have a petition or other information pertaining to your subject, please present it to the City Secretary. State law generally prohibits the Council from discussing or taking any action on any issue not included on the agenda, but, if appropriate, the Council may schedule the topic for future discussion or refer the matter to staff. **NO PERSONAL ATTACKS ON COUNCIL MEMBERS OR CITY STAFF WILL BE ALLOWED.** The Mayor and/or City Council Members may call a Point of Order to stop Personal Attacks. If an individual continues to personally attack an elected official or staff member in a meeting, they may be barred from speaking at future meetings.

AGENDA

1. Call to Order, Invocation and Pledge of Allegiance to the Flag.
2. Determination of quorum and proof of notice of the meeting.
3. **Public Comments (Limited to 3 Minutes for each individual)**
4. Presentations, recognitions and proclamations.
5. Reports:
 - City mayor's report.
 - City manager report.
 - City staff updates.
6. Public hearings.
7. Consent agenda.(Minutes, financial reports, department written reports, board appointments, etc.)—Notice to the Public—The following items are of a routine and administrative nature. The Council has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items

will be acted upon by one vote without being discussed separately unless requested by a councilmember, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

8. Information of discussion items.
9. Action items to be accompanied by a brief statement of facts, including where funds are coming from, if applicable. (Action items limited to (up to) 10 per meeting).

~~Citizens are allowed to comment (limited to three minutes) after being called upon by mayor or mayor pro tem. Citizens are required to state their name and the Ward in which they reside. Priority will be given to citizens of Alpine and those who own businesses or property in the city. Individuals who do not live in, or own businesses or property in the city limits of Alpine, will be allowed to speak if there is time available.~~

10. Council members comments and answers.
11. Executive session.
12. Action—Executive session
13. Adjournment.

(Ord. No. 2015-7-01, 9-1-2015)

PASSED AND ADOPTED THIS 7th DAY OF JANUARY, 2020 BY THE CITY COUNCIL OF THE CITY OF ALPINE, TEXAS.

INTRODUCTION AND FIRST READING

December 10, 2019

SECOND AND FINAL READING

January 7, 2020


Andres "Andy" Ramos, Mayor

APPROVED AS TO FORM:


Rod Ponton, City Attorney

ATTEST:


Cynthia Salas, City Secretary