CITY OF SEABROOK
ORDINANCE NO. 2016-15

UPDATE RULES OF PROCEDURE
FOR CITY COUNCIL AGENDAS AND MEETINGS

AN ORDINANCE AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, ENTITLED "ADMINISTRATION," ARTICLE II, "CITY COUNCIL," DIVISION 2, "RULES OF PROCEDURE," SECTION 2-47(6), "AGENDA; ESTABLISHING", SECTION 2-48(3) AND SECTION 2-48(6)(d), "ORDER OF BUSINESS", SECTION 2-54, "CONFORMANCE WITH THE CITY CHARTER", AND ARTICLE IV, "ORDINANCES", SECTION 2-96, "INTRODUCTION OF ORDINANCES" AND SECTION 2-99, "VOTE ON FINAL PASSAGE" BY UPDATING THE REFERENCES TO SPECIFIC SECTIONS TO CORRESPOND WITH RECENT AMENDMENTS OF THE CITY'S CHARTER; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Seabrook City Council, employees, citizens and the general public are currently governed by rules of procedure for the preparation of city council agendas and the conduct of city council meetings as contained in the Code of the City of Seabrook, Chapter 2, Article II, Division 2, entitled "Rules of Procedure"; and

WHEREAS, the Seabrook City Council, employees, citizens and the general public are currently governed by rules of procedure for introduction of ordinances for consideration by City Council as contained in the Code of the City of Seabrook, Chapter 2, Article IV, entitled "Ordinances"; and

WHEREAS, the Seabrook Charter was amended by a majority of the voters at the May 9, 2015 Special City Election which resulted in the renumbering of some sections in Articles II and IV of the Seabrook Charter; and

WHEREAS, the references in the Code of Ordinances to specific sections of the City Charter should be updated so that any person reviewing the Code of Ordinances will be able to easily reference the correct section of the City Charter for proper reference; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEABROOK, STATE OF TEXAS:

SECTION 1. AMENDMENT TO THE CODE

That Chapter 2 entitled, "Administration," Article II, "City Council", Division 2, "Rules of Procedure", Section 2-47(6), "Agenda; Establishing", Section 2-48(3) and Section 2-48(6)(d), "Order of Business", and Section 2-54, "Conformance with the City Charter" and Article IV, "Ordinances", Section 2-96, "Introduction of Ordinances" and Section 2-99, "Vote on Final Passage" of the Code of the City of Seabrook be amended as follows:

Sec. 2-47. - Agenda; establishing.

Placing items on the agenda. Placing items on the agenda shall be accomplished as follows:

(6) Emergency items may be added if it is posted for at least two hours before the meeting is convened. Emergency items are defined as those items which constitute an emergency or an urgent public necessity for which immediate action is required because of an imminent threat to public health or safety or a reasonably unforeseen situation, as provided by law. Conditions for adding emergency ordinances are specifically defined in the Charter, section [~~2.14~~] 2.12, and V.T.C.A., Government Code §§ 551.045 and 551.047.

(Ord. No. 2010-16, § 1, 7-20-2010)

Sec. 2-48. - Order of business.

The agenda for meetings of the city council shall be divided into the following categories of business. Absent direction from city council, the city secretary shall prepare the agenda in the order listed below. The council may by majority vote establish alternative order of business categories for future council meetings. The city secretary shall then prepare an amending ordinance reflecting the amended agenda order. The mayor with a majority consensus of council may suspend the rules and change the order of business at any meeting of the city council for the accommodation of citizens, visitors and guests. In addition, the city council, by majority vote shall have the right to change the order of the agenda at any meeting. The mayor shall have the right to change the order of individual agenda items within each category of business during the draft agenda review process detailed in subsection 2-47(4) above.

(3) *Public comments and announcements.* This time shall be used to hear public comment and any announcements of interest to the public or to the council. Comments shall be limited to city business or city-related business or matters of general public interest and shall not include any personal attacks. Persons or organizations who want to make comments or presentations to the council are required to register with the city secretary, up to the time the council meeting convenes, stating name, address and subject of presentation or comment. A registration form will remain in the lobby of city hall for this purpose. Each speaker shall clearly state his or her name and address to facilitate accurate recording, of which shall become part of the written minutes. The category of "Public Comments and Announcements" shall be included on every

regular and special council agenda, in accordance with the City Charter, section [~~2.12~~] 2.10 which provides that the public shall be given the opportunity to speak at every council meeting in accordance with procedures established by city council.

The item titled "Mayor, City Council and/or members of city staff may make announcements about city/community events" shall be a standing item under Public Comments and Announcements.

(6) *Consent agenda.* The consent agenda may consist of items about which no controversy or need for discussion is anticipated. All consent agenda items are considered to be routine by the city council and will be enacted by one motion. There will be no separate discussion of these items unless a councilmember, city manager, city attorney or city secretary so requests, in which event the item will be removed from the consent agenda and considered immediately following the Consent Agenda. Complete written explanations and documentation must be submitted to the city secretary before any item will be placed on the consent agenda by the time established for placing items on the regular agenda as stated in subsection 2-47(1). Items which may be placed in the consent agenda are as follows:

a. Approve minutes of regular and special council meetings.

b. Receive written reports from individual councilmembers, city manager, city engineer, auditor or other professionals hired by the city and/or city directors. City boards/commissions may also submit minutes and written reports.

c. Establish specific dates for future meetings and public hearings. Alternatively, this item may be placed under "Routine Business."

d. Consider and approve second readings of proposed ordinances. Ordinance readings can be no closer than two weeks apart in accordance with the City Charter, article II, subsection [~~2.13(a)~~] 2.11(b) the reading aloud of the title and caption of the ordinance at each reading shall suffice as the reading of the entire ordinance, subject to the requirements of the Charter, subsection 2.11(d).

(Ord. No. 2010-16, § 1, 7-20-2010; Ord. No. 2011-21, § 1, 11-15-2011)

Sec. 2.54. - Conformance with the city Charter.

Rules of procedure concerning agendas and meetings are also included in the Seabrook Charter, particularly in article II, sections 2.10 -2.13 [~~, 2.11, 2.12, and 2.13~~]. Conformance with these rules and procedures must be maintained. If the rules in this division conflict with the Charter, the Charter shall prevail.

(Ord. No. 2010-16, § 1, 7-20-2010)

Sec. 2-96. - Introduction of ordinances.

Any member of the city council, the city manager, city secretary or member of a city board or commission may offer ordinances for consideration by the city council, but must in all cases follow the rules as set forth in the city Charter, sections 2.10 – 2.13[~~2.15~~], and Code section 2-47[~~(a)~~].

(Code 1976, § 2-62(a); Code 1996, § 2-96)

Sec. 2-99. - Vote on final passage.

A vote on the passage of any proposed ordinance or amendment can be taken immediately after the second [~~third~~] reading and at the same meeting unless otherwise provided by Charter or herein.

(Code 1976, § 2-6; Code 1996, § 2-99)

SECTION 2. REPEAL OF CONFLICTING ORDINANCES.

All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

SECTION 3. SEVERABILITY.

In the event any clause, phrase, provision, sentence, or any part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Seabrook, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first reading this 7th day of June, 2016.

PASSED, APPROVED, AND ADOPTED on second and final reading this 21st day of June, 2016.

By: _____
Glenn Royal, Mayor

ATTEST:
By: _____
Robin Hicks, TRMC
City Secretary

Approved as to form:
_____
Steven L. Weathered, City Attorney