Town of Enchanted Oaks

Policies and Procedures Manual

Section 2.b. Council Meetings

Policy Goal: To define a clear and orderly process for scheduling and conducting Town Council meetings that is compliant with all state statutes

Governing Statutes: _Texas Local Govt Code: § 22.037, 23.027, 51.035, 511.07, Texas Govt Code Ch 551 (TOMA), HB.2840

Governing/related Ordinances:

- Ord 255 (until rescinded),
- Resolution dated April 8, 1983 "Adopting the use of Roberts Rules of Order and Procedure as a guide in conducting meetings of the Town Council",
- Resolution dated 9-11-1998 "Changing the Regular Monthly Council Meetings to second Tuesday of each month at 7:30 PM",
- Resolution dated December 12, 2017 "A resolution identifying scheduled Council Meeting Date, Time and Location"

Other Policy or Manual: None

If not otherwise specified in this policy, Texas Code regulates Town Council meetings.

Sec. 2.b.1. Meeting Schedule/Special Meetings

All types of council meetings are governed by TOMA.

A Regular Town Council Meeting is a meeting held for the purpose of conducting town business. State law requires that the town schedules at least one regular meeting per month. The time and date of regular Town Council Meetings are set by Town Resolution.

A Special Town Council Meeting is also held for the purpose of conducting town business, but only when it is necessary to conduct specific, urgent, or unusual municipal business that cannot be handled at a regular meeting. The agenda is limited to the matter(s) that the special meeting was called to address,

The mayor, with the consent of another member of town council, may call a special meeting. Also, any two members of town council may call a special meeting.

An Executive Session Meeting is a business meeting which is closed to the public and held for the purpose of discussing confidential information. It is limited by the specific provision of the TGC Section 551.101. A quorum of the governing body must vote or agree to enter the executive session.

A Town Hall Meeting is a public forum where the council meets in an interactive setting. It provides an opportunity for the public to comment and ask questions of council members. No consensus or voting will occur.

It is the town's intent to schedule a minimum of two Town Hall meetings annually. Additional town hall meetings can be scheduled as per the special meeting scheduling process.

Since no town business will be conducted, a quorum of council may or may not be present at a Town Hall meeting.

Town Hall meetings are scheduled and conducted to be compliant with TOMA.

Sec. 2.b.2. Agenda Setting

Agenda Setting -regularly scheduled meetings

Agenda Submissions from Council

Any two members of the Town Council, other than the mayor, may nominate an item to be posted on the agenda of an upcoming regular meeting. The mayor, with the second of any member of the Town Council, may nominate an item to be posted on the agenda of an upcoming regular meeting.

The agenda for every meeting shall contain, as the last item of business prior to adjournment, the following item:

"ANNOUNCE FUTURE AGENDA ITEMS", The mayor or any member of the Town Council, with a second by the mayor or any other member of the Town Council, may propose that an item be placed on a future agenda of the Town Council. No substantive discussion of the proposed item will take place at this time."

This agenda announcement is the preferred, but not the required, process for proposing future agenda items. For example, in situations that are deemed to require prompt action, Council may submit proposed agenda items directly to the mayor and City Secretary/Administrator without being first announced at a regular meeting.

All support for each agenda item must be submitted by the sponsors, in writing, accompanied by the "Council Member Agenda Item Request Form" Exhibit "A" attached.

The city secretary/administrator, in conjunction with the mayor, shall draft the agendas, possibly editing, for clarity, any item or item description, based upon the Request Forms submitted. Every effort will be made to include all submitted agenda requests on the next meeting's agenda, providing they are received, with required documentation, a minimum of three business days before the agenda must be posted. All agenda items will be described in enough detail to notify the public of the exact topic.

Drafts will be circulated to council members for final review with a minimum of 24 hours before required posting date. Council will promptly respond with any final change requests. The city secretary/ administrator shall be responsible for posting the agendas in a manner consistent with State Statutes.

The sponsors of the agenda item will be identified on the agenda. To remove an agenda item, both sponsors must make the request..

Any supporting documents for the agenda's proposed action items, including proposed ordinances and resolutions, shall be posted as soon as available in advance of the meeting at which they will be considered.

Agenda Proposals by Members of the Public

Members of the public who wish to propose agenda items may contact a council member by email, per the member's email address posted on the Town of Enchanted Oaks website. Each agenda item proposed by a property owner/resident should include as much information and data as would be required to make a prudent decision regarding its benefit to the town and its inclusion on the agenda. The property owner/resident must attach this information and data to a "Citizen Agenda Item Request Form "(attached as Exhibit "B") when submitting the proposal to a council member.

There is no requirement that a council member accept and submit a property owner's/resident's agenda proposal for inclusion on a future agenda. It is incumbent on the council member to apply prudent judgement in determining whether a proposed item is appropriate to submit for council consideration. If a member deems the proposal to have value to the town, he/she must obtain another member's approval to sponsor the item and then submit the proposal with all proper documentation, using the citizen provided "Citizen Agenda Item Request Form "(attached as Exhibit "B") to the Mayor/Secretary under both the primary and approving council member names.

General

All policies concerning agenda item announcement, item submission, agenda timing, agenda drafting and circulation will be equally applied to council and public agenda proposals.

It is the intent of Council to promptly schedule all agenda items once properly accepted and submitted by council members. Depending on the volume of topics to address at the next meeting, scheduling of a submitted agenda item may be delayed.

Sec. 2.b.3. Meeting Procedure and Public Comment

Procedure

An audio recording of each Town Council meeting is made and maintained consistent with state-mandated records retention guidelines. It shall be understood that members of the public in the audience may be heard on these recordings

The mayor is the chairperson of each Town Council meeting. In the absence of the mayor, the mayor pro tem becomes the chairperson for that meeting.

The town has established Roberts Rules of Order as the procedural guideline in conducting council meetings.

The mayor may not make a motion nor second a motion at the council meeting.

The whiteboard which is displayed by the front door at each council meeting sets out the town's guidelines for meeting behavior and decorum of all participants and attendees.

Public Comment

Public Comment on Informative/Action Agenda Items

The council provides opportunity for public comment on every agenda item involving council consideration, meaning every item for which the council will make a decision or take action. On the agenda, these items are labeled "Informative/Action Items".

The public is invited to comment after each informative action agenda item is discussed by council but before any action is taken. Comments are limited to three minutes per participant.

Any member of the public may comment on informative/ action agenda items, irrespective of their position on the issue and their agreement or disagreement with council's position.

In order to speak, a member of the public must be recognized by the mayor, must address the council (not the audience or city staff), must limit comments to the specific item's topic and must adhere to the three-minute limit. Additional situational judgement and guidance, consistent with all provisions of TOMA, may be exercised by the council, as represented by the Mayor, to ensure the progression of an orderly meeting. All such guidelines are evenly applied to all members of the public, without consideration of their expressed position on a town matter.

Comments on Non-Agenda Items

At the end of each meeting, council also provides opportunity for public comment on any item of town business other than the previously considered list of informative/ action items. Comments in this section of the meeting are once again limited to three minutes and may include public comments on staff and council reports. In order to participate in this comment opportunity, a member of the public must sign up prior to the beginning of the meeting on a signup sheet provided at the door.

The Town Council may not answer questions or talk about matters that are not on the agenda

Texas Government Code § 551.042 allows a governmental body to respond to such inquiries during an open meeting under specific, limited rules

(1) a statement of specific factual information given in response to the inquiry; or
(2) a recitation of existing policy in response to the inquiry.
(b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

During all comment periods, no portion of a speaker's allotted time may be given (assigned, relinquished, donated) to another speaker.