



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** December 11, 2023

SUBJECT: Consider Ordinance No. 3835, amending Chapter 2, Article II, Division 2, Rules of Procedure of the Code of Ordinances of the City of North Richland Hills.

PRESENTER: Mark Hindman, City Manager

GENERAL DESCRIPTION:

This item will be to consider proposed amendments to the Rules of Procedure, Chapter 2, Article II, Division 2 of the Code of Ordinances. These changes are based on discussion with City Council at the September 25, 2023, City Council Work Session and at the November 13, 2023 City Council Work Session.

Section 2-62 of the Code of Ordinances requires that any new rules or amendments to the Rules of Procedure first be introduced into the record at a previous meeting of City Council. The proposed amendments were introduced into the record at the November 13, 2023 City Council meeting.

A copy of the proposed ordinance and a red-lined version showing the proposed amendments are attached for review. A summary of the proposed changes is provided below:

Sec. 2-52

Clarifies that four (4) members constitute a quorum.

Sec. 2-53

Removes reference to entering official records "in a book".

Sec. 2-55

Changes to make this section gender neutral by adding term "his or her remarks".

Sec. 2-60

Clarifies that Roberts Rules of Order apply to meetings unless they are in conflict with federal or state law, the City Charter, City Code or these rules. The application of Robert's Rules of order may be temporarily modified or suspended by a two-thirds (2/3) vote of all members of the city council present and voting.



Sec. 2-61

Clarifies that these rules may not conflict with federal law. Changes the number of votes required to temporarily suspend these rules from “unanimous” to “two-thirds” of all members of the city council present and voting.

Sec. 2-63 (b)

Removes extraneous wording regarding special meetings and clarifies that all special meetings must be posted in accordance with the Texas Open Meetings Act.

Sec. 2-63 (c)

Change to comply with state law that a recessed meeting can only be extended to the next business day, unless the meeting is posted in accordance with the Texas Open Meetings Act.

Sec 2-63 (d) Adds a new section for Emergency Meetings that complies with the Texas Open Meetings Act.

Sec. 2-64

Section title changed from “Pre-council meetings” to “Meeting Agendas”.

Sec. 2-64 (b)

A description of a Work Session is provided. This wording clarifies that *“the city council shall be free to fully discuss each item on the work session meeting agenda, to question each other and to question the staff, inquire into reasons for recommendations and to inquire as to the opinion of other council members. Each council member shall be entitled to state his or her position on each work session meeting agenda item.”*

Sec. 2-64 (c)

This section clarifies the procedure for placing items on a meeting agenda.

(1) City Manager is responsible for creating the agenda and agenda materials.

(2) This section provides for a standing item on the Work Session agenda for proposal of future agenda items by a City Council member. Without discussing the item or voting, the Council can provide direction to the City Manager regarding placement of an item on a future work session or regular meeting agenda. The same process can also be used to request information reports from staff that may be provided during the work session.

Sec. 2-64 (d)

This section limits the work session discussion of agenda items that are on the regular city council meeting agenda to clarifying or technical questions. This directs all discussion of the items on the regular meeting agenda to the regular meeting.

Sec. 2-64 (e)

Changes to this section clarify that voting on items of procedure provided in Sec. 2-64 apply only to the work session meeting.

Sec. 2-67

The title of this section is changed to clarify that it applies only to regular or special meetings.

Sec. 2-67 (a)

This section clarifies that all requests to place an item on an agenda are handled through Sec. 2-64.

Sec. 2-67 (e) (1)

The existing provision for citizens requesting to speak to the City Council at a meeting is unnecessary due to the Citizens Presentation and Public Comments procedures. This sub-section is removed.

Sec. 2-67 (e) (1) Citizens Presentations (renumbered)

This section establishes procedures for addressing the City Council on items that are not listed on the agenda or scheduled as a public hearing.

Sec. 2-67 (e) (2) Public Comments

This section establishes procedures for addressing the City Council on items that are listed on the meeting agenda, but not scheduled as a public hearing.

Sec. 2-67 (e) (3) Public Hearings

This section establishes procedures for addressing the City Council on items that are scheduled on the meeting agenda as a public hearing.

Sec. 2-67 (e) (3-6) are renumbered as items (5-8)

Sec. 2-67 (e) (7)

This section addressed waiving or suspension of these rules by a majority vote. This section was in conflict with Sec. 2-61 and is being eliminated.

Sec. 2-67 (e) (9)

This section limits communications between a citizen and the City Council or City staff regarding subjects that are not listed as an item on the meeting agenda.

In compliance with the Texas Open Meetings Act, if a member of the public or a member of the city council inquiries about a subject for which notice has not been given and is not listed on the meeting agenda, the mayor or the city manager, or his



designee, may provide a statement of specific factual information or reference an existing policy in response to the inquiry. The city council shall not discuss, deliberate or vote on any matter not listed on the agenda, including those matters raised in citizens presentation, public comments or public hearings. Any requests or proposals for future agenda items resulting from presentations by the public shall be made by the mayor or any city council member in accordance with Section 2-64 of these rules of procedure for placing items on meeting agendas.

Sec. 2-67 (e) (10)

Clarifying the need to maintain order at all official meetings of the City Council and recommending that the mayor announce the need to maintain proper decorum at the beginning of each meeting.

Sec. 2-68 (a)

Terminology update. Clarifying the requirement that ordinances and resolutions must be presented in "writing" rather than requiring them in "printed or typewritten form."

Sec. 2-68 (f)

Additional language is added to clarify that a majority vote is based on a majority of all members present at the meeting at which the vote is taken.

Sec. 2-68 (j)

Additional language is added to clarify that items to be reconsidered shall be submitted to the city manager to be listed on the agenda at the next formal official meeting. Additional wording also clarifies that if a motion to reconsider passes, the city council shall consider and take action on the corresponding item.

RECOMMENDATION:

Approve Ordinance No. 3835, amending Chapter 2, Article II, Division 2, Rules of Procedure of the Code of Ordinances of the City of North Richland Hills.