

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS

ORDINANCE NO. 25-016-00

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS, FOR THE PURPOSE OF ADOPTING AND AMENDING RULES OF PROCEDURE TO GOVERN THE CONDUCT OF CITY COUNCIL MEETINGS; TO PROVIDE FOR ENFORCEMENT OF THE CITY CHARTER; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR NO RETROACTIVE ENFORCEMENT PRIOR TO THE EFFECTIVE DATE; AND PROVIDING FOR RELATED MATTERS.

Whereas, the City Council of the City of Leander, Texas (the “City”) is authorized by the City Charter and state law to determine its own rules;

Whereas, Section 4.03(b) of the City Charter charges the City Council with ensuring the enforcement of the provisions of the City Charter and the ordinances of the City. and

Whereas, the City Council wishes to adopt and amend the rules of procedure of the City of Leander to provide for the orderly conduct of City Council meetings and to provide for the enforcement of the City Charter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Adoption of Rules of Council. The City Council hereby adopts the amended City of Leander Rules of Procedure as set forth in Exhibit A.

Section 3. Conflicting Ordinances. Any ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

Section 4. Savings. All rights and remedies of the City of Leander are expressly saved as to any and all violations of the provisions of any ordinances affecting City Council Rules of Procedure which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 5. Effective Date. This ordinance shall take effect immediately from and after its passage with no retroactive enforcement for complaints about actions that occurred prior to the effective date and publication in accordance with the provisions of the Tex. Loc. Gov’t. Code.

Section 6. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this ordinance of any such invalid phrase, clause, sentence, paragraph or section.

If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 7. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this 20 day of February, 2025.

ATTEST:

CITY OF LEANDER, TEXAS

Dara Crabtree, City Secretary

Christine DeLisle, Mayor

Exhibit “A”
Rules of Procedure

CITY OF LEANDER, TEXAS CITY COUNCIL RULES OF PROCEDURE

Pursuant to Section 3.05 of the City Charter, which states that the Council may determine the rules of its proceedings, the City Council hereby adopts the following Rules of Procedure.

A. GENERAL GUIDELINES

- 1) Focus on governing (policy making), not administration.
- 2) Treat everyone with respect. No personal attacks on City Staff or each other.
- 3) Address the present issue and let each item stand on its own.
- 4) Be brief and concise. Focus comments for item under consideration.
- 5) Support the validity and integrity of the process even when you disagree with the outcome.
- 6) Listen before judging or taking action. Do not pre-judge the motives of your fellow Councilmembers.
- 7) Wait for recognition from the Mayor before speaking.
- 8) Agree to disagree. No need to over-talk an issue.
- 9) Council directs as a body. Be clear on directions, follow plans, and support City policies.
- 10) No surprises. Share all information equally with each other and the City Manager.
- 11) Campaign attire in support or opposition of any candidate or measure is prohibited while on the dais.

B. AGENDAS

- 1) Preparation of the Agenda. The City Manager shall cause the City Secretary to prepare the agenda for the Mayor's review and approval.
- 2) Consent Agenda. The following matters may be placed on the Consent Agenda: minutes; contracts or expenditures requiring Council approval that are within the budget; contracts city staff was authorized to negotiate and bring back for approval; second reading of ordinances; plat approvals where variances are not accepted; acceptance of subdivision infrastructure; and other similar routine, administrative matters that do not require deliberation. Items on the Consent Agenda may be approved with a single motion and vote; provided that any Councilmember may request that an item be pulled from the Consent Agenda for discussion and action during the regular agenda.
- 3) Councilmember Requested Agenda Items. Section 3.07 of the City Charter provides that any Councilmember may require any item be placed on an agenda for which timely notice may be given.
 - a. A Councilmember that wishes to place an item on an agenda must submit the agenda item and the background material described in subsection (b) below to the City

Manager's Office by 5:00 p.m. on the Wednesday before the regular meeting. A Councilmember may submit no more than two (2) agenda items per meeting. The Mayor may consult with a Councilmember about placement of an agenda item on a later meeting. All items submitted by the deadline will appear on the agenda for the meeting unless the Councilmember agrees to delay the agenda item to a later meeting. Items that are submitted after the deadline or that do not include the required background material will not appear on the agenda. The Mayor may waive the deadline for agenda items that are time sensitive.

- b. The Councilmember shall provide the City Manager with materials providing background information on the agenda item that consists of, at a minimum, a written explanation about the purpose of the agenda item and any additional relevant information or documents. The City Secretary will assist with preparing the Executive Summary based on the Councilmember's written explanation for the Councilmember's review and approval.
 - c. The Councilmember requested agenda items will be identified as "Council Directive" in the Executive Summary.
 - d. Except for Proclamations, Councilmember requested items will be placed at the end of the agenda.
- 4) Councilmember Closing Statements. When this item appears on the agenda, Councilmembers may make statements about the following items only:
- a. Expressions of thanks, congratulations, or condolence;
 - b. Information regarding holiday schedules;
 - c. An honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;
 - d. A reminder about an upcoming event organized or sponsored by the governing body;
 - e. Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
 - f. Announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.
- 5) Proclamations. As one of the two Councilmember agenda items allotted per meeting, a Councilmember may request a proclamation be placed on the agenda in accordance with Section (B)(3). To appear on the agenda, a proclamation must have a nexus to City business, a City event, a City program, or one of the City's community partnerships. The Mayor is authorized to issue ceremonial proclamations.

C. CONDUCTING THE MEETING

- 1) Presiding Officer. The Mayor or, in their absence, the Mayor Pro Tem shall preside over and conduct all City Council meetings. In the absence of both the Mayor and the Mayor Pro Tem, the City Council shall, by majority vote of those present, determine which member shall preside over and conduct the meeting.
- 2) General Conduct. Councilmembers shall show respect and courtesy to, and refrain from making disparaging comments about, fellow Councilmembers, the public, and City staff in the conduct of a City Council meeting, outside of Council meetings, in social settings, and on social media.
- 3) Consideration of Agenda Items.
 - a. Councilmembers shall confine their discussions concerning a motion or a question to the merits of a motion made and seconded or to a question already presented to them.
 - b. Debate shall normally be closed after every Councilmember wishing to speak has been given every opportunity to speak and no Councilmember has any additional comments to make. When the debate appears to have closed, the Mayor or Presiding Officer shall call for a vote.
 - c. Any Councilmember may call for the question on any issue, and upon seconding by another Councilmember, the issue shall immediately be put to vote. Passage of the motion to address the previous question shall terminate debate on the motion, amendment, or amended motion, and the matter shall move on immediately.
- 4) Executive Session. Matters discussed in executive session will be kept confidential and City Councilmembers shall not discuss matters discussed in executive session outside of the executive session.
- 5) Adjournment. After 11:00 p.m., if more than two items remain on the agenda (excluding Councilmember closing remarks), the Council may vote on the question of adjourning the meeting and postponing the remaining items. If three-fourths of Councilmembers present and voting at the meeting (but no less than four) vote to postpone the items and adjourn the meeting, then the remaining items will be posted on the next regular City Council agenda, or an earlier agenda if approved by the City Council or Mayor. Such agenda items shall be the first items listed under the Regular Agenda.
- 6) Participation by Videoconference. One (1) or more Councilmember(s) may participate in City Council meetings remotely by means of videoconference, and shall be counted as present, if all of the following conditions apply:
 - a. Attendance by the Councilmember at the physical meeting location is unreasonably difficult or impossible.
 - b. The Councilmember has notified the City Secretary of his/her request to participate remotely by means of videoconference no later than one week prior to the scheduled meeting date.

- c. The meeting notice specifies a physical meeting location and the intent to have a quorum of City Council present at the physical meeting location.
 - i. If the Mayor plans to participate remotely by means of videoconference, the Mayor Pro Tem (or other Councilmember designated pursuant to Section C.1) shall serve as the Presiding Officer.
- d. The technology used to facilitate two-way audio and video communication among participating City Council members, which is audible and visible to the public during the meeting, operates in accordance with Texas Open Meetings Act requirements.
 - i. If a quorum of City Council is present at the physical meeting location, and the Councilmember participating remotely by means of videoconference is no longer visible and audible to those in attendance at the physical meeting location, the meeting may continue in accordance with the Texas Open Meetings Act.
- e. During any executive session or closed meeting, to protect confidentiality and preserve attorney-client privilege, the Councilmember participating remotely by means of videoconference must safely prohibit all audio and video communication from being seen, heard or recorded by unauthorized persons.

D. INTERACTION WITH CITY STAFF

- 1) City Charter Requirement. Section 4.05 of the City Charter provides that: “No member of the council shall give orders directly to any city employee, except when empowered to do so by an emergency proclamation, and all members of the council shall deal with the nonelective officers, employees and administrative offices of the city solely through the city manager.”
- 2) Council Requests for Staff Reports. City Council Members may request staff reports and other staff work through the City Manager. If the request involves a significant use of staff resources (generally defined as approximately two (2) hours or more of staff time), the City Manager shall have the discretion to ask the Council member to bring the request forward as an agenda item and the request must receive a consensus from the City Council.
- 3) Council Request for Information. The City Council may ask for information from City Staff by making the request to the City Manager or getting authorization from the City Manager to request the information from City Staff. Written materials or written responses to questions or requests for information shall be provided to the entire City Council.

E. RECONSIDERATION OF MATTERS

- 1) In order for an action to be reconsidered, a Councilmember may request that an item considered be submitted to the City Manager’s Office no later than 5:00 p.m. on the first Wednesday after the City Council Meeting in which a vote was taken on the item. A request to reconsider at item can only be sponsored by a Council Member who voted with the prevailing side. A motion to reconsider any action of the Council can be made not later than the next succeeding official City Council Meeting following its submission to the City

Manager's Office. Such motion can only be made by a member who voted with the prevailing side. It can be seconded by any member. No question shall be twice reconsidered, except by unanimous consent of the Council.

- 2) For matters that have not received four votes of Council either for or against a motion on the matter, any member of Council can request that the matter be placed on the agenda for reconsideration. The request may be made at the meeting at which the motion failed to pass, or the request may be made in writing and submitted to the City Manager and the City Secretary by 5:00 p.m. on the first Wednesday after the City Council Meeting in which the matter failed to receive four votes.
- 3) Reconsideration of matter under this Section will not be limited to the motion or motions made at the prior meeting.

F. MISCELLANEOUS

- 1) Email and Cell Phone Usage. Councilmembers to the greatest extent possible will use city-issued cell phones and email accounts to conduct City business.
- 2) Robert's Rules. Where needed for structure and order, the City Council may use Roberts Rules of Order as a guide for its proceedings, unless they conflict with these rules.
- 3) Suspension of Rules. Any provision of these rules not governed by the City Charter or Code may be temporarily suspended by a two-thirds vote of all members of the Council.
- 4) Amendment to Rules. These rules may be amended, or new rules adopted, by a majority vote of all members of the Council. Council shall review these rules annually.

G. COUNCIL LIAISON ROLES AND RESPONSIBILITIES

The City Council adopted on December 1, 2022, the following guidelines for Council Liaison members on City appointed Boards, Commissions, and Committees (Boards).

- **Definition.** The Council Liaison acts as spokesperson on behalf of the Council when so directed by the Council as a body.
- **Purpose.** The role of the Council Liaison is to facilitate communication from the Council to the Board by providing information about Council actions and related discussions and to serve in a support-role to the Staff Liaison without superseding or overriding the Staff Liaison's authority.
- **Appointments.** No Council member is required to serve as Council Liaison to a Board. Council Liaison appointments will be conducted annually in October at the same meeting during which annual Board appointments are made. Councilmembers desiring to serve as Council Liaison to multiple Boards will be considered for appointment to one Board and then may be considered for additional appointments once other Council members have an opportunity to serve.

- **Attendance.** Attendance by Council Liaisons at Board meetings is not required and is not counted for the purposes of establishing and maintaining Board quorum. However, attendance at all or most Board meetings is encouraged. Frequency of attendance may be determined by each Council Liaison.
- **Participation.** Council Liaisons do not have voting or agenda setting privileges on the Board. Although Council Liaisons may participate in Board discussion, they should not advocate positions before the Board, nor should they attempt to influence Board decisions.

These guidelines apply when a Council member is acting as liaison to a City appointed Board. It does not apply when the Council member is appointed to a Board of non-city bodies where the Council member serves as a representative of the City.