



CITY OF DEL RIO, TEXAS
SPECIAL CITY COUNCIL MEETING
COUNCIL CHAMBERS - CITY HALL
109 WEST BROADWAY
WEDNESDAY, MAY 16, 2018- 6:30 P.M.

**AGENDA
DESCRIPTION**

ITEM NO.

-
1. CALL TO ORDER
 2. ROLL CALL
 3. INVOCATION
 4. PLEDGE OF ALLEGIANCE
 5. **ORDINANCES**
(ACTION MAY BE TAKEN ON THESE MATTERS)
 - a. O: 2018 - 052 An Ordinance in Accordance with the Del Rio City Charter and State Law Providing for the Canvass of the returns of the Regular Election held on May 5, 2018; Declaring the Official results of said Regular Election - Biatris Vela, City Secretary
 6. **OTHER BUSINESS**
(ACTION MAY BE TAKEN ON THESE MATTERS)
 - a. Administration of Oath of Office - Biatris Vela, City Secretary
 - b. Recognition of Mayor Robert Garza
 - c. Mayor's Comments
 - d. Formally Adopting a Policy on how to Place an Item on Agenda - Rowland Garza, Councilperson
 - e. Draw for Seating Arrangements on the Dais - Rowland Garza, Councilperson
 - f. Determine how to Reschedule or Alter the Date and/or Time of a Regularly Scheduled Council Meeting - Rowland Garza, Councilperson
 - g. Early Voting and Election Dates for Run-Off Elections
Early Voting - June 11, 2018 to June 15, 2018
Election Date - June 23, 2018
Polling Places to be Determined - Biatris Vela, City Secretary

7. **ADJOURNMENT**

* NOTE: The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act.

I, Biatris Vela, City Secretary, hereby certify that the above agenda was posted on the bulletin board in the Municipal Building and on the bulletin board immediately outside the Municipal Building on or before 6:30 p.m. on the 11th day of May 2018.



Biatris Vela, City Secretary

City Council Special

5.a.

Meeting Date: 05/16/2018

Submitted By: Biatris Vela, City Secretary, City Secretary

Information

SUBJECT:

O: 2018 - 052 An Ordinance in Accordance with the Del Rio City Charter and State Law Providing for the Canvass of the returns of the Regular Election held on May 5, 2018; Declaring the Official results of said Regular Election - Biatris Vela, City Secretary

SUMMARY:

N/A

BACKGROUND:

N/A

DISCUSSION:

N/A

PROS:

N/A

CONS:

N/A

RECOMMENDATION:

N/A

Fiscal Impact

FISCAL IMPACT:

N/A

Attachments

No file(s) attached.

City Council Special

6.a.

Meeting Date: 05/16/2018

Information

Subject

Administration of Oath of Office - Biatrix Vela, City Secretary

Attachments

No file(s) attached.

City Council Special

6.b.

Meeting Date: 05/16/2018

Information

Subject

Recognition of Mayor Robert Garza

Attachments

No file(s) attached.

City Council Special

6.c.

Meeting Date: 05/16/2018

Information

Subject

Mayor's Comments

Attachments

No file(s) attached.

City Council Special

6.d.

Meeting Date: 05/16/2018

Information

Subject

Formally Adopting a Policy on how to Place an Item on Agenda - Rowland Garza, Councilperson

Attachments

DRAFT-COUNCIL DECORUM

COUNCIL MEETINGS DECORUM AND PROCEDURES POLICY

1 GENERAL GUIDELINES

1.1 CHARTER.

Charter provisions determine the basic rules and responsibilities of the council.

1.2 CODE OF ORDINANCES.

City of Del Rio Code of Ordinances include times, locations, and rules for Council meetings. Should any provisions in this policy conflict with any other ordinance, this policy will supercede any conflicting provision.

1.3 PRESIDING OFFICER.

The mayor shall preside at meetings of the council. As presiding officer, the mayor must follow the procedures as described herein and perform the responsibilities as provided in these procedures. If the mayor is not present, the mayor pro tem will fulfill all responsibilities herein designated for the mayor.

For purposes of this policy, a general term “councilmember” includes the mayor or presiding officer, unless specifically stated otherwise.

2 SCHEDULING OF COUNCIL MEETINGS

2.1 LOCATION AND TIME.

Regular meetings of the council will be held on the second and fourth Tuesdays of each month in the council chambers of the municipal building located at 109 West Broadway at 6:30 p.m.

2.2 CHANGE IN LOCATION OR TIME.

Any change in the location or time of a regular meeting can be scheduled if planned at least 72 hours in advance of the meeting in order to meet the posting deadlines for the Open Meetings Act. Such scheduling change can only happen upon the determination of necessity or convenience by the city manager or a majority of council members prior to the posting. Such scheduling change can only happen upon the determination of necessity or convenience by the city manager, the mayor, or a majority of council members prior to the posting. Such scheduling change can only happen upon the determination of necessity or convenience by a majority of council members prior to the posting.

2.3 SPECIAL MEETINGS.

Special meetings shall be called by the city secretary upon request of the mayor, city manager, or a majority of the council. (Charter Section 25)

3 OPEN MEETINGS

3.1 OPEN GOVERNMENT.

All meetings of the council shall be open to the public except in cases where executive or closed sessions are prescribed or permitted by law. (Charter Section 25)

3.2 PUBLIC NOTICE.

The agenda for all meetings of the council shall be posted by the city secretary on the city's official bulletin board and on the city's website in accordance with the Open Meetings Act. Items will be described with enough particularity to notify citizens of the general topic of discussion and the possibility of council action.

3.3 TOPICS NOT INCLUDED IN PUBLIC POSTINGS.

The Open Meetings Act permits a speaker to raise a subject not included in the posted agenda. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting. (Texas Government Code Section 552.042)

4 AGENDA CREATION

4.1 WHO MAY PLACE ITEMS ON THE AGENDA.

Items may be placed on the agenda either by the mayor, the city manager, the city attorney, or by a majority of the councilmembers. *Items may be placed on the agenda either by the mayor, the city manager, the city attorney, or by any councilmember.*

4.2 HOW TO PLACE ITEMS ON THE AGENDA.

All requests for agenda items must be submitted to the city manager's office in order for processing on the agenda software and accumulation of supporting material, including items requested by councilmembers or mayor.

4.3 WHO WILL SPEAK TO ITEMS PLACED ON THE AGENDA.

The city manager, city attorney, city secretary or municipal judge will address items posted by their departments on the agenda or have a designee with background prepared to speak in his or her stead. The city manager may speak to any item on the agenda no matter who posted that item, or may ask that a designee speak on the city manager's behalf. *Councilmembers who requested placement of an agenda item will answer questions posed during discussions. Staff*

who have been assigned the issue by administration will present the items requested by council or citizens, including the pros and cons, financial repercussions, and background information.

Citizens will not be asked by councilmembers to address any agenda topic, unless discussed in advance with the city manager, who has been given the opportunity to include citizens' input for the benefit of the council's information

Citizens signed up prior to the meeting through the citizens' comments process may address the council, but council may not respond other than to place an item on a future agenda. No staff will be asked to speak to any items that have not been prepared through the internal agenda process.

4.4 AGENDA PACKETS.

The city manager shall have prepared for each councilmember a copy of the agenda together with supporting material for each item to be considered by the council. Such packets will be either electronic, or hard copy, or both—at the request of the councilmember. Packets will be ready for council review at the time of public posting. Additional information needed by councilmembers should be requested 24 hours in advance of the posted meeting in order to give staff time to obtain the necessary information.

4.5 AGENDA REVIEW PRIOR TO POSTING

All items posted must be routed through the finance department, the legal department, and administration in order for the opportunity for each of these departments to prepare for the item and ensure it is properly posted.

4.6 AGENDA HEADINGS AND ORDER OF BUSINESS.

The agenda headings and thus the order of business will be as follows:

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS

CEREMONIAL ANNOUNCEMENTS COMMUNITY ANNOUNCEMENTS

INFORMATION ITEMS

CONSENT AGENDA

ORDINANCES

RESOLUTIONS

OTHER BUSINESS

EXECUTIVE SESSION

ADJOURNMENT

4.7 COUNCILMEMBER INQUIRIES, COMPLAINTS, OR COMMENTS

Councilmembers shall not comment upon, deliberate, or discuss any item that is not on the agenda. Councilmembers shall not make routine inquiries about operations or project status on an item that is not posted. Any councilmember may, however, state an issue and a request that this issue be placed on a future agenda. **If such motion is seconded, the issue will be placed on the next agenda.** **If such motion is seconded, and followed by a majority vote, the issue will be placed on the next agenda.** Any item requested in this manner by any councilperson shall be placed on the next agenda without the need for a vote, unless a motion and majority vote to not place the item occurs. Items requested on the agenda in this manner will be assigned to the appropriate staff member for preparation and recommendation at the next meeting.

5 ACTION ON AGENDA ITEMS

5.1 PROCEDURE FOR PRESENTING AGENDA ITEMS.

The procedure will be as follows:

- (a) Presiding officer will read the item on the agenda.
- (b) City manager may ask to be heard on the item. Additionally, any councilmember may request that the city manager or presenting city employee explain the item by saying, "I request an explanation of this issue" or similar language. No questions will be asked by any councilmember, the mayor, or any observer during the presentation.
- (c) The mayor will call for a motion.
- (d) If a motion is not made, the presiding officer shall announce that the matter dies for lack of a motion.
- (e) If a motion is made, a second may be volunteered by any councilmember.
- (f) If a second is not forthcoming, the mayor shall inquire as to whether there is a second. If a second is not made, the mayor shall announce that the motion dies for lack of a second. No further discussion shall be had from council or staff on that item.
- (g) If a second is received, the mayor shall ask council if there are any questions that need to be answered before the council is ready to vote. All questions or discussion on the issue shall be concluded prior to voting. All questions shall be posed to the city manager, who may request the original presenter or another presenter of his choosing to respond to council questions. Once a motion has been seconded, it cannot be changed except with majority vote of the councilmembers.
 - i. Councilmembers shall not ask questions of each other.

ii. Councilmembers shall not answer questions posed by other councilmembers to presenters, city manager, city attorney, or consultants.

iii. Councilmembers may request an opinion from the city attorney at any time, and if legal advice of a confidential nature is contemplated, council may adjourn to executive session on any posted item.

iv. After all questions of the council have been answered, each councilmember will receive the opportunity to explain the individual perspective of the vote. The councilmember who made the motion may speak first. Each councilmember may then be allowed to speak one at a time until choosing to yield the floor for a maximum of 3 minutes then yielding the floor to the person next on the dais without interruption, so long as the comments made are not refusing to obey the rules of the council and are confined to the question under debate. Each councilperson shall receive a one minute rebuttal, in the same order down the dais, but no councilperson shall be required to use this time. No councilmember may speak a third time without a motion to suspend the rules and a 2/3 majority vote.

(h) If additional questions arise that need to be directed to the City Manager or his / her designee, or further discussion is requested, these actions can only take place upon a motion to suspend the rules and a 2/3 majority vote. After all questions and discussion, the mayor shall then call for a vote. The councilmembers may employ Robert's Rules of Order procedures to put forth additional motions.

(i) Once the vote has been taken, no further questions or discussion on the issue shall be allowed, except with a motion and a second to re-open discussion.

5.2 VOTE OF COUNCIL

(a) Any councilmember or mayor may request a roll call vote, and such votes will be noted in the minutes. Councilmembers may not comment before or after any roll call vote, including their own.

(b) Councilmembers may all speak for 3 minutes each to explain the reason for their own vote as described above, but may not comment or allude to the votes of other members. No councilmember will be allowed to "rebut" any other member's vote explanation, except with a motion and second to allow additional discussion and a 2/3 majority vote. In the case of additional discussion, all councilmembers will be allotted the additional time requested in the motion with the same applicable rules as above.

(c) Four affirmative votes are required for the passage or repeal of any ordinance or resolution. (Charter Section 25)

(d) The 2/3 majority vote required to suspend the rules is five affirmative votes.

5.3 ROBERT'S RULES OF ORDER

The mayor will preside in such a way that is consistent with Robert's Rules of Order.

6 CITIZEN APPEARANCES BEFORE COUNCIL

6.1 REQUESTS NOT POSTED IN ADVANCE.

Citizens may address the council during the citizen comments portion of the meeting, by signing up prior to the start of the meeting on the ledger provided outside the chambers. Council may not discuss these items other than a comment on current policy. No action may be taken on any non-posted item, but any councilmember can request that such item be placed on a future agenda as described herein.

6.2 CITIZENS' COMMENTS DURING A MEETING

Every person addressing council shall step up to the podium, state their name, and subject of their comments in an audible voice. All comments will be directed at the mayor and no speaker may ask questions of any councilmember. Each speaker will be limited to three minutes. Multiple speakers may speak on the same topic, however each speaker will still be limited to three minutes. The mayor may direct the speaker to refrain from finishing his or her allotted time if it is determined that the speaker is discourteous, abusive, or disorderly. No spectators will be allowed to speak to any item unless signed up prior to the meeting.

6.3 REQUESTS PRIOR TO AGENDA POSTING

Citizens wishing to provide council the opportunity to take action should file a written request to appear at a council meeting on the form available at the administration office. Administration will then determine the process for staff to obtain background and prepare a presentation and recommendation for council. An item presented for council action will not be presented by citizens without coordinating preparation and recommendation by staff. No items will be placed on the agenda without background sufficient to properly post the item for council action.

6.4 CITIZEN'S PRESENCE IN THE OPEN MEETING

(a) Citizens have no right to speak or disrupt an open meeting. The Open Meetings Rules provide the opportunity to watch and listen to the deliberation of business. Citizens and other visitors are welcome to attend all public meetings of the city council and will be admitted to the city council chamber or other room in which the city council is meeting up to the fire safety capacity of the room.

(b) Everyone attending the meeting will refrain from private conversations while the city council is in session.

(c) Citizens and other visitors attending city council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the city council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the city council or while attending the city council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the city council during that session of the city council. If the presiding officer fails to act, any member of the city council may move to require enforcement of the rules, and the affirmative vote of a majority of the city council shall require the presiding officer to act.

(d) Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the presiding officer, who may direct the sergeant-at-arms to remove offenders from the room. In case the presiding officer shall fail to act, any member of the city council may move to require enforcement of the rules, and the affirmative vote of the majority of the city council shall require the presiding officer to act.

(e) No placards, banners, or signs will be permitted in the city council chamber or in any other room in which the city council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the city council, however, are permitted. Video presentations requested by citizens as visual aids will not be broadcasted over cable television.

6.5 SERGEANT AT ARMS

The city manager, as chief law enforcement officer, shall act as sergeant-at-arms for the city council and shall furnish whatever assistance is needed to enforce the rules of the city council.

7 VIOLATIONS OF THIS POLICY

7.1 PRESIDING OFFICER SHALL ENFORCE THIS POLICY.

The mayor shall follow and enforce all provisions of this policy.

7.2 POINT OF ORDER.

Should any councilmember feel that this policy is being violated, a point of order may be called. A speaker may be interrupted to protest a breach in procedure in this manner. The mayor will opine on whether a violation has occurred. Any councilmember may appeal the mayor's decision with a motion to that effect. If this appeal motion is seconded, the council may discuss the procedural issue and if four members vote to appeal, then the speaker in violation of these policies must cease the complained of action or speech.

City Council Special

6.e.

Meeting Date: 05/16/2018

Information

Subject

Draw for Seating Arrangements on the Dais - Rowland Garza, Councilperson

Attachments

No file(s) attached.

City Council Special

6.f.

Meeting Date: 05/16/2018

Information

Subject

Determine how to Reschedule or Alter the Date and/or Time of a Regularly Scheduled Council Meeting - Rowland Garza, Councilperson

Attachments

No file(s) attached.

City Council Special

6.g.

Meeting Date: 05/16/2018

Information

Subject

Early Voting and Election Dates for Run-Off Elections

Early Voting - June 11, 2018 to June 15, 2018

Election Date - June 23, 2018

Polling Places to be Determined - Biatris Vela, City Secretary

Attachments

No file(s) attached.
