

# CITY COUNCIL RULES AND ORDER OF BUSINESS (“RULES”)

City of Pearland, Texas

February 2021

## 1. ORGANIZATION

The governing body of the City shall consist of the Mayor and seven (7) councilmembers (“Council”). The Mayor is elected in the City at large, and the Council members are elected at large by positions 1, 2, 3, 4, 5, 6 and 7. The Mayor shall be the presiding officer for Council meetings and, pursuant to the City’s Charter, shall only vote in the event of a tie vote. These Rules shall serve as guidelines for the organization and conduct of Council to ensure that the City is governed in an orderly and consistent manner.

## 2. REGULAR MEETINGS

The Council shall hold no less than two regular meetings per month in accordance with Section 3.08 of the City Charter. Regular meetings shall be held at dates and times adopted by City Council Resolution and shall generally be on the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month at 6:30 P.M. Unless designated otherwise, meetings of the City Council shall take place in the Council Chambers of City Hall, and the public is invited to attend the meetings. If the Council meets at a place or time other than its regular meeting place, then public notice to such effect shall be posted in accordance with the Texas Open Meetings Act.

## 3. SPECIAL MEETINGS

A special meeting may be held upon the written request of the Mayor *or* any two (2) councilmembers. Notice of special meetings must be posted in accordance with the Texas Open Meetings Act.

## 4. JOINT MEETINGS

The Council may hold Joint Meetings with various Boards, Commissions, and/or various governmental entities that share a community interest with the City. Such meetings shall be scheduled for a specific purpose or goal, agreed to by the City and the other board or entity prior to the meeting and posted in accordance with the Texas Open Meetings Act.

## 5. EXECUTIVE SESSIONS

Pursuant to the Texas Open Meetings Act, the Council may conduct closed meetings that are not open to the public when the following matters are considered:

- A. Consultation with an attorney regarding pending or contemplated litigation; a settlement offer; or to receive advice on legal matters not associated with litigation.
- B. Deliberations associated with the sale, purchase or exchange of real property.
- C. Personnel matters.
- D. Deliberations regarding security matters.
- E. Deliberations regarding economic development negotiations.

The purpose of an executive session shall be stated in the motion to call the closed session. Any action taken on a matter discussed in executive session shall occur in an open meeting following the deliberation in closed session.

## 6. AGENDA

The City Manager and the City Secretary, with consultation and concurrence of the Mayor, shall prepare an agenda for business to be considered at each regular Council meeting. It shall be the practice of the City to include on any regular Council meeting agenda all items that are deemed appropriate by the City Manager, the Mayor, or any two (2) Councilmember. For the Mayor or any two (2) Councilmembers to have an item placed on the regular meeting agenda, the request shall be in writing and shall be filed with the City Secretary no later than noon on the Monday the week before the regular meeting at which it is requested for consideration. Agenda items requested by the Mayor or Councilmembers shall be placed on the Mayor/Councilmember Issues portion of the agenda. If the filing is later than noon on the Monday before the regular meeting, the item shall be placed on the agenda of the next regular meeting, unless the Mayor and/or City Manager determine that delaying the requested item would be contrary to the City's best interest.

The Agenda for the City Council Regular Meetings shall be developed by the City Manager and published by the City Secretary in the manner generally prescribed as follows:

- A. Call to Order
- B. Invocation and the Pledge of Allegiance to the United States of America flag and Texas flag (The Invocation may be led by the Mayor and/or Councilmembers on a rotating basis).
- C. Roll Call
- D. Recognition and Awards (if required)
- E. Public Comments
- F. Docketed Public Hearings (if required)
- G. Consent Agenda\*
- H. New Business
- I. Matters Removed from Consent Agenda
- J. Other Business
- K. Mayor/ Council Issues
- L. Executive Session (if required)
- M. New Business Continued (, if required)
- N. Adjournment

**\*Budgeted expenditures equal to, or less than, \$499,000.00 may be placed on the Consent Agenda**

## 7. PUBLIC COMMENT RULES

- A. All members of the audience addressing the Council (“Speaker”) shall direct their remarks to the person in charge of the meeting (“Chair”).
- B. No Speaker shall address the Council unless recognized by the Chair for that purpose.
- C. Remarks shall be limited to those pertaining to matters before the City Council, to City business or policy, or to issues of community concern or interest. Profane, vulgar or abusive language or personal attacks will not be tolerated.

- D. No Speaker shall continue to address the Council after being informed by the Chair that the Speaker's time for addressing the Council has expired.
- E. The Speaker shall be limited to 3 minutes to address the Council. If a single individual has been designated, on behalf of a larger group, to speak for the group, then such individual shall be allowed a maximum of 5 minutes to speak. The Chair has the authority to grant additional time, if requested by a Speaker, for good cause. At the end of the Speaker's allotted time, the Chair shall direct the Speaker to wrap up and the Speaker shall not exceed 1 additional minute of speaking time.
- F. Council shall not respond to Speakers; however, the Mayor may direct City administration to respond to the Speaker, if appropriate, outside of or during the meeting.

## 8. QUORUM

Five (5) qualified members of the Council, including the Mayor, shall constitute a quorum for conducting business, unless otherwise prescribed by law. A quorum for conducting business can be achieved with the presence of the Mayor and four (4) councilmembers; or, in the absence of the Mayor, five (5) councilmembers.

## 9. VOTING

Unless otherwise provided by City Charter, law or ordinance, the affirmative vote of the majority of those councilmembers present shall be necessary to adopt any item on an agenda. The vote on all ordinances and resolutions shall be taken by roll call and entered into the City's official record to reflect each councilmember's vote.

## 10. DEBATE AND DECORUM

Robert's Rules of Order Newly Revised shall, to the extent feasible, govern the proceedings of Council. The City Attorney shall act as Parliamentarian for Council meetings.

## 11. ETHICAL STANDARDS

It is the official policy of the City that:

- A. City officials shall be independent, impartial, and responsible to the citizens of the city;

B. City officials shall not have a financial interest, and shall not engage in any business, transaction, or professional activity, or incur any obligation that conflicts with the proper discharge of their duties for the city in the public interest;

C. The principles of personal conduct and ethical behavior that should guide the behavior of city officials include:

- (1) A commitment to the public welfare;
- (2) Respect for the value and dignity of all individuals;
- (3) Accountability to the citizens of the city;
- (4) Truthfulness; and
- (5) Fairness.

D. Under such principles of conduct and ethical behavior, City officials should:

- (1) Conduct business with integrity and in a manner that merits the trust and support of the public;
- (2) Be responsible stewards of the taxpayers' resources; and
- (3) Take no official actions that would result in personal benefit in conflict with the best interests of the city.

E. To implement the purpose and principles described herein, the Council has enacted rules of ethical conduct to govern city officials (City Ordinance No. 1462 as it may be amended from time to time). It is the purpose and intent of City Council to assure a fair opportunity for the public to participate in government, to adopt standards of disclosure and transparency in government, and to promote public trust in government.

## 12. USE OF CITY COMPUTERS/TABLETS

The City shall make computers and/or electronic tablets ("Device") available to Council to be used for City business and City related purposes. Personal use of a City-owned Device is discouraged and should be limited to intended City related uses of the Device. The following rules shall apply to Council members using a City issued Device:

- A. The Device shall contain all associated hardware and software. Council members shall not install hardware or software on a Device

without prior approval of the City's Information Technology Department.

- B. The Device will be equipped to allow internet access and e-mail capabilities; however, Council members shall refrain from using such features to communicate with other Council members during Council meetings.
- C. Council members shall have use of the Device during the member's term of office, and such right shall terminate at the same time the member's term of office ends, at which time the Device and all associated equipment shall be returned to the City.
- D. Council members shall be responsible for maintaining the Device in good condition, and to reasonably protect it from theft, loss or damage.
- E. Council Members may not use a Device in connection with election or re-election efforts or campaigning, either for the member or any candidate for public office.
- F. Council members shall not use the Device for any commercial or financial gain, and shall not use the Device to access, store or download inappropriate or obscene material.
- G. Council should recognize that most information contained on a Device is subject to the Texas Public Information Act or other means of discovery and that all public information shall be preserved in accordance with state law.
- H. Council members shall not use the Device in a manner that would violate the terms of the Texas Open Meetings Act or Public Information Act.

### 13. COUNCIL APPROVAL OF INDIVIDUAL COUNCIL MEMBER NON-ROUTINE REQUESTS FOR INFORMATION OR INVESTIGATIONS BY CITY STAFF

Any Council members' request to the City Manager for the Manager or City staff to create reports or other information, other than routine requests (i.e., requests for existing information or new research that can be answered under 30minutes), shall be added to a Council meeting agenda in the manner prescribed under section 6 of these Rules, considered under the Mayor/Council Issues portion of the meeting, and thereafter considered for authorization to proceed by a majority of the Council.

#### 14. NEW COUNCIL MEMBER ORIENTATION

Each new Council member shall, upon taking the oath of office, be provided various forms of vital information which shall include, but not be limited to, the following:

- A. City Charter
- B. Comprehensive Plan
- C. Current Budget
- D. Comprehensive Annual Financial Report for the last Fiscal Year
- E. Council rules
- F. Public Information Act and Open Meetings Act Training
- G. Conflicts of Interest Training

Each new member of Council shall be offered an opportunity by the City Manager to tour various City facilities (i.e., City Hall, Police/Fire stations, Park facilities, Public works facilities, etc.).