

CITY OF SEALY
GOVERNANCE POLICY AND RULES OF PROCEDURE



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**CITY OF SEALY
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AND RULES OF PROCEDURE**

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COUNCIL GOVERNANCE POLICY AND RULES OF PROCEDURE

SECTION I - INTRODUCTION

1.1 The Sealy City Council is the governing body for the City of Sealy, Texas. Therefore, it must bear the initial responsibility for the integrity of governance. The council shall determine its own rules and order of business.¹ The council is responsible for its own development, its responsibilities, its own discipline, and its own performance. The development of this policy is designed to ensure effective and efficient governance.

This policy addresses mayor and council relations, council and staff relations, council and media relations, roles and meetings. By adopting these guidelines, we, as members of the city council, acknowledge our responsibility to each other, to our professional staff and to the public.

This policy will be reviewed and adopted on an annual basis.

¹ City Charter Sec. 3.11 Rules of procedure

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SECTION II – MISSION

2.1 In order to ensure proper discharge of duties for the improvement of democratic local government, members of the Sealy City Council will display behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of Sealy and each other in their relationships.

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SECTION III – INFORMATION

3.1 The city manager should make a diligent attempt to provide councilmembers complete packets on the Friday preceding the regular council meeting. It is the intention of the city council in adopting the above language to provide a guideline only and that the statement not be binding or interfere with the regular course of business. On major policy issues, the city manager shall provide briefing material to the council in advance of council consideration of the policy alternatives. Whenever possible, the management report shall be distributed more than a week in advance of council policy consideration.

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SECTION IV – ROLES

4.1 The mayor shall preside at meetings of the council, and shall be recognized as head of city government for all ceremonial purposes and by the governor for purpose of military law, but shall have no regular administrative duties. The mayor may participate in the discussion of all matters coming before the council. The council shall elect from among the council members a mayor pro tempore who shall act as mayor during the absence or disability of the mayor.²

4.2 As head of city government for ceremonial purposes, the mayor may issue and present proclamations and recognitions, and attend other ceremonial functions on behalf of the City of Sealy. Councilmembers may initiate, through the mayor or by a majority vote of the Council, similar items of recognition. Major community events sponsored by the City shall be a policy decision of the Council.

4.3 The mayor shall preserve order and decorum and shall require council members engaged in debate to limit discussion to the question under consideration.

4.4 The mayor is the spokesperson for the council on all official positions taken unless absent, at which time the mayor pro tem or the mayor's designee will assume the role.

4.5 The mayor will encourage all council members to participate in council discussion and give each member an opportunity to speak before any member can speak again on the same subject.

² City Charter Sec. 3.04 Mayor and Mayor Pro Tem.

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SECTION V – MEETINGS

5.1 Regular Meetings – The council shall meet regularly at such times as prescribed by ordinance, but not less frequently than once each month and the regular meetings will begin at a time established by City Council, unless postponed or canceled for valid reason(s).

5.2 Special Meetings – Special meetings may be held on any day of the week to consider items that require action prior to the next regularly scheduled meeting and may be called upon the request of the mayor or four (4) or more Councilmembers.

5.3 Executive Sessions – The city council may meet in executive session in compliance with the Texas Open Meetings Act. A final action, decision or vote on a matter deliberated in an executive session will be made in an open meeting for which proper notice is provided. All discussions in executive session shall remain confidential.

5.4 Public Notice – The agenda for all regular meetings, special meetings, and the notice listing items to be considered shall be posted on the city’s official bulletin board in accordance with the Texas Open Meetings Act.

5.5 Attendance – Councilmembers are expected to attend all meetings and stay in attendance during each meeting. No member shall leave a meeting without advising the presiding officer.

5.6 Conflict of Interest – A council member prevented from voting due to a conflict of interest shall leave the meeting during the debate, shall not vote on the matter, and shall otherwise comply with the state law, city charter and ordinances concerning conflicts of interest. Any council member filing a conflict of interest affidavit on an Executive Session item shall not confer with staff, the city attorney, council members or mayor.

5.7 City Council Members – a) During city council meetings and work-sessions, council members shall assist in preserving order and decorum and shall neither by conversation or otherwise delay or interrupt the proceedings nor refuse to obey the rules of the city council.

b) A council member desiring to speak shall address the chair, and upon recognition by the presiding officer, shall confine discussion to the question under debate, avoid discussion of personalities and inappropriate language, and refrain from personal attacks and verbal abuse.

c) A council member, once recognized by the chair, shall not be interrupted while speaking except for the following reasons: called to order by the presiding officer; a point of order is raised by another member, or the speaker chooses to yield to questions from another member. If a council member is called to order while speaking, that member shall cease speaking immediately until the question of order is determined. If ruled to be in order, the member shall be permitted to proceed. If ruled to be not in order, the member shall remain silent or make additional remarks so as to comply with the rules of the city council.

d) When there is more than one speaker on the same subject, council members shall delay their comments until after all speakers on the subject have been heard.

e) The chair shall state all questions submitted for a vote and announce the result. If the vote is not unanimous, the chair shall announce the names of member(s) voting in favor and in opposition to the motion.

5.7 Administrative Staff – a) Members of the administrative staff and employees of the City shall observe the same rules and decorum applicable to members of the city council.

b) Although the presiding officer has the authority to preserve decorum in meetings, the city manager also is responsible for the orderly conduct and decorum of all city employees under the city manager's direction and control.

c) The city manager shall take such disciplinary action as may be necessary to ensure that decorum is preserved at all times by city employees in meetings.

d) All persons addressing the city council, including the city manager shall be recognized by the presiding officer and shall limit remarks to the matter under discussion.

e) All remarks and questions addressed to the city council shall be addressed to the city council as a whole and not to any individual member.

5.8 Citizens and Visitors – a) Citizens and visitors are welcome to attend all public meetings of the city council and will be admitted to the Chamber or meeting room 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) Citizens and visitors attending city council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the city council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the city council or while attending the meeting, shall be removed from the room if so directed by the presiding officer. The person shall be barred from further audience before the city council during that session. If the presiding officer fails to act, any member of the council may move to require enforcement of the rules, and the affirmative vote of a majority of the council shall require the presiding officer to act.

d) Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer, who may direct the removal of offenders from the room. In case the presiding officer shall fail to act, any member of the council may move to require enforcement of the rules and the affirmative vote of the majority of the council shall require the presiding officer to act.

e) No placards, banners, or signs will be permitted in the city council chamber or in any other room in which the council is meeting. Exhibits, displays and visual aids used in connection with presentations, however, are permitted.

f) The chief of police, or his/her designee, shall act as sergeant-at-arms for the city council and shall furnish whatever assistance is needed to enforce the rules of the city council.

5.9 Agenda – a) The mayor and/or city manager shall set the agenda. An individual councilmember may request an item to be placed on the upcoming agenda for the next regular meeting, unless the majority of the council votes that the item shall not be on the upcoming agenda.

5.10 Speakers – a) A person wishing to address the city council must first complete a request form and register it with the city secretary. The following information must be provided on the form: name, residence address, daytime telephone number, the subject matter to be addressed.

b) Speakers must address their comments to the presiding officer rather than to individual council members or staff.

c) Speakers must keep their remarks specific to the item being considered by the city council. If the speaker is addressing the city council under the “petitions and requests from the public” section, the speaker may address any item not slated for discussion on the agenda.

d) A person who registers to speak on an item listed on the agenda will be called on after the chair gains agreement to do so by the council. A person who registers to speak on a public hearing item or during the “petitions and requests from the public” section will be called on at that time. The chair may determine the order in which speakers are called.

e) All speakers will have a maximum of five (5) minutes to address the council. A majority vote of the council will be required to extend the time limit. The chair may impose more restrictive time limits if a large number of persons register to speak.

f) For called public hearings, the applicant will be allowed a maximum of five (5) minutes to make a presentation.

g) In accordance with the Texas Open Meetings Act, the city council will not discuss or consider any item addressed during the “petitions and requests from the public” section. Council members will not interact with the public during the time allotted to speakers unless a non-debatable motion approved by the city council allots a specific amount of time.

h) Whenever it is necessary for a speaker to use an interpreter to translate comments to the city council, the time required for the translation will not be counted against the designated time allotted for the speaker to address the city council.

5.11 Motions – a) No motion may be moved or suggested until all council member discussion is complete and the mayor calls for the motion. A motion made

and seconded will be considered the main motion. Any council member may move to amend a motion. The amendment must receive a second before it may be discussed and must be voted on prior to voting on the main motion.

b) A motion may be withdrawn or modified by its mover without asking permission until the motion is voted upon. If the mover modified the motion, the council member who seconded the motion may withdraw the second.

c) At any time after a motion has been made and seconded, a council member may “Call the Question”, which will have the affect of stopping the debate and requiring the city council to immediately proceed to vote on the motion to call the question.

d) A motion to reconsider any action of the city council must be made no later than prior to the conclusion of the next regularly scheduled meeting of the city council. Such a motion may only be made by a council member who voted with the prevailing side. The motion to reconsider may be seconded by any member. No question shall be twice reconsidered except by unanimous vote of the city council, except that action relating to any contract may be reconsidered at any time before the final execution thereof.

- (i) If a motion to reconsider is made at the same meeting at which the matter was acted upon, the motion may be heard and voted upon and the original action on the matter is set aside. Deliberation may then resume on the matter at that same meeting.
- (ii) If a motion to reconsider is made at the next meeting after the matter was acted upon, the motion to reconsider may be heard and voted upon and the original action on the matter is not set aside. Deliberation may not resume on the matter, but it shall be placed on the next available agenda for deliberation.

5.12 Suspension of Rules – Any provision of these rules not governed by the City Charter, City Code, State or Federal law may be temporarily suspended by a majority vote of the members of the city council present. The vote on any such suspension shall be taken by yeas and nays and entered upon the record.

5.13 Amendment of Rules – These rules may be amended, or new rules adopted, by a majority vote of the members of the city council.

5.14 Failure to Comply - A failure to comply with these rules does not invalidate any otherwise lawful act of the Council.

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SECTION VI – PUBLIC CONTACT / MEDIA RELATIONS

Representative government is only successful when the citizens are kept informed and educated about the issues facing their municipality; consequently, it is imperative that the media play an important role in the council-manager-media relations. It is through an informed public that progress is ensured and good government remains sensitive to its constituents. These guidelines are designed to help ensure positive relationships with print, radio, and television reporters. The mayor, city council and the city manager recognize that the news media provide an important link between the council and the public. It is the council's desire to establish a professional working relationship to help maintain a well-informed and educated citizenry.

6.1 During the conduct of official business, the city shall designate adequate space for the news media.

6.2 All reporters will receive an agenda in advance and will be furnished support material needed for clarification if requested.

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SECTION VII – PLANNING

The mayor and council are responsible for establishing a vision for the city of Sealy and planning for its future. The comprehensive plan shall be used as a guide to maintain the focus and vision for the city of Sealy.

7.1 On an annual basis, the mayor and city council shall hold a minimum of one strategic planning session wherein they review the comprehensive plan and amend the plan in order to set priorities, goals and objectives. The goals and objectives shall address short term and long-term needs of the city and will be in accordance with the comprehensive plan.

7.2 Policy direction shall be consistent with the strategic goals and objectives of the comprehensive plan. Sufficient time and consideration should be given to policy alternatives to ensure that decisions are made consistent with the comprehensive plan.

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SECTION VIII – COUNCIL / STAFF RELATIONS

8.1 The role of the city manager and the relationship of staff with council is addressed in Article IV of the City Charter.

8.2 The city council shall direct comments, correspondence and concerns about city services to the city manager's office. Citizens concerns, comments and correspondence regarding city services received by council members shall be forwarded to the city manager for appropriate staff action and a timely response.

8.3 Documents provided to one council member shall also be distributed to all other members of the elected body. The city manager shall prepare and submit to the council as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year. The city manager shall keep the council advised of the financial condition and future needs of the city and make such recommendations that may seem desirable.³

8.4 In order to ensure proper presentation of agenda items by staff, questions arising from council members after receiving their information packet should be, whenever possible, presented to the city manager or the manager's designated assistants for staff consideration prior to the council meeting. This allows time for staff to address the council members' concerns and provide all council members with the additional information.

³ City Charter Sec. 4.01(c) (5) (6) Powers and duties.