



ORGANIZATION AND PROCEDURES FOR CITY COUNCIL MEETINGS

Adopted May 19, 2008

ORDINANCE NO. 2003-2646-A

AN ORDINANCE ESTABLISHING ORGANIZATION AND PROCEDURES FOR CITY COUNCIL MEETINGS; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

Section 1-201. Regular Meetings.

- (A) Time. The City Council shall hold regular meetings on the second and fourth Monday of each month, at 6:00 o'clock p.m.; provided, however, that when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meeting shall be held on such other date as determined by City Council.
- (B) Time. The City Council shall hold special or workshop meetings, if necessary, on the third Monday of each month, at 6:00 o'clock p.m., or at such other date and time as may be determined under Section 1-202 Special Meetings, hereof; provided, however, that when the day fixed for any special or workshop meeting of the Council falls upon a day designated by law as a legal or national holiday, such meetings shall be held on such other date as determined by City Council.
- (C) Place. All regular, special, and workshop meetings of the City Council shall be held in the Council Chambers, City Hall, 604 West Fairmont Parkway, in the City of La Porte, Harris County, Texas, unless otherwise directed by City Council, or required by law.

Section 1-202. Special Meetings. The Mayor on his own motion or at the request of the City Manager shall call special meetings of the City Council whenever in their opinion the public business may require it, or at the express written request of any three (3) members of the City Council. Such written request shall be filed with the City Secretary, and shall contain the agenda item requested for the special meeting. Whenever a special meeting shall be called, written notice thereof shall be delivered to each member of the Council, or, if written notice cannot be timely delivered, telephone notice shall be given, stating the date and hour of the meeting and the purpose for which such meeting is called.

Section 1-203. Agenda. The Mayor, the City Manager, or the City Attorney, or any three (3) members of the City Council by written request, may place an item on a City Council agenda. The written request by three (3) members of City Council shall be filed with the City Secretary, and shall contain the agenda item requested. All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall, at least seven (7) days prior to each Council meeting, be delivered to the City Secretary, whereupon the City Secretary shall immediately arrange a list of such matters according to the Order of Business and furnish each member of the Council, the Mayor, the City Manager, and the City Attorney with a copy of the same prior to the Council meeting and as far in advance of the meeting as time for preparation will permit. None of the foregoing matters shall be presented to the Council by the administrative officials except those of an urgent nature, and the same, when so presented, shall have the written approval of the City Manager before presentation.

Section 1-204. The Presiding Officer-Duties. The presiding officer of the Council shall be the Mayor. The Presiding Officer shall preserve strict order and decorum at all regular and special meetings of the Council. He shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He shall be entitled to vote on all questions. He shall sign all ordinances and resolutions adopted by the Council during his presence. In the event of the absence of the Mayor, the Mayor Pro Tem shall sign ordinances or resolutions as then adopted.

Section 1-205. Call to Order-Presiding Officer. The Mayor, or in his absence, the Mayor Pro Tem, shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order. In the absence of the Mayor or the Mayor Pro Tem, the City Secretary, or his or her Assistant, shall call the Council to order, whereupon a temporary chairman shall be elected by members of the Council present. Upon arrival of the Mayor or the Mayor Pro Tem, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.

Section 1-206. Roll Call. Before proceeding with the business of the Council, the City Secretary, or his or her deputy shall note in the minutes, the names of those present. Late arrivals or departures of Council members shall be noted by the Presiding Officer, and recorded by the City Secretary in the minutes.

Section 1-207. Quorum. A majority of all the members elected to the Council shall constitute a quorum at any regular or special meeting of the Council. In the absence of a quorum, the Presiding Officer shall, at the request of any three (3) members present, compel the attendance of absent members.

Section 1-208. Order of Business. All meetings of the Council shall be open to the public, in accordance with the Texas Open Meetings Law. Promptly at the hour set by law on the day of each regular meeting as posted as required by law, the members of the Council, the City Secretary, the City Attorney, the Mayor, and the City Manager, shall take their regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposition in the following order:

1. Invocation and Pledge of Allegiance.
2. Proclamations and Presentations.
3. Consent Agenda. (Any member of the Council may remove any item from the Consent Agenda for discussion.) These items are typically routine in nature.
 - a. Approval of minutes of previous meeting.
 - b. Purchases, Contracts, or Transactions.
4. Petitions, remonstrances, communications, and citizens and taxpayers wishing to address the Council.
5. Public Hearings.
6. New Business:
 - a. Introduction and adoption of resolutions and ordinances.
 - b. Receive reports and recommendations from City staff.
 - c. Report of Officers-Boards-Committees.
7. Previously tabled items.

8. Executive Session.
9. Workshop Items.
11. Administrative Reports.
12. Council Comments.
13. Adjournment.

Section 1-209. Reading of Minutes. Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if the City Secretary has previously furnished each member with a copy thereof.

Section 1-210. Rules of Debate.

- (A) Presiding Officer May Debate and Vote, Etc. The Mayor or Mayor Pro Tem, or such other member of the Council as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Councilperson by reason of his acting as the Presiding Officer.
- (B) Getting the Floor-Improper References to be Avoided. Every member desiring to speak shall address the Chair, and, upon recognition by the Presiding Officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- (C) Interruptions. A member, once recognized, shall not be interrupted when speaking unless it be to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, he shall cease speaking until the question of order be determined, and, if in order, he shall be permitted to proceed.
- (D) Privilege of Closing Debate. The Councilperson moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.
- (E) Motion to Reconsider. A motion to reconsider any action taken by the Council may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.
- (F) Remarks of Councilperson--When Entered in Minutes. A Councilperson may request, through the Presiding Officer, the privilege of having an abstract of his statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.
- (G) Synopsis of Debate--When Entered in Minutes. The City Secretary may be directed by the Presiding Officer, with consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Council.

Section 1-211. Addressing the Council. Before each meeting of City Council the City Secretary shall place public comment cards on the table in the rear of the Council Chambers, on which any

taxpayer or resident, or his authorized representative, or any member of the public, may sign his name and address, and indicate the subject matter on which he wishes to speak or submit a written communication.

- (A) Oral Communications. Individuals may address the Council by oral communication in regard to matters appearing on the City Council agenda, or any other subject matter, by completing all requested information on the public comment card, and placing said public comment card in the box located on the table in the rear of the Council Chambers, not later than five (5) minutes before commencement of the meeting. Oral communication to Council shall be in the manner provided in Section 1.212 hereof.
- (B) Written Communications. Individuals may address the Council by written communication in regard to matters appearing on the City Council agenda, or any other subject matter, by completing all requested information on the public comment card, and placing said public comment card, along with the proposed written communication, in the box located on the table in the rear of the Council Chambers, not later than five (5) minutes before commencement of the meeting.

Section 1-212. Manner of Addressing Council

- (A) Time Limit. Each person addressing the Council shall step up to the podium, shall give his name and address in an audible tone of voice for the records, and unless further time is granted by the Council, shall limit his address to five (5) minutes. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No question shall be asked to a Councilperson except through the Presiding Officer. Any such question shall be referred by City Council to the City manager, for further handling.
- (B) Limits on Repetitive or Redundant Presentations. The City Council shall have the right to place reasonable limits on the number, frequency, and length of presentations made during the comment period, in accordance with law. For such purposes the City Council may limit the number of persons who speak on a particular subject at a meeting, and the length of the individual presentations made, on such topic; accordingly, the City Council may place reasonable limits on the number of occasions that a person or persons speak on a particular subject, at successive Council meetings. Subject to the foregoing, the City Council shall not place limits on discussion of specific subject matter as it relates to any constitutionally guaranteed right of freedom of speech, or otherwise discriminate against a particular point of view.

Section 1-213. Addressing the Council After Motion Made. After a motion is made by the Council, no person shall address the Council without first securing the permission of the Council so to do.

Section 1-214. Silence Constitutes Affirmative Vote. Unless a member of the Council states that he is not voting, his silence shall be recorded as an affirmative vote.

Section 1-215. Decorum.

- (A) By Council Members. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.
- (B) By Persons. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be forthwith, by the Presiding Officer, barred from further audience before the Council, unless permission to continue be granted by a majority vote of the Council.

Section 1-216. Enforcement of Decorum. The Chief of Police, or such member or members of the Police Department as he may designate, shall be Sergeant-at-Arms of the Council meetings. He, or they, shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the Presiding Officer, it shall be the duty of the Sergeant-at-Arms, or any of them present, to place any person who violates the order and decorum of the meeting under arrest, and cause him to be prosecuted under the provisions of this Code, the complaint to be signed by the Presiding Officer.

Section 1-217. Persons Authorized to be at Tables. No person shall be permitted to be at the two tables in front of the Council table, without the express consent of the Council.

Section 1-218. Special Committees. All special committees shall be appointed by majority vote of the Council.

Section 1-219. Members May File Protests Against Council Action. Any member shall have the right to have the reasons for his dissent from, or protest against, any action of the Council entered on the minutes.

Section 1-220. Claims Against City. No account or other demand against the City shall be allowed until the same has been considered and reported upon by the City Manager and the City Attorney.

Section 1-221. Ordinances, Resolutions, Motions and Contracts.

- (A) Preparation of Ordinances. All ordinances shall be approved by the City Attorney. No ordinance shall be prepared for presentation to the Council unless ordered by three (3) members of the Council, or requested by the City Manager, or prepared by the City Attorney on his own initiative, in consultation with the City Manager.
- (B) Prior Approval by Administrative Staff. All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his authorized representative, and shall have been examined and approved for administration by the City Manager or his authorized representative, where there are substantive matters of administration involved.
- (C) Introducing for Passage or Approval.
 - (1) Ordinances, resolutions, and other matters or subjects requiring action by the Council

must be introduced and sponsored by a member of the Council, except that the City Manager or City Attorney may present ordinances, resolutions, and other matters or subjects to the Council, and any Councilperson may assume sponsorship thereof by moving that such ordinances, resolutions, matters or subjects be adopted; otherwise, they shall not be considered.

- (2) An ordinance may have final passage on the same day on which it was introduced.
- (3) No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed, and when practical all ordinances shall be introduced as amendments to existing ordinances or sections thereof.
- (4) Any resolution providing for the appropriation of money shall designate the particular fund from which the appropriation is to be made.

Section 1-222. Reports and Resolutions to be Filed with the City Secretary. All reports and resolutions shall be filed with the City Secretary and entered on the minutes.

Section 1-223. Adjournment. A motion to adjourn shall always be in order and decided without debate.

Section 1-224. Executive Sessions. Every regular, special or called meeting or session of City Council shall be open to the public. No closed or executive meeting or session of City Council for any of the purposes for which closed or executive meetings or sessions are authorized by the Open Meetings Law, Chapter 551, Texas Government Code, shall be held unless City Council has first been convened in open meeting or session for which lawful notice has been given and during which meeting or session the Presiding Officer has publicly announced that a closed or executive meeting or session will be held and identified the section or sections of said Act authorizing the holding of such closed or executive session. No final action, decision, or vote with regard to any matter considered in the closed meeting shall be made except in a meeting which is open to the public and in compliance with the notice provisions of the Act.

Section 1-225. Open Meetings Law Notice. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 1-226. Repeal. Ordinance No. 1435 and Ordinance No. 1435-A are repealed as of the effective date hereof.

Section 1-227. Effective Date. This ordinance shall be effective from and after its passage and approval.