



**CITY COUNCIL  
WORKSHOP SESSION MINUTES  
JUNE 15, 2022**

**PRESENT:**

Dr. Christopher Harvey, Mayor

**COUNCIL MEMBERS:**

Emily Hill, Mayor Pro Tem, Place 1  
Anne Weir, Place 2  
Maria Amezcua, Place 3 (Absent)  
Sonia Wallace, Place 4  
Aaron Moreno, Place 5  
Vacant, Place 6

**CITY STAFF:**

Scott Moore, City Manager  
Lluvia T. Almaraz, City Secretary  
Paige Saenz, City Attorney  
Tracey Vasquez, HR Manager  
Lydia Collins, Director of Finance  
Sarah Friberg, Court Administrator  
Scott Jones, Economic Development Director  
Scott Dunlop, Development Services Director  
Ryan Phipps, Chief of Police  
Phil Green, IT Director

**WORKSHOP SESSION – 5:00 P.M.**

With a quorum of the Council Members present, the workshop session of the Manor City Council was called to order by Mayor Harvey at 5:15 p.m. on Wednesday, June 15, 2022, in the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

**PLEDGE OF ALLEGIANCE**

Mayor Harvey let the Pledge of Allegiance.

## **PUBLIC COMMENTS**

Robert Battaile, 502 E. Eggleston Street, Unit A, Manor, Texas, submitted a speaker card and discussed his concerns regarding Council's microphone technique.

No one else appeared to speak at this time.

Mayor Harvey clarified to Mr. Battaile that he couldn't direct any other person to do something during the meeting while they were on the podium speaking to council.

## **REGULAR AGENDA**

### **1. Discussion of Conflict of Interest**

City Attorney Saenz discussed the attached chart regarding Conflict of Interest provisions.

Discussion was held regarding the clarification on the recusal process for Council.

Discussion was held regarding a workshop to review Section 5- Duties and Privileges of Council Members – 5.03 Conflict of Interest.

### **2. Discussion of City Council Rules of Procedure**

City Secretary Almaraz discussion the attach redline proposed amendments for City Council Rules of Procedure.

Discussion was held regarding the following sections of the City Council Rules of Procedure.

- Section 3 – Meetings – 3.13. Agenda
- Section 5 – Duties and Privileges of Council Members – 5.07 Confidential Information

Mayor Harvey requested for additional language to be added to Option 1 regarding misconduct.

City Council concurred that Option 1 would be added to the Rules of Procedure.

a. The City Council shall not disclose confidential or proprietary information, or any information they have acquired or obtained in the course of any fiduciary capacity or relationship, that could adversely influence the property, government, or affairs of the city, nor directly or indirectly use his or her position to secure official information about any person or entity for the financial benefit or gain of such public servant or any third party. The City Council shall not release confidential, proprietary or privileged information for any purpose other than the performance of official responsibilities. It shall be a defense to any complaint under this section that the

release of information serves a legitimate public purpose, as opposed to the private financial or political interest of the public servant or any third party or group. Failure of a member to comply with this Section shall constitute misconduct in office.

Discussion was held to add National Holidays to Section 7 – Order of Business – 7.04 Addressing the City Council - b. Written Correspondence and Telephone Calls.

- Section 9 – City Council Committees – 9.01 Committees Established; 9.04 Committee Meetings

Discussion was held regarding the removal of 9.02 Standing Committee Section.

Discussion was held regarding the clarification of sergeant-at-arms.

Discussion was held for the addition of Manor Police Officer to Section 4 – Standards of Conduct – 4.05 Enforcement.

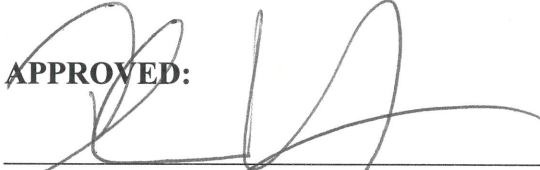
There was no further discussion.

#### ADJOURNMENT

The Workshop Session of the Manor City Council Adjourned at 6:30 p.m. on Wednesday, June 15, 2022.

These minutes approved by the Manor City Council on the 6<sup>th</sup> day of July 2022.

**APPROVED:**

  
\_\_\_\_\_  
Dr. Christopher Harvey  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Lluvia T. Almaraz, TRMC  
City Secretary



Statute/Applies to	Requirements	Dollar Threshold	Penalty
<p><b>Chapter 171, Tex. Local Gov't Code – Conflicts of Interest related to <u>Agenda Items</u></b></p> <p><b>Applies to:</b> Council, P&amp;Z, Ethics Commission, BOA, Boards with final decision making authority</p>	<p>Disclose in writing the interest in real property or the business interest before the meeting at which the matter will be discussed begins and abstain from participating in discussion and voting on the matter, if doing so will have a special economic effect on the interest that is distinguishable from that of the general public.</p>	<p>Real property interest -- \$2,500 (individual or family member)            Business interest –            (a) Owning 10% or more of the voting stock or shares of the business            (b) Owning \$15,000 or more of the fair market value of the business entity            (c) Receiving more than 10% of one's gross income for the previous year from the business            (d) A family member has such interest</p>	<p>Class A misdemeanor – Fine of up to \$4,000 and/or jail time of up to 1 year</p> <p>Action potentially voidable</p>
<p><b>Chapter 176, Tex. Local Gov't Code – Required Disclosures for <u>Contracts</u></b></p> <p><b>Applies to:</b> Council, City Manager, any employee or consultant who exercises discretion in planning, recommending, selecting, or contracting with the vendor</p> <p>[Also applies to vendors]</p>	<p>Complete a conflicts disclosure statement if the local gov't officer or a family member has: a) an employment or business relationship with a vendor; b) has received a gift from the vendor that exceeds certain dollar limits; or c) has a family relationship with the vendor</p>	<p>Employment/business relationship – Taxable income of more than \$2,500 in the preceding 12 months</p> <p>Gift – More than \$100 within the preceding 12 months (includes food, lodging, transportation, and entertainment accepted as a guest)</p>	<p>For contracts less than \$1 million – Class C misdemeanor</p> <p>For contracts valued at least at \$1 million but less than \$5 million – Class B misdemeanor</p> <p>Contracts valued at least \$5 million – Class A misdemeanor</p>

<p><b>Section 12.02, City Charter</b></p> <p><b>Applies to:</b> Elected or appointed officer or employee of the city</p>	<p>No elected or appointed officer or employee of the city shall accept, directly or indirectly, any gift, favor or privilege exceeding a nominal value or employment from any utility, corporation, person or entity having or seeking a franchise or contract with or doing business with the city. If any utility, corporation, person or entity contracting with the city shall make any gift or give any favor, privilege or employment to an officer or employee in violation of this section, such action shall render the contract voidable.</p>	<p>None specified</p>	<p>Contract is voidable.</p>
<p><b>Section 12.03, City Charter</b></p> <p><b>Applies to:</b> Elected or appointed officer or employee of the city</p>	<p>No elected or appointed officer or employee of the city shall have a financial interest, direct or indirect, or by reason of ownership of stock in any corporation, in any contract with the city or be financially interested, directly or indirectly, in the sale to the city of any land, materials,</p>		<p>Contract is voidable</p>

	<p>supplies or services, except on behalf of the city as an officer or employee; provided however the provision of this section shall only be applicable when the stock owned by the officer or employee exceeds one percent of the total capital stock of the corporation. Any violation of this section with the knowledge, express or implied, of the person or corporation contracting with the city shall render the contract voidable.</p>		
<p><b>Section 12.04, City Charter</b>  <b>Applies to:</b> Elected or appointed officer or employee of the city</p>	<p>No elected or appointed officer or employee of the city shall participate in the deliberation or decision on any issue, subject or matter before the council or any board or commission, if the officer or employee has a personal financial or property interest, direct or indirect, in the issue, subject or matter that is different from that of the public at large. An interest</p>	<p>None</p>	

	arising from job duties, compensation or benefits payable by the city shall not constitute a personal financial interest.”		
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# **CITY COUNCIL RULES OF PROCEDURE**

**As Adopted by Ordinance No. 516  
Effective May 2, 2018**

**Amended by Ordinance No. 597  
Effective December 16, 2020**

**Amended by Ordinance No. 626  
Effective November 3, 2021**

**Amended by Ordinance No. 631  
Effective November 17, 2021**

**Amended by Ordinance No. 644  
Effective April 20, 2022**



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## **Section 1 – GENERAL**

Parliamentary law and the rules of procedure derived from such law are essential to all deliberative organizations so that they may consider all matters before them in an effective and efficient manner and produce results that are legal and binding. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while at the same time protecting the rights of both the group and each member. Accordingly, these rules of procedure establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, administrative staff, news media, citizens and visitors.

## **Section 2 – AUTHORITY**

The City Charter of Manor, Texas [Adopted: August 15, 2007; Amended: May 9, 2015, and Amended: November 3, 2020] provides in Article III (City Council Judge of its Members), Section 3.04. (Rule of Procedure) that “The Council shall by ordinance determine its own rules and order of business.” Thus, these rules of procedure are established. In the event of any conflict between the City Charter and these rules of procedure, the City Charter shall prevail.

The parliamentary reference for the City Council is the most recent edition of *Robert’s Rules of Order Newly Revised* (RONR). When any issue concerning procedure arises that is not covered by the Rules of Procedure, the City Charter or State law, the Council will refer to RONR, which shall generally determine such procedural issue. [www.robertsrules.com](http://www.robertsrules.com).

## **Section 3 – MEETINGS**

The City Council shall follow both the letter and the spirit of the Texas Open Meetings Act.

### **3.01. Regular Meetings.**

The City Council shall conduct regular meetings generally on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Wednesdays of each month. All regular meetings shall normally be scheduled to begin at 7:00 p.m. at City Hall and are open to the public.

### **3.02. Special Meetings.**

In accordance with Section 3.07 (Meetings) of the City Charter, “special meetings may be scheduled and held as the council deems necessary to transact the business of the city.” Special meetings are open to the public.

### **3.03. Workshop Sessions.**

Workshop sessions may be scheduled by the Mayor, a majority of Council Members or by the City Manager. They are normally conducted prior to regular or special meetings but may also be conducted at other times as well. Their purpose is to exchange information between council, staff, vendors or other groups. No official action is taken by council during these sessions, but workshops shall be posted and are open to the public. The City Council may suspend the application of this rule during a workshop session by majority vote of those members present and voting and take action on any item posted on the workshop agenda.

### **3.04. Executive Sessions.**

The City Council may meet in executive session under the provisions of the Texas Open Meetings Act. No vote shall be taken in an executive session on any matter under consideration nor shall any Council Member enter into a commitment with another respecting a vote to be taken subsequently in an open meeting of the City Council.

### **3.05. Public Hearings.**

Public Hearings may be scheduled to present evidence on both sides of issue(s). Some Public Hearings are required by state law such as approving an annual budget and setting a tax rate. Others are conducted voluntarily to obtain a full range of citizen input on important matters, such as a proposed bond issue. Public Hearings may be scheduled as part of a Regular Meeting or on other occasions as necessary.

### **3.06. Town Hall Meetings.**

Town Hall Meetings may be scheduled periodically for the purpose of open discussion with citizens of Manor on specific issues or general matters regarding the activities of the City. Action may not be taken by the City Council at a Town Hall Meeting. If any action is indicated, the matter will be scheduled as an agenda item at a regular meeting of the City Council. Any citizen may participate in a Town Hall Meeting, and there is no requirement to sign up to speak prior to the meeting. Town Hall Meetings will be posted according to the Texas Open Meetings Act.

### **3.07. Public Notice.**

The agenda for all meetings and the notice listing items to be considered shall be posted by the City Secretary on the City's website and on the bulletin board at City Hall in accordance with the Texas Open Meetings Act [Chapter 551, Texas Government Code].

### **3.08. Quorum and Attendance.**

In accordance with Section 3.06 (Quorum and Attendance) of the City Charter, "Four members of the council shall constitute a quorum for transacting business and no action of the council shall be valid or binding unless taken in an open meeting with a quorum present. Less than a quorum may adjourn any meeting, or order and compel the attendance of absent members. It shall be the duty of each member of the council to attend each regular and special council meeting and the failure of any member to attend three consecutive, regular meetings, without good and sufficient cause, shall constitute misconduct in office." [See section 5.05 Excusal from Attendance].

### **3.09. City Manager Participation.**

The City Manager shall attend all meetings of the City Council except when excused by the City Council. The City Manager may make recommendations to the City Council and shall have the right to take part in all discussions but shall not have a vote.

### **3.10. City Attorney Participation.**

The City Attorney, or designated assistant City Attorney, shall attend the meetings of the City Council upon request by the City Manager to advise the City Council on all legal matters and represent the City in all litigation (except where outside counsel is engaged) and other legal matters.

### **3.11. City Secretary Participation.**

The City Secretary shall attend each meeting of the City Council and shall keep, in a record provided for that purpose, accurate minutes of the City Council's proceedings.

### **3.12. City Department Directors Participation.**

The City staff department heads shall attend the second regular meeting of each month to respond to inquiries made by the City Council on departmental monthly reports unless excused by the City Manager. The City Council may request the presence of specific department heads or staff members, through the City Manager, for other meetings or sessions.

### **3.13. Agenda.**

- a. The Mayor, Council Members, City Manager, City Department Directors, City Attorney, and the City Secretary may place items on the agenda. Agenda items shall be submitted in written form to the City Secretary in accordance with subsection (b). The City Secretary will coordinate the placement of items on the agenda with the City Manager who will resolve any conflicts with Mayor and Council Members. Agenda items may be removed only by the Mayor and City Manager, except agenda items requested by City Council.
- b. Agenda items, including any necessary or applicable supporting documents and materials to be included in agenda packets, shall be submitted in written form to the City Secretary in accordance with this section and in order to allow compliance with the Texas Open Meetings Act 72-hour notice provision. Agenda items and presentations are due on or before the Wednesday of the week preceding the next scheduled City Council meeting.
- c. The City Secretary shall submit a draft agenda to the City Manager on or before the Tuesday of the week preceding the next scheduled City Council meeting for review and revision.

- d. The agenda packets for all regular and special meetings will be delivered via email to the Mayor and Council Members on the Friday preceding the following Wednesday meeting.

### **3.14. Minutes.**

Minutes of City Council meetings will be recorded and maintained by the City Secretary. The Minutes will include final motions with voting results. The Minutes will also reflect the names of those citizens presenting public comments. Minutes of meetings will generally be submitted to the City Council for approval at the next regularly scheduled meeting.

### **3.15. Attendance by the Public.**

Members of the public are invited and encouraged to attend any sessions of the City Council that are not closed to the public in accordance with the Texas Open Meetings Act.

### **3.16. City Legislation and Actions of Significant Public Impact and Concern.**

Any action or ordinance of the City of Manor that falls into the following three categories is considered an action of significant public impact and concern:

- a. Any action or ordinance that criminalizes behavior or creates criminal liability.
- b. Any action or ordinance that has a substantial impact on private property rights.
- c. Any action or ordinance that involves the expenditure of more than three hundred thousand dollars (\$300,000) and that is not a recurring expense or renewal of an expense.

The City Council shall not vote on any action of significant public impact and concern unless and until it has been presented and discussed in at least two Council meetings, which occur within a 60-day period, except as provided in Section 10.

## **Section 4 - STANDARDS OF CONDUCT**

### **4.01. Council Members.**

- a. During City Council meetings, Council Members shall assist in preserving order and decorum and shall neither by conversation or other activity delay or interrupt the proceedings nor refuse to obey the orders of the presiding officer or 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 his/her discussion to the question under debate and avoid discussion of personalities, the use of inappropriate language, making personal attacks, and verbally abusing colleagues or anyone else in attendance.

- c. Council Members may question City staff members during meetings when they are making presentations to the City Council. Council Members shall neither berate nor admonish City staff members. Questions to other City staff members who are not making presentations should first be directed to the City Manager who will then ask the appropriate City staff member to respond, or the City Manager may address the question.
- d. A Council Member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer. If a Council Member is called to order while speaking, that member shall cease speaking immediately until the question of order is determined.
- e. Council Members shall confine their questions to the particular matters before the assembly and in debate shall confine their remarks to the issues before the City Council.
- f. When there is more than one speaker on the same subject, Council Members will delay their subsequent comments until after all speakers on the subject have been heard.

#### **4.02. Council Relations with the Media.**

All City press releases, media advisories, story suggestions, or similar items should go through the City Manager's office for distribution, with exception of factual police department bulletins which designated officers may send directly to the City Manager, with a copy to the City Secretary.

#### **4.03. City Staff.**

- a. Members of the City staff and employees of the City shall observe the same rules of procedures 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 staff members 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 staff members in City Council meetings.
- d. All staff members addressing the City Council, including the City Manager, other staff members, or members of the public shall be recognized by the presiding officer and shall limit their remarks to the matter under discussion.
- e. All remarks and questions addressed to the City Council by staff members shall be addressed to the City Council as a whole and not to any individual member.

#### **4.04. Members of the Public**

- a. Members of the Public are invited to attend all open meetings of the City Council and will be admitted to the Council Chambers or other room(s) in which the City Council is meeting, but not to exceed the fire safety capacity of the room(s).
- b. All persons shall remove hats and all individuals shall refrain from private conversations in the chambers while the City Council is in session.
- c. Members of the Public attending Council meetings also shall observe the same rules of propriety, decorum and good conduct applicable to members of the Council. Any person making personal, impertinent, and slanderous remarks or who become boisterous while addressing the Council or while attending the Council meeting shall be removed from the room if the presiding officer requests the sergeant-at-arms to remove such offenders from the room.
- d. Reactions from the audience following the recognition and rewarding of citizens and special guests is considered appropriate and encouraged. Reactions from the audience during staff presentations to the Council and during debate between Council Members are not appropriate and not permitted. The presiding officer will ensure that the decorum of the meeting is maintained and is appropriate.
- e. No placards, banners, or signs of any kind will be permitted in the Council Chamber or in any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.
- f. Members of the Public attending Council meetings are not allowed to bring food or drink into the Council Chamber or into any other room in which the City Council is meeting.

#### **4.05. Enforcement.**

The sergeant-at-arms attending the City Council meetings, shall ensure that a safe environment exists for the City Council to conduct its meetings and shall furnish whatever assistance is needed to enforce the rules of the City Council.

### **Section 5 - DUTIES AND PRIVILEGES OF COUNCIL MEMBERS**

#### **5.01. Seating Arrangement.**

In meetings where the Council is seated at the dais, the Mayor shall be seated at the center of the dais; the City Manager shall be seated adjacent to the Mayor, Council Members are seated by Place No. 1-6 and City Secretary shall be seated on the table to the right of the dais.



## **5.02. Right of the Floor.**

A Council Member desiring to speak must first be recognized by the presiding officer. No Council Member shall address the presiding officer or demand the floor while a vote is being taken.

## **5.03. Conflict of Interest.**

In accordance with Section 12.04 (Conflict of Interest) of the City Charter, “No elected or appointed officer or employee of the city shall participate in the deliberation or decision on any issue, subject or matter before the council or any board or commission, if the officer or employee has a personal financial or property interest, direct or indirect, in the issue, subject or matter that is different from that of the public at large. An interest arising from job duties, compensation or benefits payable by the city shall not constitute a personal financial interest.”

Further, in accordance with Chapter 171, Texas Local Government Code (Chapter 171), no City Council member and no City officer may vote or participate in discussion of a matter involving a business entity or real property in which the City Council member or City officer has a substantial interest (as defined by Chapter 171) and action on the matter will have a special economic effect on the business entity or real property that is distinguishable from the effect on the general public.

An affidavit in the form attached hereto in Annex F disclosing the conflict of interest must be filled out and filed with the City Secretary before the matter is discussed.

A City Council member prevented from voting by a conflict of interest, shall remove themselves from the dais.

## **5.04. Voting.**

- a. In accordance with Section 3.08 (Voting) of the City Charter, “All members of the council present shall vote upon every issue, subject or matter properly before the council and requiring a council vote; provided that, if any member of the council has a conflict of interest, that fact shall be stated in the minutes and such member shall abstain from discussion and voting on the issue. No ordinance, resolution, order, action, matter or issue shall be passed, approved, adopted, taken or consented to except by a majority vote of the members of council present and voting, and not less than four affirmative votes shall be required to pass, approve, adopt, take action on or consent to any ordinance, resolution, action, matter, issue or motion.” Any reference to an action of the City Council requiring a majority vote of the members present and voting shall be subject to the requirement set forth in Section 3.08 of the City Charter that not less than four affirmative votes shall be required to pass, approve, adopt, take action on, or consent to the action.
- b. After the result of a vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present and voting.

- c. 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.

#### **5.05. Excusal from Attendance.**

Council Members are expected to attend meetings and remain in attendance during each meeting. Should a Council Member be unable to attend, the Mayor, City Council, City Manager, and the City Secretary should be notified prior to that meeting and the reason for missing the meeting should be provided. Council absence at special meetings, workshop meetings, emergency meetings, regular meetings, and committee meetings to which the Council Member is assigned shall only be excused by a majority vote of council taken during roll call. A Council Member who fails to give prior notice of their absence at a meeting as required by this section shall be counted as absent without good and sufficient cause. In the event that a City Council member is absent from thirty percent (30%) of all special meetings, workshop meetings, emergency meetings, regular meetings, and committee meetings to which the Council Member is assigned, the City Council may revoke its approval of prior excused absences and deem such absences to be without good and sufficient cause for the purposes of Sections 3.04 and 3.08 of the City Charter. A Council Member may not have excused absences revoked until they have been in office at least six months.

#### **5.06. Excusal During Meetings.**

A Council Member needing to be excused during an ongoing session should advise the presiding officer prior to departing the session.

#### **5.07. Confidential Information**

##### **Option 1:**

- a. The City Council shall not disclose confidential or proprietary information, or any information they have acquired or obtained in the course of any fiduciary capacity or relationship, that could adversely influence the property, government, or affairs of the city, nor directly or indirectly use his or her position to secure official information about any person or entity for the financial benefit or gain of such public servant or any third party. The City Council shall not release confidential, proprietary or privileged information for any purpose other than the performance of official responsibilities. It shall be a defense to any complaint under this section that the release of information serves a legitimate public purpose, as opposed to the private financial or political interest of the public servant or any third party or group.

##### **Or Option 2:**

- b. The City Council shall not disclose confidential or proprietary information, or any information they have acquired or obtained in the course of their official duties and that may adversely influence the property, government, or affairs of the city, nor directly or indirectly use his or her position to secure official information about any person or entity, for the financial benefit or gain of such public servant or any third party. The City Council shall not release confidential, proprietary or privileged information for any purpose other than the performance of official

responsibilities. It shall be a defense to any complaint under this section that the release of information served a legitimate public purpose, as opposed to the private financial or political interest of the public servant or any third party or group.

(1)Improper access. The City Council shall not use his or her position to obtain official information about any person or entity for any purpose other than the performance of official duties.

(2)Improper disclosure. The City Council shall not intentionally, knowingly, or recklessly disclose any confidential information gained because of said officer's or employee's position. This rule does not prohibit:

a.Any disclosure that is no longer confidential by law; or

b.The confidential reporting of illegal or unethical conduct to authorities designated by law.

## **Section 6 - CHAIR AND DUTIES**

### **6.01. Chair.**

The Mayor, if present, shall preside as chair at all meetings of the City Council. In the absence of the Mayor, the Mayor ProTem shall preside. In the absence of both the Mayor and Mayor ProTem, the remaining Council Members shall, in accordance with the City Charter, by election, designate one member as acting Mayor to preside for that session. The term “presiding officer” when used in these Rules of Council shall mean the chair.

### **6.02. Call to Order.**

The sessions of the City Council shall be called to order by the Mayor or, in the Mayor's absence, by the Mayor ProTem or, in the Mayor ProTem's absence, by the acting Mayor. In the absence of both the Mayor and Mayor ProTem, the City Manager will temporarily preside over the meeting until the Council selects an acting Mayor to preside over the meeting.

### **6.03. Preservation of Order.**

The Chair shall preserve order and decorum, call upon the sergeant-at-arms as necessary to enforce compliance with the rules, and confine Council Members in debate to the question under discussion. It is the responsibility of the Chair to keep the comments of Council Members on topic during public meetings.

## **Section 7 - ORDER OF BUSINESS**

### **7.01. Regular and Special Meetings.**

Regular and special meetings will generally adhere to the following agenda:

- Call to Order and Announce a Quorum is Present
- Pledge of Allegiance
- Presentations/Proclamations/Recognitions/Events (as appropriate)
- Workshop Sessions (as appropriate)
- Public Comments (related to any matter not on the agenda, no action taken)
- Public Hearings (as appropriate)
- Reports (as appropriate)
- Consent Agenda (may be moved to Regular Agenda by the Mayor or a Council Member)
- Regular Agenda
- Executive Session (as appropriate)
- Reconvene in Open Session (as appropriate)
- Adjournment

### **7.02. Workshops, Executive Sessions and Town Hall Meetings**

Workshops and executive sessions will normally be conducted in a less formal manner than regular sessions as follows:

- Call to Order
- Overview of matter(s) to be discussed
- Discussion of matter(s)
- Summation
- Adjournment

Town Hall meetings will generally be conducted in the following agenda:

- Call to Order
- Purpose for the meeting
- City Council or City staff presentation (if any)
- Open discussion (facilitated by the Councilmember calling the Meeting)
- Summation
- Adjournment

### **7.03. Public Hearings.**

The City Manager shall schedule public hearings on the City Council's agenda to be held at least two weeks before the City Council must vote on the matter (unless the law requires otherwise, in which case, Public Hearings shall be conducted as provided by state law). In addition to this requirement, when conducted as part of a Regular Meeting, a vote may be taken on the matter at that same meeting. When a Public Hearing is conducted as a stand-alone meeting and not part of a Regular Meeting, the vote may be taken at a subsequent Regular or Special Meeting.

### **7.04. Addressing the City Council.**

Members of the public are invited and encouraged to attend any sessions of the City Council that are not closed to the public in accordance with the Texas Open Meetings Act. It is the desire of the City Council that citizens actively participate in the City's governance system and processes. Therefore, public input to the City Council, both oral and written, is encouraged.

#### **a. Public Comments.**

- (1) Prior to the meeting being called to order, the person wishing to speak shall complete a speaker card and present it to the City Secretary. The presiding officer shall call upon those who have submitted cards. When called upon to speak by the presiding officer, the person shall come to the podium, state his/her name and address for the record, and, if speaking for an organization or group, identify the group represented. *No formal action can be taken by the City Council during the public comments.*
- (2) For items on the agenda, the speaker will have three (3) minutes to complete his/her comments unless otherwise permitted by the presiding officer. The City Secretary shall maintain the time and advise the speaker when his/her time has expired. The speaker shall then complete his sentence and take his/her seat.
- (3) All remarks shall be addressed to entire City Council and not directed to individual Council Members or members of the city staff.
- (4) Questions or requests for information shall be directed to the presiding officer who shall then determine whether, and in what manner, a response will be provided.
- (5) During comments regarding agenda items, Council members may request the floor to respond to any citizen comment with information or to ask follow up questions as appropriate. Councilmembers may only direct comments and questions to the speaker and may not take the opportunity to discuss matters among themselves.

**b. Written Correspondence and Telephone Calls.**

- (1) Member of the Public may direct written comments to the ~~entire City Council or~~ individual Council Members by addressing their letters to City Hall at: Manor City Hall, 105 E. Eggleston Street, Manor, Texas 78653. The Mayor and each Council Member has an email address listed on the City's website at [www.cityofmanor.gov](http://www.cityofmanor.gov).
- (2) Citizens should expect a timely acknowledgement of their letters and e-mail messages ~~within three (3) working days~~. Telephone calls should be returned within ~~twenty-four (24) hours~~ a timely manner, excluding Saturdays, Sundays and official state holidays.
- (3) If a matter cannot be resolved within a few days, an interim reply should be expected from City Hall explaining the delay and providing a date when a final reply should be expected.

**c. Media Inquiries.**

- (1) The recognized local media sources may direct questions to members of the City Council through the City Manager.
- (2) Other legitimate regional, state and national media sources are expected to coordinate questions to Council Members and staff through the City Manager.
- (3) All media questions will be initially directed to the City Manager, the Chief of Police, or the Public Information Officer (if one is designated).

**d. Legal Settlements in Regards to Any Claims Against the City.**

All offers for legal settlements for claims or litigation against the City must be submitted in writing.

**Section 8 – RULES OF ORDER**

**8.01. General.**

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.

**8.02. Authority of the Chair.**

- a. Subject to appeal of the full City Council, the Chair 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 Chair shall be courteous and fair and should presume that the moving party is acting in good faith.
- b. The Chair will perform the role of facilitator to assist the City Council in focusing agenda discussions and deliberations.

- c. 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 present and voting shall require the Chair to act.

### **8.03. Obtaining the Floor.**

Any Council Member wishing to speak must first obtain the floor by being recognized by the presiding officer. The presiding officer must recognize any Council Member who seeks the floor appropriately entitled to do so.

### **8.04. Council Deliberations and Order of Speakers.**

- a. The presiding officer shall control the debate and the order of speakers.
- b. Speakers shall generally be called upon in the order of their request to speak.
- c. With the concurrence of the presiding officer, a Council Member holding the floor may address a question to another Council Member, the City Manager, or the City Attorney (if present). The Council Member or City Manager may respond while the floor is still held by the Council Member asking the question.
- d. With the concurrence of the presiding officer, a Council Member holding the floor may address questions to an individual making a presentation to the City Council, e.g., city staff member, consultants, and citizens making public comments.
- e. Comments and questions shall be conducted in rounds to ensure that Council Members have the opportunity to make their comments and then respond to the comments they have heard from their fellow Council Members.
- f. The presiding officer shall only terminate deliberations and debate after all Council Members have been provided a reasonable time and opportunity to participate and prepare them to render a reasonable and responsible vote on the question.
- g. During presentations by the staff or special guests on agenda items, Council Members may obtain the floor from the presiding officer to ask questions of the presenters regarding details of their presentations.
- h. Following a motion and second of an agenda item, Council Members may enter into additional discussions about the item as described below in subsection 8.08(d).

### **8.05. Length of Comments.**

Council Members shall govern themselves as to the length of the comments, questions, or presentations. As a courtesy, the presiding officer will signal by hand to a Council Member 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 Council Members in their efforts to communicate concisely.

### **8.06. Limit Deliberations to Item at Hand.**

Council Members shall limit their comments and questions to the subject matter, time, or motion being currently being considered by the City Council.

### **8.07. Motions.**

In accordance with Section 1.05.037 (Motions; deferring action) of the City Charter, “(a) A motion may be made by any member other than the presiding officer.” The presiding officer shall, prior to offering a motion, however, ensure that other Council Members have the opportunity to make the motion. Any member of the City Council, other than the person offering the motion, may second a motion. See Annex B (Chief Purposes of Motions), Annex C (Parliamentary Strategy), Annex D (Basic Information on Motions), and Annex E (Parliamentary Terms).

### **8.08. 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. If there is no second, the motion fails.
- b. A Council Member who wishes to make a motion should do so through a verbal request to the presiding officer.
- c. A Council Member who wishes to second a motion should do so through a verbal request to the presiding officer.
- d. Once a motion has been properly made and seconded, the presiding officer shall open the matter for additional discussion offering the first opportunity to the moving party and, thereafter, to any Council Member properly recognized by the presiding officer.

### **8.09. Amendments to Motions.**

- a. When a motion is on the floor and an amendment is offered, the amendment shall be acted upon prior to action on the main motion.
- b. No proposal of a subject different from that under consideration shall be admitted as a motion or amendment to a motion.
- c. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order.
- d. Action shall be taken on the amended amendment prior to any other action to further amend the main motion.

### **8.10. Motion to Continue.**

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

### **8.11. 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.



### 8.12. Motion to Table.

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

### 8.13. Motion to Refer.

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

### 8.14. Withdrawal of Motion.

A withdrawal of motion indicates a motion may be withdrawn or modified by the Council Member who originally made the motion at any time prior to its passage. If the motion is modified, the Council Member who seconded the motion may withdraw his/her second. If a motion that has received a second is withdrawn by one of the Council Members making the motion, the motion must be seconded by another Council Member to proceed, or it will die for lack of a second.

### 8.15. Motion for Reconsideration.

- a. A motion to reconsider any action of the City Council may be made, seconded, and voted on not later than the next succeeding regular meeting of the City Council. If reconsideration of the Council action has not been posted on the Council agenda for the meeting at which the motion to reconsider is made, however, actual reconsideration of the item must be delayed until the next regular meeting after the posting requirements of the Texas Open Meetings Act are met.
- b. A motion to reconsider an action of the City Council may only be made by a member who voted with the prevailing side. Any member can second it. No question shall be twice reconsidered except by unanimous vote of the City Council. Actions relating to any contract may be reconsidered at any time before the final execution thereof.

## Section 9 – CITY COUNCIL COMMITTEES

### 9.01. Committees Established.

- a) The City Council can establish standing committees or ad hoc committees when necessary. All committees will be advisory committees. ~~Standing Committees will be established by ordinance.~~

### ~~9.02. Standing Committees.~~

- ~~a. The following standing committee(s) of the City Council are established:~~

- ~~(1) Public Improvement District (PID) Committee~~

- ~~i. The PID Committee shall consist of not less than two (2) Council Members and serve a one year term, appointed by the City Council.~~

- ~~ii. [Purpose of the PID Committee]~~

- ~~iii. Summary minutes will be taken and kept by the City Secretary.~~

~~(2) Park Committee~~

- ~~i. The Park Committee shall consist of not less than two (2) Council Members and serve a one-year term, appointed by the City Council.~~
- ~~ii. [Purpose of the Park Committee]~~
- ~~iii. Summary minutes will be taken by the chair or designated Public Works Department staff and kept by the City Secretary.~~

~~(3) Economic Development Committee~~

- ~~i. The Economic Development Committee shall consist of not less than two (2) Council Members and serve a one-year term, appointed by the City Council.~~
- ~~ii. [Purpose of the Economic Development Committee]~~
- ~~iii. Summary minutes will be taken by the chair and kept by the City Secretary.~~

~~(4) Capital Improvement Committee~~

- ~~i. The Capital Improvement Committee shall consist of not less than two (2) Council Members and serve a one-year term, appointed by the City Council.~~
- ~~ii. [Purpose of the Capital Improvement Committee]~~
- ~~iii. Summary minutes will be taken by the chair and kept by the City Secretary.~~

~~(5) Education Committee~~

- ~~i. The Education Committee shall consist of not less than two (2) Council Members and serve a one-year term, appointed by the City Council.~~
- ~~ii. [Purpose of the Education Committee]~~
- ~~iii. Summary minutes will be taken by the chair and kept by the City Secretary.~~

~~(6) Health Care Committee~~

- ~~i. The Health Care Committee shall consist of not less than two (2) Council Members and serve a one-year term, appointed by the City Council.~~
- ~~ii. [Purpose of the Health Care Committee]~~
- ~~iii. Summary minutes will be taken by the chair and kept by the City Secretary.~~

b.a. Each standing advisory committee shall review matters in its area of responsibility that are referred to it by the City Council, the City Manager, or an individual City Council Member. An advisory standing committee may recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a briefing or voting meeting of the City Council.

~~e.b.~~ City Council shall determine the number of members, not to exceed two (2) council members per committee and appoint a chair to the advisory standing committee.

### **9.03. Ad Hoc Committees.**

The Mayor may appoint ad hoc committees from time to time to study and review specific issues. The Mayor shall determine the number of members and appoint a chair of ad hoc committees. The ad hoc committees shall be established for a designated period of time, which may be extended by the Mayor and shall meet as needed. The Mayor shall formally announce the establishment of any ad hoc committee along with his appointments to that committee in a regular session of Council prior to the committee convening to conduct business.

### **9.04. Committee Meetings.**

- a. ~~Advisory Standing and Ad Hoc~~ Committees shall meet as necessary and are not subject to the Open Meeting Act.
- b. The committee chair shall develop committee meeting agendas through coordination with fellow committee members and appropriate supporting staff members.
- c. Citizens wishing to submit Public Comments during open meetings will need to complete the Public Comments Form provided by the City and email the form to [publiccomments@cityofmanor.org](mailto:publiccomments@cityofmanor.org) at least two (2) hours prior to the committee meeting indicated within this procedure.
- d. Public Comments will be read by the Chair of the Committee for the record. No action will be taken by the committee during public comments.

### **9.05. Agenda and Information.**

- a. Before each committee meeting, the Chair and City Secretary shall provide an agenda and supporting information for the meeting to committee members. Items may be scheduled on the agenda for committee briefings by the chair, the City Council, the City Manager, or the Mayor.
- b. Summary minutes will be kept by the City Secretary, unless otherwise indicated within this procedure.

## **Section 10 – RULES SUSPENSION, AMENDMENT, AND ANNUAL REVIEW**

### **10.01. Suspension of Rules.**

Any provision of these rules not governed by the City Charter, City ordinances, or state law may be temporarily suspended by a majority vote of the members of the City Council present and voting. The vote on any such suspension shall be taken by Motion and entered upon the record. The vote on any such suspension shall be taken by Motion and entered upon the record. Provisions that may not be suspended include, but are not limited to:

- a. Rule 3.04, Executive Sessions;

- b. Rule 3.07, Public Notice;
- c. Rule 3.08, Quorum and Attendance;
- d. Rule 3.14, Minutes (the provisions requiring that minutes be kept and the content of minutes)
- e. Rule 3.15, Attendance by the Public;
- f. Rule 3.16, City Legislation and Actions of Significant Public Impact and Concern, if pertaining to zoning and annexation orders required to be read twice in accordance with Section 4.06 of the City Charter;
- g. Rule 5.03, Conflicts of Interest;
- h. Rule 5.04, Voting; and
- i. Rule 6.01, Chair.

#### **10.02. Amendment of Rules.**

These rules may be amended, or new rules adopted, by a majority vote of the members of the City Council present and voting.

#### **10.03. Annual Review of Rules.**

Following the municipal general elections each year, City Council may review these rules of procedure, make changes as appropriate, and adopt their own rules of procedure in accordance with the City Charter. In the event no annual review occurs, the standing rules of procedure continue in effect. This does not limit the City Council's right and ability to amend the rules in accordance with the City Charter and Rule 10.02.

### **Section 11 – ADMINISTRATIVE SUPPORT TO COUNCIL MEMBERS**

#### **11.01. Mail and E-mail.**

- a. All general mail directed to the Mayor and Council Members at City Hall will be date stamped and distributed as appropriate at City Council Meetings.
- b. All mail providing information on city issues and agenda items will be copied to the Mayor and Council Members.
- c. E-mails are provided to Mayor and Council Members for city business, e-mails requiring a response from the Mayor or Council Member(s) should copy the City Manager.

#### **11.02. Clerical Support.**

The City Manager will coordinate appropriate clerical support requested by the Mayor and Council Members.

#### **11.03. Master Calendar.**

A master calendar of City Council events, functions, and sessions will be maintained by the City Secretary's office and provided to the Mayor and Council Members as appropriate. Events, functions, and activities to be attended by the Mayor or individual Council

Members will be included on the master calendar only at the request of the Mayor or individual Council Member(s).

**11.04. Requests for Research or Information.**

The Mayor and individual Council Members may request information or research from the city staff on a given topic through the City Manager who will make all members of City Council aware of the special request, as it may be of interest to them as well. Accordingly, the City Manager will provide the results of the request to all members of City Council. In the event the City Manager believes he cannot respond in a timely manner, he and the members of City Council will coordinate a reasonable and responsible timeframe in which to expect the results without unduly interfering with other activities of higher priority.

**11.05. Notification of Significant Activities or Events.**

The Mayor and Council Members shall expect the City Manager to notify them, and provide periodic updates, regarding significant activities or events in the City related to natural or man-made disasters, major criminal activity, major accidents involving city property, serious injury or death involving a city staff/employee within an hour (if feasible).

# ANNEX A

## Fundamental Principles of Parliamentary Law

The Mayor, Council Members, City Manager, City Attorney, City Secretary, and City staff members appearing before the various sessions of the Manor City Council should become familiar with following rules and customs:

1. All members have equal rights, privileges, and obligations; rules must be administered impartially.
2. The minority has rights, which must be protected.
3. Full and free discussions of all motions, reports, and other items of business is a right of all members.
4. In doing business the simplest and most direct procedure should be used.
5. Logical precedence governs introduction and disposition of motions.
6. Only one question can be considered at a time.
7. Members may not make a motion or speak in debate until they have been recognized by the chair and thus have obtained the floor.
8. No member may speak a second time on the same question if anyone who has not spoken on that question wishes to do so.
9. Members must not attack or question the motives of another member. Customarily, all remarks are addressed to the presiding officer.
10. In voting, members have the right to know at all times what motion is before the assembly and what affirmative and negative votes mean.
11. The majority vote decides. This is a fundamental concept of democracy.
12. All meetings will be characterized by fairness and good faith.

# ANNEX B

## The Chief Purposes of Motions

PURPOSE	MOTION
Present an idea for Consideration and action	Main motion Resolution
Improve a pending motion	Amend Division of question
Regulate or cut off debate	Limit or extend debate Previous Question
Delay a decision	Refer to committee Postpone/table to a certain time Recess Adjourn
Kill an item	Postpone Indefinitely
Meet an emergency	Question of privilege Suspend rules Lay on the Table
Gain information on a pending motion	Parliamentary inquiry Request for information Request to ask a member a question Question of privilege
Question the decision of the presiding officer	Point of order
Enforce rights and privileges	Parliamentary inquiry Point of order Appeal from decision of the chair
Consider a question again	Take from the Table Discharge a committee Reconsider Rescind Renew a motion Amend a previous action Ratify
Change an action already taken	Reconsider Rescind Amend a previous action
Terminate a meeting	Adjourn Recess

# ANNEX C

## Parliamentary Strategy

<b>To Support a Motion</b>	<b>To Oppose a Motion</b>
<ol style="list-style-type: none"> <li>1. Second it promptly and enthusiastically.</li> <li>2. Speak in favor of it as soon as possible.</li> <li>3. Do your homework; know your facts; have handouts, charts, etc., if appropriate.</li> <li>4. Move to amend motion, if necessary, to make it more acceptable to proponents.</li> <li>5. Vote against motion to table or to postpone, unless delay will strengthen your position.</li> <li>6. Move to recess or postpone, if you need time to marshal facts or work behind the scenes.</li> <li>7. If defeat seems likely, move to refer to committee, if that would improve chances.</li> <li>8. If defeat seems likely, move to divide question, if appropriate, to gain at least a partial victory.</li> <li>9. Have available a copy of the rules of procedure, City Charter, and <i>Robert's Rules of Order Newly Revised</i>, most recent edition, in case of a procedural dispute.</li> <li>10. If motion is defeated, move to reconsider, if circumstances warrant it.</li> <li>11. If motion is defeated, consider reintroducing it at a subsequent meeting.</li> </ol>	<ol style="list-style-type: none"> <li>1. Speak against it as soon as possible. Raise question; try to put proponents on the defensive.</li> <li>2. Move to amend the motion so as to eliminate objectionable aspects.</li> <li>3. Move to amend the motion to adversely encumber it.</li> <li>4. Draft a more acceptable version and offer as amendment by substitution.</li> <li>5. Move to postpone to a subsequent meeting.</li> <li>6. Move to refer to committee.</li> <li>7. Move to recess, if you need time to round up votes or obtain more facts.</li> <li>8. Question the presence of quorum, if appropriate.</li> <li>9. Move to adjourn</li> <li>10. On a voice vote, vote emphatically.</li> <li>11. If the motion is adopted, move to reconsider, if you might win a subsequent vote.</li> <li>12. If the motion is adopted, consider trying to rescind it at a subsequent meeting.</li> <li>13. Have available a copy of the rule of procedure, City Charter, and <i>Robert's Rules of Order Newly Revised</i>, most recent edition, in case of a procedural dispute.</li> </ol>



**ANNEX D**  
**Basic Information on Motions**

**ANNEX E**  
**Parliamentary Terms**

# ANNEX F

## Conflict of Interest

### AFFIDAVIT

THE STATE OF TEXAS           §  
COUNTY OF TRAVIS           §

I, \_\_\_\_\_, as a member of the City of Manor City Council, make this Affidavit and hereby on oath, state the following:

"I, and/or a person or persons related to me, have a substantial interest in a business entity or real property that may receive a special economic effect by a vote or decision of the City of Manor City Council and the economic effect on my business entity or real property is distinguishable from its effect on the general public. What constitutes a "substantial interest," "business entity," "real property" and a "special economic effect" are terms defined in Chapter 171 of the Texas Local Government Code.

"I affirm that the business entity or real property referred to above is: \_\_\_\_\_

The nature of my substantial interest in this business entity or real property is: (Check all which are applicable.)

- An ownership interest of 10% or more of the voting stock or shares of the business entity; or
- An ownership interest either 10% or more or \$15,000 or more of the fair market value of the business entity; or
- Funds received from the business entity exceed 10% of \_\_\_\_\_(my, his, her) gross income for the previous year; or
- Real property is involved and \_\_\_\_\_(I, he, she) has/have an equitable or legal ownership with a fair market value of at least \$2,500 or more;
- A relative of mine related in the first degree by consanguinity (blood) or affinity (marriage), as determined under Chapter 573, Texas Government Code, is considered to have a substantial interest in the business entity or property that would be affected by a decision of the public body of which I am a member.
- Other: \_\_\_\_\_

"Upon the filing of this Affidavit with the City Secretary, I affirm that I will abstain from any discussion, vote, or decision involving this business entity or real property and from any further participation in this matter whatsoever."

SIGNED this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Signature of public official

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, by

\_\_\_\_\_, on this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_, which witness my hand and official seal.

\_\_\_\_\_  
Notary Public  
State of Texas