

RESOLUTION NO. R-2024-125

A RESOLUTION OF THE CITY OF BASTROP, TEXAS AMENDING RULES OF PROCEDURE FOR THE CITY COUNCIL LAND BOARD & COMMISSIONS OF THE CITY OF BASTROP, TEXAS AS SUBMITTED AT THE APRIL 29, JULY 9, AND AUGUST 13, 2024 REGULAR MEETINGS; PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND MEETING.

WHEREAS, the City Council of the City of Bastrop (City Council) has a shared interest in promoting efficient, effective, and ethical City Council Meetings; and

WHEREAS, pursuant to Sections 551.007 and 551.023 of the Texas Government Code and Section 3.13 of the City’s Home Rule Charter, the City Council has the authority to determine its own rules of procedure and order of business; and

WHEREAS, the City Council finds it to be reasonable and prudent to approve this resolution modifying the Rules of Procedure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP:

Section 1. The City Council hereby adopts the following amendments Article 2. “General Rules of Procedure and Policies”, Section 2.2 “Shall Be in Compliance” as presented and approved at the July 9, 2024 City Council Meeting:

All meetings of the City Council shall be in compliance with the Texas Government Code, Chapter 551, Open Meetings Act **including the Act’s prohibition of discussions about an item of public business among a quorum through a series of communications.** Except in the case of an emergency meeting, notice of all meetings shall be given 72 hours before the time set for any meeting.

Section 2. The City Council hereby adopts the following amendments Article 2. “General Rules of Procedure and Policies”, Section 10 “Quorum” as presented and approved at the August 13, 2024 City Council Meeting:

Four (4) members of the Council shall constitute a quorum to do business. **Three (3) or more members of the Council should not meet to deliberate city business outside an open meeting unless:**

- (a) They are placed on a sub-committee by Council; or**
- (b) They are calling a city council meeting.**

Section 3. The City Council hereby adopts the following amendments Article 3. “Parliamentary Procedure”, Section 3.5 “Discussion and Debate” as presented and approved at the July 9, 2024 City Council Meeting:

The basic rule of motions is that they are subject to discussion and debate. Accordingly, the basic motion and the motion to amend are all eligible, each in their turn for full discussion by and before the City Council. **Once the motion is made, the length of individual statements by the Mayor and Council Members is limited to five minutes unless the City Council votes to extend the time allotted.** Discussion and debate can continue ~~as long as the members wish to discuss it, or until the Mayor~~ **or any Council Member** decides that it is time to move on and call a vote on the motion **and once all council members have had the opportunity to discuss the motion.**

Section 4. The City Council hereby adopts the following amendments Article 4. “Agenda Order” as presented and approved at the July 9, 2024 City Council Meeting:

The ~~Mayor and the~~ City Manager or an appropriate designee shall prepare ~~an~~ **a draft agenda and deliver it to City Council via electronic transmission on the Monday prior to the final agenda posting. The City Manager or an appropriate designee shall prepare an agenda and** cause the same to be posted in accordance with the Texas Open Meetings Act. Agendas and packet material shall be delivered to the City Council via electronic format uploaded into a cloud storage service. City Council shall be notified via email that the agenda and packet have been uploaded and available for review **72 hours prior to a regularly scheduled Council Meeting.** The goal would be to upload the agenda and packet on Thursday prior to a regularly scheduled Council Meeting. In the event of an emergency meeting of the City Council, this provision shall be suspended when not inconsistent with the provisions of federal or state law or the City Charter.

In order to facilitate the agenda process, the Mayor, two Council Members, or the City Manager may place an item on the agenda. Staff assistance, if required, should be requested through the City Manager (City Charter, Article III, Section 3.05 Prohibitions). Agenda items must be provided to the City Manager’s Office at City Hall by 12:00 noon on the 7th calendar day preceding the date of the regular meeting. If the agenda topic does not allow for staff to adequately prepare information for Council’s consideration, the item may be postponed until the next regular meeting.

Section 5. The City Council hereby adopts the following amendments Article 4. “Agenda Order”, Section 4.4 “Presentations” as presented and approved at the April 29, 2024 City Council Meeting:

Presentations ~~may~~ **will** be made by the Mayor, City Council, or Staff. **Proclamations shall be read by the City Secretary and signed by the City Manager. All City Council Members will be afforded the opportunity to pose for a group photograph for the proclamation.** ~~The Mayor may deliver any proclamation as may be required from time to time.~~ * Outside entities and organizations granted permission to make a presentation shall be placed in this section.

Proposed proclamations and resolutions will not be placed on an agenda or brought before the City Council for discussion or action that:

- (a) Take a position on a matter of religious or spiritual values or principles, including ones that advance one religion, denomination, or article of faith over another;
- (b) Promote political partisanship favoring one party over another;
- (c) Advocate outcomes in legal matters in which the City of Bastrop is not a party and are pending before a court or administrative law body (e.g., State Office of Hearings Examiners);
- (d) Is contrary to a policy position stated in an ordinance previously adopted by the Council (unless the Council is in the process of amending or repealing the prior ordinance).

Note *: According to Resolution No. R-2024-49, Section 1(4): Speaking Roles at City Functions: It shall be the policy of the City of Bastrop that City staff shall not schedule or propose the mayor to speak at city or city-sponsored events, outside of City Council Meetings, without prior approval of the City Council.

Section 6. The City Council hereby adopts the following amendments Article 4. “Agenda Order”, Section 4.4 “Presentations” as presented and approved at the August 13, 2024 City Council Meeting:

Presentations ~~may~~ will be made by the Mayor, City Council, or Staff. Proclamations shall be ready by the City Secretary and signed by the City Manager. All City Council Members will be afforded the opportunity to pose for a group photograph for the proclamation. Outside entities and organizations granted permission to make a presentation shall be placed in this section.

Proposed proclamations and resolutions will not be placed on an agenda or brought before the City Council for discussion or action that:

- (a) Take a position on a matter of religious or spiritual values or principles, including ones that advance one religion, denomination, or article of faith over another;
- (b) Promote political partisanship favoring one party over another;
- (c) Advocate outcomes in legal matters in which the City of Bastrop is not a party and are pending before a court or administrative law body (e.g., State Office of Hearings Examiners);
- (d) Is contrary to a policy position stated in an ordinance previously adopted by the Council (unless the Council is in the process of amending or repealing the prior ordinance).

Section 7. The City Council hereby approves the revised Rules of Procedure attached hereto as EXHIBIT A and made a part hereof by this reference.

Section 8. All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 9. This Resolution shall be in full force and effect from and after its passage.

Section 10. The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop Texas, on this 17th day of SEPTEMBER 2024.

CITY OF BASTROP, TEXAS

Lyle Nelson, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma G. Parker, City Secretary

Alan Bojorquez, City Attorney