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## MEETING NOTICE

*In accordance with the order of the Office of the Governor issued March 16, 2020, the City Council of the City of Woodcreek, Texas will conduct a video conference and telephonic meeting in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the COVID-19. The meeting will be held on July 17, 2020 at 10:00 AM. The public may watch this meeting live and have the opportunity to comment via audio devices at the following link: <https://meetings.ipvideotalk.com/163121461>.*

*The public may participate in this meeting by dialing one of the following numbers: 1(617) 315-8088 or toll free at 1(888) 330-2489. When prompted enter Meeting ID: 163121461.*

*The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. Written questions or comments may be submitted until 8:00 am on Friday, July 17, 2020.*

*A recording of the meeting will be made and will be available to the public in accordance with the Texas Public Information Act upon written request.*

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## AGENDA

This notice, as amended, is posted pursuant to the Texas Open Meetings Act (Vernon's Texas Codes Ann. Gov. Code Chapter 551). The Woodcreek City Council will hold a Meeting at which time the following items will be considered:

### CALL TO ORDER

### INVOCATION

### ROLL CALL

### PUBLIC COMMENTS

Interested persons are required to sign up with the presiding officer or designee before the meeting begins and shall indicate the topic about which they wish to speak and whether they wish to speak on the item at the beginning of the meeting or during the meeting when the agenda item is being considered by the City Council. Speakers shall refrain from comments regarding the City's staff, elected officials, or council appointed committee membership which are prohibited by law. Delegations of more than five persons shall appoint one person to present their views before the City Council. The City Council may not discuss or comment about an item not included on the agenda, except that the Council may (1) make a statement of fact regarding the item; (2) make a statement concerning the policy regarding the item; or (3) propose that the item be placed on a future agenda. Comments will be limited to three (3) minutes per speaker.

### REGULAR AGENDA

1. Discussion and Take Appropriate Action on Resolution 19-02-13-2, a Resolution of the City Council of the City of Woodcreek, Texas Adopting Rules of Procedure for the Conduct of Its Meetings, adopted February 13, 2019.

**ADJOURN**

By:   
Brenton B. Lewis, City Manager



**RESOLUTION NO. 19-02-13-2**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS ADOPTING RULES OF PROCEDURE FOR THE CONDUCT OF ITS MEETINGS; AND REPEALING ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT OR IN CONFLICT HEREWITH**

**Whereas,** the City of Woodcreek City Council (City Council) wishes to formally revise rules of procedure for City Council meetings previously adopted by the City Council on November 13, 2013 by Resolution No. 13-111302; and

**Whereas,** clear, transparent, and comprehensive rules of procedure are vital to the efficient administration of legislative matters;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODCREEK, TEXAS:**

**SECTION 1.** The following rules of procedure shall govern all meetings and proceedings of the City Council of the City of Woodcreek, and the conduct of all members and other persons in attendance at such meetings.

**Rule 1. Meetings, Regular and Special**

(A) The City Council shall meet in the Council chambers of the City Hall on the second Wednesday of each month, commencing at 6:30 p.m. unless set for another time or date by Resolution of the City Council. In the event a second Wednesday falls on a holiday, the meeting for that day shall be rescheduled as determined by Council. Any meeting of Council may be recessed from hour to hour for a period of time not to exceed 24 hours, by an affirmative vote of 4 or more members of Council present at such meeting, and such recessed meeting may be held without further posted notice in compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

(B) Other special meetings shall be held on the call of the Mayor or on the application of three (3) Councilmembers to the Mayor. The agenda for such meetings shall be established at the discretion of those calling the meeting.

(C) Items may be added to an agenda at the request of the Mayor, a Council

member, or the City Manager.

#### Rule 2. Chairman and Call to Order

The Mayor, or in his/her absence the Mayor Pro-Tem, shall preside at all meetings of the Council. If the Mayor and the Mayor Pro-Tem are absent, any Councilmember may be appointed by the Mayor or a majority of the Council to preside. At the hour of the meeting, the Mayor shall call the Council to order, and the City Clerk shall record the roll.

#### **Rule 3. Conduct of Mayor and Councilmembers**

Any member of the Council, including the Mayor, who fails to observe decorous and orderly behavior during a meeting, or who disturbs a meeting of Council with such disorderly conduct, is subject to being expelled from such meeting upon motion passed by majority vote of the Council present at the meeting. Any member reprimanded by motion or expelled from a meeting by motion who thereafter commits another breach of decorous and disorderly behavior during a subsequent meeting shall be subject to the same power of Council to reprimand him/her, expel him/her from the meeting, or subject such member to complaint, investigation, and conviction of official misconduct.

#### **Rule 4. Handling of Question of Order**

All questions of order shall be decided by the presiding officer with the right of appeal of his/her decision by the City Council, and a majority of the Councilmembers present may over-rule the decision of the chair. When the chair makes a ruling on a point of order and one of the Council- members states, "I appeal the ruling of the chair," or words to such effect, no other business shall be transacted until the question, "shall the ruling of the chair be sustained?" is voted on. The presiding officer shall immediately put such question to vote without debate, and, if he/she fails to do so immediately, any member of the City Council may put the question to a vote.

#### **Rule 5. Procedure for Submitting Agenda Items**

Any and all ordinances, resolutions or other matters, including all written data and supporting documents, except emergency items, to be brought by the Mayor or by a member to the City Council for its consideration shall be submitted to the City Manager not later than 1:00 p.m. of the Wednesday the week preceding the meeting at which the same is to be considered. Items shall identify the subject matter to be discussed with such notification in compliance with the Texas Open Meetings Act and provide the possible action the sponsor intends the City Council take during the meeting, *e.g.*, discussion, update, and/or take appropriate action. All items shall be accompanied by supporting documents intended to be considered by City Council.

**Rule 6. Motion to Table**

Since the Council has regularly scheduled meetings, a motion to table, when carried, does not permanently defeat an ordinance, resolution, motion, or other measure. If such ordinance, resolution, motion, or other measure is tabled by a majority vote of the Council, such ordinance, resolution, motion, or other measure, if not sooner removed from the table, must be removed at the third meeting, and acted upon, even if only to place the item on the table again.

**Rule 7. Closing of Debate**

If, during debate upon any ordinance, resolution, motion or other matter before the Council, any member moves that the subject under discussion be put to a vote without further debate (and such a motion need not be seconded), the presiding officer shall immediately ask the Council, "is there any objection to proceeding to a vote on the ordinance, resolution, motion, or other measure before the Council being taken immediately?" If any member objects, the presiding officer shall immediately and without debate put the question, "shall the subject being discussed be put to a vote, without debate?" to a vote of the Council, and if a majority of the Councilmembers present vote in favor of ordering the vote, debate on the question shall be closed and a vote on the ordinance, resolution, motion or other measure taken immediately.

**Rule 8. Citizens' Right to be Heard**

Any citizen shall have a reasonable opportunity to be heard at any and all regular meetings of the City Council in regard to any and all matters to be considered at any such meeting, or such other matters as citizens may wish to bring to Council's attention; provided, however, any matter not posted on the agenda may not be discussed by Council, nor shall any action be taken by Council, except (1) to state a fact, (2) existing policy, or (3) to indicate that the matter may be placed on a later agenda. A time shall be set aside during each Council meeting for the Council to hear from the public, such designated time not to exceed three (3) minutes per person. The Mayor shall retain the discretion to further limit or increase this time for public comments on agenda items. Citizen comments pertaining to agenda items will be heard during the Public Comments portion of the meeting. The Presiding Officer or Designee may allow the public comments to be presented prior to any discussion or deliberation of the elected body on an agenda item. Any written information brought by a citizen pertaining to agenda items or other issues must be presented to the City Secretary's Office not later than one o'clock (1:00) p.m. on the Wednesday the week preceding the Council Meeting so that staff and Council may review the materials. Citizens attending any regularly scheduled meeting may speak before Council by completing a form and presenting it to the City Secretary prior to the beginning of such meeting. Citizens may also request to

be placed on the agenda to appear before Council by making a request to the City Secretary prior to any regularly scheduled meeting. Such request must be received by the City not later than one o'clock (1:00) p.m. on the Wednesday preceding the next scheduled Council meeting. In addition, citizens may request a Council member to place an item on the agenda at the discretion of the Council member.

It is the Council's goal that citizens resolve their complaints for service or regarding employees' performance at the staff level. However, it is recognized that citizens may from time to time believe it is necessary to speak to Council on matters of concern.

In view of that, Council expects any citizen to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending. Any citizen requesting to speak shall limit him or herself to matters of fact regarding the issue of concern. Personal attacks made publicly toward any citizen or city employee are not allowed. Complaints regarding an employee's performance of duty will not be heard unless it has first been submitted in writing, a written response has been provided within a reasonable period of time, and the citizen is still not satisfied with the response. Complaints regarding any matter pending before federal, state, county or municipal court as a result of an enforcement action by a city employee or in a civil suit will not be heard.

No member of the public shall be heard until recognized by the presiding officer. Any member of the public interrupting City Council proceedings, approaching the Council table without permission, otherwise creating a disturbance, or failing to abide by these rules of procedure in addressing City Council, shall be deemed guilty of disrupting a meeting (section 42.05, Penal Code, Class B Misdemeanor) and, at the direction of the presiding officer, shall be removed from Council chambers by the sergeant-at-arms or other agent designated by City Council. Any citizen shall be entitled to visit City Hall, during regular business hours, and inspect all past Council meeting minutes, City audits, and the agenda to be considered by the Council in advance of the meeting and inform himself or herself as to the matters to be considered.

### **Rule 9. Suspension of Rules of Procedure**

Any one or all of these rules of procedure may be suspended in order to allow a particular consideration of a matter, provided that it does not violate the state law, and provided that a majority of Council members present vote in favor of such suspension. Where any rule embodies a provision of state law, identically or in substance, such rule may not be suspended.

### **Rule 10. Rules of Procedure**

Except where in conflict with any state law, City ordinance or the rules of procedure adopted

by this Resolution, the rules of procedure laid down in Robert's Rules of Order Newly Revised, 11th Edition, as amended, shall govern the proceedings of the City Council.

**SECTION 2.** It is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public as required and that required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 3.** City of Woodcreek resolutions or parts of resolutions inconsistent or in conflict herewith, specifically Resolution No. 13-111302, are, to the extent of such inconsistency or conflict, hereby repealed.

**SECTION 4.** This Resolution shall be effective immediately upon its passage.

PASSED AND APPROVED this, the 13th day of February, 2019, by a vote of 3 (ayes) to 2 (nays) to 0 (abstentions) of the City Council of Woodcreek, Texas.

**City of Woodcreek**

by: William P. Scheel  
William P. Scheel, Mayor

**ATTEST:**

by: Brenton Lewis  
Brenton Lewis, City Manager

**APPROVED AS TO FORM:**

by: Cassandra C. Ortiz  
Cassandra C. Ortiz, City Attorney