

AGENDA

**CITY COUNCIL WORK SESSION
City of Garland
Work Session Room, City Hall
200 North Fifth Street, Garland, Texas
October 1, 2012
5:45 p.m.**

DEFINITIONS:

Written Briefing: Items that generally do not require a presentation or discussion by the staff or Council. On these items the staff is seeking direction from the Council or providing information in a written format.

Verbal Briefing: These items do not require written background information or are an update on items previously discussed by the Council.

Regular Item: These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items are often accompanied by a formal presentation followed by discussion.

**[Public comment will not be accepted during Work Session
unless Council determines otherwise.]**

NOTICE: The City Council may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns one or more of the following matters:

(1) Pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, TEX. GOV'T CODE.

(2) The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.072, TEX. GOV'T CODE.

(3) A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Sec. 551.073, TEX. GOV'T CODE.

(4) Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Sec. 551.074, TEX. GOV'T CODE.

(5) The deployment, or specific occasions for implementation of security personnel or devices. Sec. 551.076, TEX. GOV'T CODE.

(6) Discussions or deliberations regarding commercial or financial information that the City has received from a business prospect that the City seeks to have locate, stay, or expand in or near the territory of the City and with which the City is conducting economic development negotiations; or

to deliberate the offer of a financial or other incentive to a business prospect of the sort described in this provision. Sec. 551.087, TEX. GOV'T CODE.

(7) Discussions, deliberations, votes, or other final action on matters related to the City's competitive activity, including information that would, if disclosed, give advantage to competitors or prospective competitors and is reasonably related to one or more of the following categories of information:

- generation unit specific and portfolio fixed and variable costs, including forecasts of those costs, capital improvement plans for generation units, and generation unit operating characteristics and outage scheduling;
- bidding and pricing information for purchased power, generation and fuel, and Electric Reliability Council of Texas bids, prices, offers, and related services and strategies;
- effective fuel and purchased power agreements and fuel transportation arrangements and contracts;
- risk management information, contracts, and strategies, including fuel hedging and storage;
- plans, studies, proposals, and analyses for system improvements, additions, or sales, other than transmission and distribution system improvements inside the service area for which the public power utility is the sole certificated retail provider; and
- customer billing, contract, and usage information, electric power pricing information, system load characteristics, and electric power marketing analyses and strategies. Sec. 551.086; TEX. GOV'T CODE; Sec. 552.133, TEX. GOV'T CODE]

Item	Key Person
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(5:45) 1. Verbal Briefings:

a. Overview of the City's Procurement Card Program Holcomb

At the request of Council Member Tim Campbell and Mayor Ronald E. Jones, staff will provide an overview of the City's procurement card program.

b. Community Services Committee Report Dodson

Council Member Lori Barnett Dodson, Chair of the Community Services Committee, will provide a committee report on the following item:

- *Chapter 32 of the Code of Ordinances regarding gravel driveways*

c. Council Rules of Order and Procedure Neighbor

In accordance with the City Charter, Council is required to annually adopt its own rules of order and procedure for meetings. Council is requested to discuss proposed revisions. This item is scheduled for formal consideration at the October 1, 2012 Regular Meeting.

d. Appointment of a Charter Review Committee Mayor

At the request of Mayor Ronald E. Jones, Council is requested to discuss appointing a Charter Review Committee.

2. Consider the Consent Agenda Council

A member of the City Council may ask that an item on the consent agenda for the next regular meeting be pulled from the consent agenda and considered separate from the other consent agenda items. No substantive discussion of that item will take place at this time.

3. Announce Future Agenda Items

Council

A member of the City Council, with a second by another member, or the Mayor alone, may ask that an item be placed on a future agenda of the City Council or a committee of the City Council. No substantive discussion of that item will take place at this time.

(6:45) 4. Adjourn

Council

(Estimated time to consider)



City Council Item Summary Sheet

Work Session

Date: October 1, 2012

Agenda Item

Overview of the City's Procurement Card Program

Summary of Request/Problem

At the request of Council Member Tim Campbell and Mayor Ronald E. Jones, staff will provide an overview of the City's procurement card program.

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Gary Holcomb
Director of Materials Management

Approved By:

William E. Dollar
City Manager

Gary L. Holcomb, CPPO, C.P.M.
Director of Materials Management



P-Card Program Overview

City Council Work Session

October 1, 2012



P-Card Program Background

- Pilot program introduced January 1999
- P-card Program implemented City-wide in 2000
- 891 Active users
- 30,716 Annual transactions
- \$5.4 Million annual spend
- \$92K Annual rebate
- Cross functional administration



P-Card Program Cross Functional Administration

- JP Morgan Chase – Continuous monitoring
- Department Purchasing Coordinators – Monthly statement reconciliation
- Managing Directors – Monthly statement approval
- City Administration- Monthly approval of Managing Director's statements
- Finance Department – Monthly payment reconciliation
- Human Resources – Daily notification of terminated employees
- Purchasing – P-card training and annual P-card reviews
- Internal Audit – Periodic audits of P-cards and Expense Reports



P-Card Program Guidelines

The P-Card program does not circumvent Purchasing or Finance rules, procedures, policies or directives.

- P-cards for Permanent employees only
- Managing Director must approve cardholder application
- Employee must complete required P-Card training
- \$2,999.99 Single transaction limit
- \$5,000.00 Monthly transaction limit
- Cardholder must submit original detailed receipts
- All transactions must be securely stored



P-Card Program Excluded Merchant Category Codes (MCC)

There are seventy four (74) prohibited MCC including seven (7) high risk classifications

MCC Code	Description
4829	Wire transfer
5681	Fur shop
5944	Jewelry Stores
7273	Dating and escort services
7631	Watch, clock and jewelry repair
7995	Betting and gambling
7297	Massage parlors



P-Card Program Prohibited Expenditures

Financial Services Directive Number 9

- Cash, money orders or gift certificates for employees
- Any item not related to performance of assigned responsibilities
- Party and gift expenditures for promotions, birthdays showers, etc.
- Purchases of alcohol
- Flowers for hospitalization, funerals, etc.

P-Card Program Benefits

Organizations Benefit



- **Convenience:** ease of transacting daily needs
- **Greater control:** ability to set credit limits
- **Processing time:** automation replacing costly manual process
- **Improved reporting and reconciliation:** simpler/faster reconciliation
- **New revenue streams:** increased rebates; extended float

Suppliers Benefit



- **Faster payment:** improving Days Sales Outstanding
- **Processing saves:** electronic remittance data; no check handling
- **Reduce administrative costs:** no A/R collections; courier fees



P-Card Program Improved Audit Trail

Access to 37 management reports including:

- Transaction Detail – used to monitor the purchases for each account
- Unusual Activity Analysis – used to monitor transactions and determine if they are business related
- Declines – used to monitor the occurrences and reasons why cardholders have been declined
- Spending Analysis – used to analyze purchases in specific Merchant Classification Codes



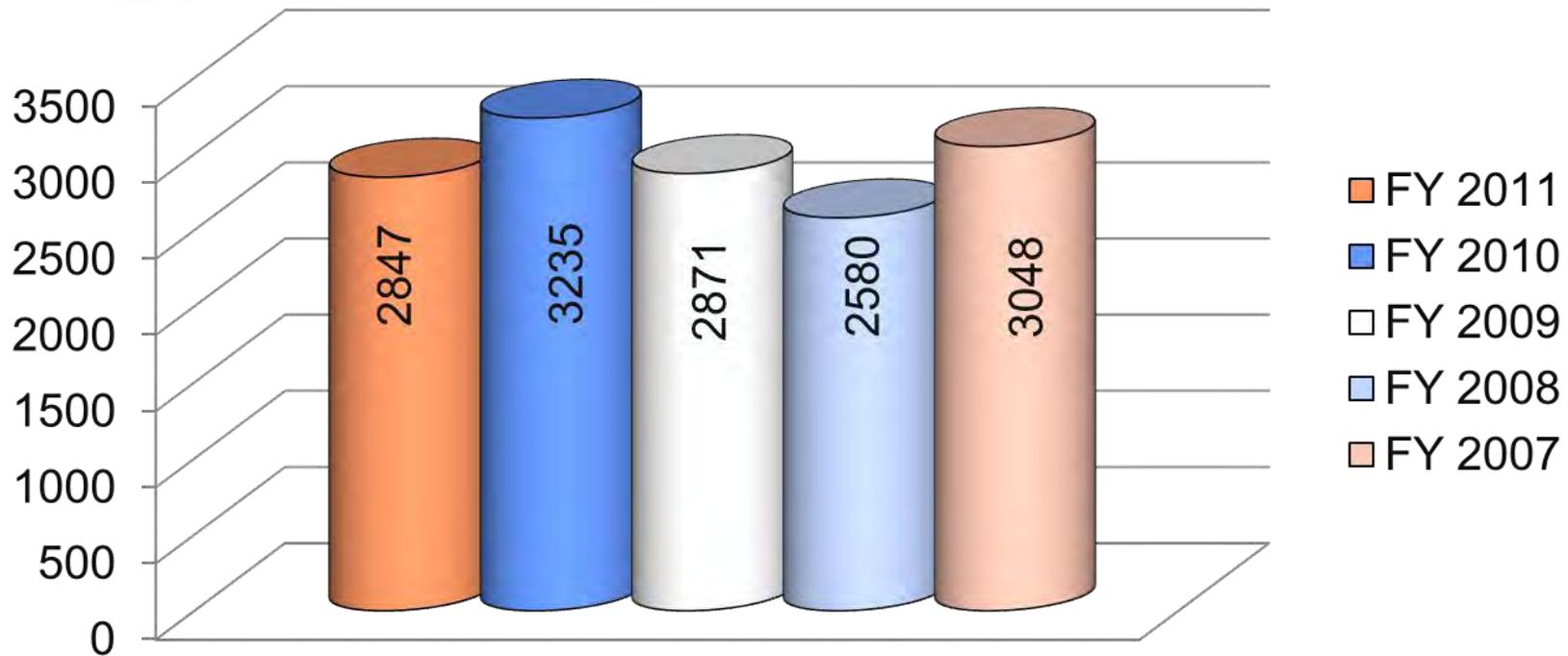
P-Card Program Payable Cost Comparison

Payment Type	Transaction Costs	Benefits	Drawbacks
Purchase Order	\$150	<ul style="list-style-type: none">▪ Convenience▪ Tracking▪ Budget controls	<ul style="list-style-type: none">▪ High transaction cost▪ Time consuming to process
Paper Check	\$75	<ul style="list-style-type: none">▪ Convenience▪ Supplier acceptance	<ul style="list-style-type: none">▪ High rate of fraud▪ Poor remittance▪ Poor visibility
P-card	\$10	<ul style="list-style-type: none">▪ Low transaction cost▪ Rebates	<ul style="list-style-type: none">▪ Supplier acceptance▪ Control of spend

- Purchase Orders and paper checks dominate the market because of convenience and acceptance
- P-card is the least expensive with greatest benefit - but not all suppliers accept it

P-Card Program Transaction Analysis

P-card Transactions



Average Processing Cost:

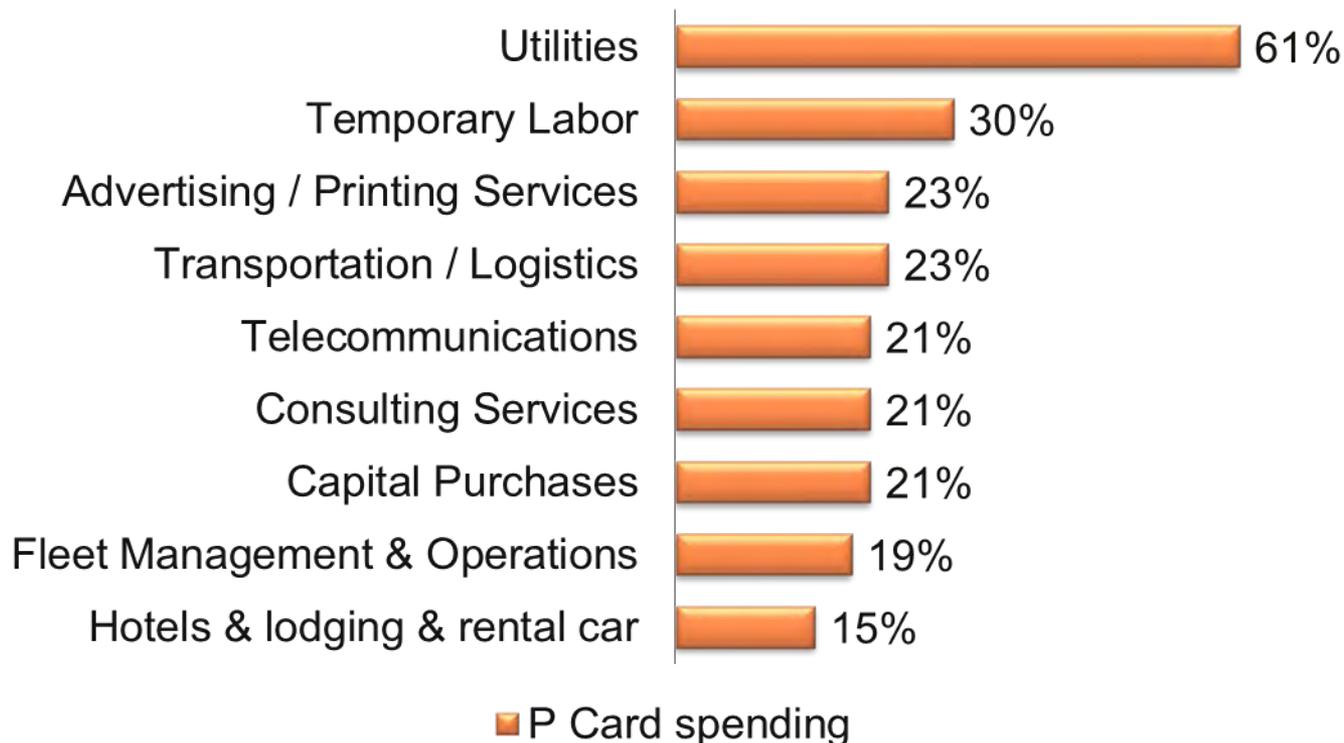
- Purchase Order \$150
- Check \$75
- P-card \$10

- Soft Savings = \$398 K

P-Card Program Industry Spend Survey

Future P-card Spend Category Survey

Organizations are also looking to expand Purchasing Card spending into new commodity categories – these spend categories tend to be service – based, with a higher average transaction size and greater control and data requirements:





P-Card Program Future Opportunities

Purchasing is investigating expanding P-card spending into new categories

- IT Purchases from DIR Contracts
- Facilities Purchases for Minor Construction
- Fleet Purchases for Minor Repairs
- Single Use Accounts



P-Card Program Single Use Accounts

- Unique virtual account number for each payment
- Account authorized for specific merchant
- Accounts active for defined time period
- Account credit limit equals exact payment amount

Estimated Rebate Potential

- Current Spend - \$5,500,000
- Texas Payment Card Consortium Rebate rate - 1.59%
- Estimated rebate on P-card - \$87,450

- Estimated Single Use Volume - \$20,000,000
- Rebate rate – 1.59%
- Estimated Increased rebate on SUA - \$318,000



P-Card Program Overview

- ✓ Efficient, cost effective method of purchasing
- ✓ Expedited delivery of goods
- ✓ Expanded availability of vendors
- ✓ Simplified purchasing and payment process
- ✓ Significant reduction in paperwork
- ✓ Lower overall transaction cost per purchase
- ✓ Increased management information
- ✓ Ability to set and control purchasing limits
- ✓ Reduced risk of fraud
- ✓ Receipt of rebates based on dollars volume of purchases



City Council Item Summary Sheet

Work Session

Date: October 1, 2012

Agenda Item

Community Services Committee Report

Summary of Request/Problem

Council Member Lori Barnett Dodson, Chair of the Community Services Committee, will provide a committee report on the following item:

- Chapter 32 of the Code of Ordinances regarding gravel driveways

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar
City Manager



City Council Item Summary Sheet

Work Session

Agenda Item

Date: October 1, 2012

Council Rules of Order and Procedure

Summary of Request/Problem

In accordance with the City Charter, Council is required to annually adopt its own rules of order and procedure for meetings. Council is requested to discuss proposed revisions.

This item was scheduled for Council discussion at the October 1, 2012 Work Session.

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

**Brad Neighbor
City Attorney**

Approved By:

**William E. Dollar
City Manager**

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**CITY COUNCIL
of the
CITY OF GARLAND, TEXAS**

RULES OF ORDER AND PROCEDURE

August 2012

A. AUTHORITY - CHARTER

Article III, Section 9 of the City Charter provides that the City Council shall determine its own rules of order of business and procedures for meetings. These rules shall be in effect upon adoption by the City Council and until such time as amended, suspended or new rules are adopted in the manner provided.

B. COUNCIL MEETINGS

1. REGULAR MEETINGS

Article III, Section 8 of the City Charter provides that regular meetings of the City Council shall be held at least twice each month. Section 10.14 of the Code of Ordinances establishes the first and third Tuesdays of each month as the time for those regular meetings. The City Council may otherwise prescribe the date for such meetings by ordinance or resolution. The meetings are held in the City Council Chambers.

a. Other Locations

The City Council may, occasionally, elect to meet at other locations and, upon such election, shall give public notice of the change of location in accordance with provisions of State law and the City Charter.

b. Location During Local Emergency

If by reason of fire, flood or other emergency, it is unsafe to meet in the City Council Chambers, the meetings may be held for the duration of the emergency at such other place as may be designated by the Mayor or, in the Mayor's absence by the Mayor Pro Tem or the City Manager.

2. PRE-COUNCIL MEETING WORK SESSION

Prior to each regular City Council meeting, the City Council may conduct a Work Session in order to allow the City Council to informally review items of interest that may be scheduled for formal presentation at future City Council meetings, or that are strictly informational in nature. The City Council may not take formal action on items presented at the Work Session unless specified in the posted agenda.

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3. SPECIAL MEETINGS AND EMERGENCY MEETINGS

Pursuant to Article III, Section 7 of the City Charter special meetings may be called at any time by the Mayor or by two or more members of the City Council. The City Secretary shall post notice thereof as provided by State law. Special meetings may be held at any location as long as such meetings are conducted in accordance with State law and the City Charter. In case of emergency or urgent public necessity which shall be expressed in the notice of the meeting, an emergency meeting may be called by the Mayor or by two members of the City Council, and it shall be sufficient if the notice is posted two hours before the meeting is convened. Diligent effort to notify all Councilmembers shall be made prior to the emergency meeting. (Texas Government Code, Sec. 551.045)

4. ADJOURNED MEETINGS

The City Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment pursuant to the provisions of the Texas Open Meetings Act. (Texas Government Code, Section 551)

5. EXECUTIVE SESSIONS

The City Council may meet in Executive Session during any regular or special meeting, or anytime otherwise authorized by State law, to consider, hear or decide any matter which is authorized by State law to be heard or considered in Executive Session. The City Council may exclude from any such Executive Session any person or persons which it is authorized by State law to exclude from such sessions. The general subject matter for consideration shall be expressed in an open meeting before such session is held. Councilmembers may not reveal the nature of discussion from a closed session unless required by law.

6. NOTICE OF MEETINGS

Notice of meetings and the agenda for all City Council meetings shall be posted by the City Secretary on the City's Website and official bulletin board pursuant to the requirements of the Texas Open Meetings Act. (Texas Government Code, Section 551)

7. QUORUM

Article III, Section 6 of the City Charter provides that five (5) members of the nine member City Council shall constitute a quorum to do business and the affirmative vote of five (5) of those present shall be necessary to adopt any ordinance or resolution, except as required by City Charter or State law.

8. CHAIR

Article III, Section 4 of the City Charter provides that the Mayor shall preside at all meetings of the City Council. The Mayor may participate in the discussion of all matters coming before the City

- DRAFT -
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Council. The Mayor shall be required to vote as a member on legislative and other matters. The Mayor shall have the authority to preserve order at all City Council meetings, to enforce the rules of the City Council and to determine the order of business under the rules of the City Council. The Mayor shall also have the power to administer oaths.

a. Absence of Mayor

Article III, Section 4 of the City Charter provides that the City Council shall elect from among the Councilmembers a Mayor Pro Tem who shall act as Mayor during the absence or disability of the Mayor. The City Council may elect from among the Councilmembers a Deputy Mayor Pro Tem who shall act as Mayor during the absence or disability of the Mayor and Mayor Pro Tem.

b. Absence of Mayor and Mayor Pro Tem

When the Mayor and Mayor Pro Tem are absent from any meeting of the City Council, the Deputy Mayor Pro Tem, if one has been elected, shall act as Mayor Pro Tem. If all three are absent, the members present shall choose another member to act as Mayor Pro Tem and that person shall, for the duration of the meeting, have the powers of the Chair.

9. ATTENDANCE BY THE PUBLIC

Article III, Section 10 of the City Charter requires that all meetings of the City Council shall be open and public in accordance with the terms of provisions of the Texas Open Meetings Act except the Executive Session or closed meetings allowed by State law. 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.

10. MINUTES

In accordance with the provisions of Article III, Section 9, and Article IV, Section 5 of the City Charter, minutes of City Council meetings will be kept. Minutes will include final motions with votes. The minutes will also reflect the names of public speakers.

a. City Council Approval of Minutes

Minutes of meetings are generally submitted to the City Council within two weeks for approval.

b. Recording of Meetings

Tape recordings of proceedings, other than executive session proceedings, are maintained by the City Secretary as required by law. Tape recordings of executive session proceedings shall be maintained by the City Attorney.

- DRAFT -
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C. ORDER OF BUSINESS

1. GENERAL ORDER

City Council meetings will be generally conducted in the following order, unless otherwise specified. An Executive Session may be held at any time during a meeting pursuant to applicable State law.

WORK SESSION AGENDA

EXECUTIVE SESSION (IF ANY)
WRITTEN BRIEFINGS
VERBAL BRIEFINGS
QUESTIONS REGARDING REGULAR AGENDA ITEMS
DISCUSS COMMITTEE REPORTS/ASSIGNMENTS
DISCUSS CONSENT AGENDA
IDENTIFY FUTURE AGENDA ITEMS
ADJOURN

REGULAR MEETING AGENDA

EXECUTIVE SESSION (*AS NEEDED*)
PLEDGE OF ALLEGIANCE/INVOCATION
CONSENT AGENDA/APPROVAL OF MINUTES
REGULAR AGENDA
CONSIDER APPOINTMENTS TO BOARDS AND COMMITTEES
CITIZEN COMMENTS (“OPEN MIKE”)
ADJOURNMENT

2. NUMBERING AND INDEXING OF AGENDA ITEMS

All items of any nature shall be numbered consecutively for purposes of consideration on the agenda. Upon passage, the City Secretary shall separately index all ordinances and resolutions.

3. CONSENT AGENDA

The Consent Agenda shall contain routine, noncontroversial items that require City Council action but need little or no City Council deliberation. Agenda item(s) removed from the Consent Agenda by the request of a Councilmember, citizen or staff will be considered after approval of the remaining Consent Agenda.

D. RULES OF CONDUCT

1. GENERAL PROCEDURE

These rules, consistent with the City Charter and any applicable City ordinance, statute or other legal

- DRAFT -
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requirement, shall govern the proceedings of the City Council. To the extent not inconsistent with these rules, the City Council proceedings shall follow the rules of procedure set out in Roberts Rules of Order, Newly Revised 10th Edition, published by Persus Publishing, Copyright 2000, (hereinafter “RONR (10th ed.)”) a copy of which shall be retained by the City Secretary and made available for inspection by the public during normal business hours.

2. AUTHORITY OF THE CHAIR

The Chair shall make decisions on questions of procedure subject to review by the City Council as a whole. The Chair, with the consent of the City Council, may appoint a Parliamentarian from outside the City Council to assist the Chair in interpreting the rules of procedure governing City Council Meetings and shall offer advice to the Chair as requested by the Chair or any member of the City Council. The Chair, shall, upon request of a member of the City Council, inform the City Council as to the advice given by the Parliamentarian. Following a decision of the Chair on a question of procedure, any two members of the City Council shall be entitled to appeal the decision of the Chair by the making, and seconding of, an appeal. See RONR (10th ed.) § 24, p. 247 et seq.

3. COUNCIL DELIBERATION AND ORDER OF SPEAKERS

The Chair has been delegated the responsibility to control the debate and the order of speakers. Speakers will generally be called upon in the order of the request to speak. With the concurrence of the Chair, a Councilmember holding the floor may address a question to another Councilmember and that Councilmember may respond while the floor is still held by the Councilmember asking the question. A Councilmember may opt not to answer a question while another Councilmember has the floor.

4. LIMIT DELIBERATIONS TO ITEM AT HAND

After an agenda is announced by the Chair, the City Council may discuss the item without the need for a motion on the item. Councilmembers will limit their comments to the subject matter or motion being currently considered by the City Council. All discussions shall be germane to a posted agenda item.

5. OBTAINING THE FLOOR

Except as provided in RONR (10th ed.), any member of the City Council wishing to speak shall first obtain the floor by registering in the cue electronically and thereafter being recognized by the Chair. If the electronic cue is inoperative, members of the City Council shall obtain the floor by making a verbal request for the floor to the Chair. The Chair shall recognize any Councilmember who seeks the floor when appropriately entitled to do so.

- DRAFT -
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6. MOTIONS

Motions may be made by any member of the City Council other than the Chair. Any member of the City Council, other than the Chair and the person offering the motion, may second a motion.

7. PROCEDURES FOR MOTIONS

The following is the general procedure for making motions:

- a. Before a motion can be considered or debated it shall be seconded.
- b. A Councilmember who wishes to make a motion, except as provided in RONR (10th ed.), shall first obtain the floor.
- c. A Councilmember who wishes to second a motion shall do so through a verbal request to the Chair.
- d. Unless otherwise required or provided by law, a motion (other than a procedural motion) made and seconded, unless stated otherwise, shall include, without necessity of reference, a motion to close the public hearing on the matter if the matter is one which includes a public hearing. A Councilmember wishing to continue the public hearing shall move to continue the public hearing and if seconded shall be voted upon before the main motion. No discussion shall be permitted on a motion to continue the public hearing.
- e. Once the motion has been properly made and seconded, the Chair shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Councilmember properly recognized by the Chair.

8. MOTION AMENDMENTS

When a motion is on the floor and an amendment is offered, the amendment shall be acted upon prior to acting on the main motion. No motion of a subject different from that under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amended amendment prior to any other action to further amend the original motion.

9. VOTING

a. Abstention

- (i) If a Councilmember abstains because of a legal conflict, that Councilmember is not counted as present for quorum purposes and is not deemed to be “voting” for purposes of determining whether there has been a “majority vote of those voting and present.”

- DRAFT -
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- (ii) When a Councilmember has a legal conflict and is required to abstain or excuse himself/herself from a portion of a City Council meeting, the Councilmember shall complete the necessary affidavit regarding the conflict.

b. Charter or Statute Voting Requirements

Some actions taken by the City Council require more than a simple majority vote for approval as required by either the Charter or State law, including:

- (i) *Charter Amendment — Two-thirds Vote*

An Ordinance submitting a proposed Charter amendment must be adopted by at least a two-thirds vote of the full City Council. (Texas Local Government Code, Section 9.002(a), Article XI, Section 5, Texas Constitution)

- (ii) *Changing Paving Assessment Plan — Two-thirds Vote*

Changes in plans for paving assessments require a two-thirds vote of the full City Council. (Texas Transportation Code, Section 313.053)

- (iii) *Protested Changes in Zoning Ordinance — Three-fourths Vote*

If a proposed change to a zoning regulation or boundary is protested by owners of twenty percent or more of the area of the lots or land included in such proposed change, or of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet therefrom, the affirmative vote of at least three-fourths of the full City Council is required for the proposed change to take effect. (Texas Local Government Code, Sec. 211.006(d); Garland Comprehensive Zoning Ordinance)

E. PUBLIC HEARINGS

1. GENERAL PROCEDURE

The City Council procedure for the conduct of public hearings is generally as follows:

- a. Staff presents its report.
- b. Councilmembers may ask questions of staff.
- c. The Chair opens the public hearing.
- d. The applicant or appellant then has the opportunity to present comments, testimony, oral arguments. In the case of an appeal when the appellant is different from the

- DRAFT -
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applicant, the appellant shall be called upon first to provide comments or testimony. The applicant or appellant may have a total of 15 minutes for a presentation when recognized by the Chair. The initial comments or presentation shall be limited to ten minutes and the rebuttal or concluding comments shall be limited to five minutes.

- e. Councilmembers may ask questions of the applicant/appellant.
- f. Members of the public are provided with the opportunity for comments and testimony in accordance with City Council Rule E (3).
- g. The appellant or the applicant is given the opportunity for closing comments.
- h. The City Council deliberates on the issue.
- i. If the City Council raises new issues through deliberation and a majority of the City Council seeks additional public testimony, additional public comment and testimony is permitted in accordance with City Council Rule E (3).
- j. The City Council deliberates and takes action.
- k. The Chair announces the final decision of the City Council.

2. CONTINUANCE OF HEARINGS

Any public hearing being held, noticed or ordered to be held by the City Council may, by order, notice or motion, be continued to any subsequent meeting subject to the provisions of the Texas Open Meetings Act.

3. PUBLIC TESTIMONY AT MEETINGS

When a matter comes before the City Council, the Chair will open the public hearing. Upon opening the public hearing, and before any motion is adopted related to the merits of the issue to be heard, the Chair shall inquire if there is anyone present who desires to speak on the matter which is to be heard or to present evidence regarding the matter.

a. Public Member Request to Speak

Any person wishing to address the City Council regarding a matter on the agenda shall complete and present a speaker card to the City Secretary before the close of the vote on the matter. Prior to speaking, the speaker shall either complete the speaker's card and sign the card under penalty of perjury, or shall, if so allowed by the Chair, be sworn by the City Attorney or other person authorized to administer oaths. Upon being recognized by the Chair, the person may speak or present testimony relevant to the matter being heard. No person may speak without first being recognized by the Chair. Each person wishing to speak

- DRAFT -
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on the matter shall be limited to three minutes. Speakers are advised to obtain all information necessary for their presentations prior to the meeting; The opportunity to speak is given to provide testimony rather than to question the City Council or staff. The Chair may call a speaker out of order if the speaker presents questions or requests for information that will unduly delay the transaction of business at the meeting.

b. Identification of Speaker

When called upon, the person to speak shall come to the podium and state his or her name and address. If speaking for an organization or other group, the speaker shall identify the group represented. A speaker person who does not wish to testify may nonetheless register a position on an agenda item by completing a speaker's card. The person's position on the matter shall be read into the record but the person is not required to address the City Council.

c. Time Limits

The Chair, with the concurrence of the City Council, may alter any of the enumerated time allocations based on the complexity of the item and the number of persons wishing to speak on the item.

d. Designation of Spokesperson.

To expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged. Whenever any group of individuals wishes to address the City Council on the same subject matter, those individuals are encouraged to designate a spokesperson. Any person present at the meeting may, in lieu of speaking, designate a spokesperson by indicating the designation on his or her speaker card. With the consent of the City Council, the Chair may extend the time allocation for a designated spokesperson. In this regard, three or more speakers may yield their time to a single speaker and such speaker shall be given 2 minutes per speaker up to a maximum of 10 minutes.

e. Comments Addressed to City Council

All remarks shall be addressed to the City Council as a whole and not to individual members or other speakers. Questions, if any, shall be directed to the Chair who will determine whether, or in what manner, an answer will be provided. Questions shall not be address to individual members or to other speakers.

f. Questions of Speakers

Members of the City Council who wish to ask questions of the speakers or each other during the public hearing portion may do so, but only after first being recognized by the Chair. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue. In fairness to all speakers, a question may not be presented solely for the purpose of providing the speaker with more than the allotted time for the speaker unless a

- DRAFT -
For Discussion Purposes Only

motion is made and approved extending the time for the speaker.

g. Materials for Public Record

All persons interested in the matter being heard by the City Council shall be entitled to submit written evidence or remarks. All such evidence presented will be retained by the City Secretary as part of the record of the hearing, in accordance with the requirements of State law.

h. Germane Comments

During the public hearing, no person will be permitted to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the Chair, but may be appealed to the full City Council.

4. STAFF PRESENTATIONS

Staff presentations will be concise and will provide factual background information on the item as well as a recommendation for the City Council. Written presentations shall, to the extent possible, be provided to the City Council before the meeting.

F. APPOINTMENTS TO BOARDS AND COMMISSIONS

Appointments to boards and commissions shall, unless otherwise required by law, be made by minute action reflecting the unanimous consent of the City Council unless a Councilmember requests that the appointment be deliberated by the City Council.

G. CITIZENS' COMMENTS – "OPEN MICROPHONE"

This portion of the regular City Council meeting is set aside for members of the public to address the City Council on any item of City business that is not formally scheduled on the agenda. Members of the public shall complete a speaker card prior to the close of the citizens' comment period and present it to the City Secretary.

1. Timing

Citizens' comments are generally permitted at the end of the regular City Council meeting, as specified on the agenda. Presentations shall be limited to three minutes each and the citizens' comment period shall not exceed thirty minutes. Speakers shall be allowed to speak on a first-come, first-to-speak basis as determined by the order in which the City Secretary receives the speaker's card. If at the end of the citizens' comment period all speakers who are still present and willing to speak are not offered an opportunity to speak at the meeting, those who have been allowed to speak at that meeting may not speak during the citizens' comment period at the next following meeting at which a citizens' comment period is offered.

- DRAFT -
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2. No Council Deliberations

In compliance with the Texas Open Meetings Act, the City Council may not deliberate or vote on any matter raised in citizens' comments. The City Manager may request staff to provide information requested by a speaker or investigate a matter raised by the speaker.

H. ~~REPETITIOUS COMMENTS PROHIBITED~~ RULES OF DECORUM

1. A speaker shall not present the same or substantially the same items or arguments to the City Council repeatedly or be repetitious in presenting their oral comments. A speaker shall not present argument on a matter previously considered by the City Council at the same session
2. Persons attending City Council meetings should observe the same rules of propriety, decorum and good conduct as they would show in a courtroom, a place of worship, or at any other serious or solemn occasion during which matters of importance are being considered. Visitors will refrain from engaging in chatter, private conversations, and from making other distracting noises while the City Council is in session. Phones and other electronic devices should be set to off or silent mode. Visitors should not applaud, boo, clap, or otherwise audibly express approval or disapproval of the speech of another person in a loud and raucous manner calculated to disturb the meeting.
3. Visitors attending City Council meetings may not bring food or drink into the City Council chamber.
4. No person shall display or cause to be displayed any sign, placard, poster or banner within the City Council chambers in such a manner as to impede the use of the aisles or exits, interfere with the use of the seating area, obstruct the view of another or in any other manner disturb or interfere with the orderly conduct of the meeting. A sign, placard, poster or banner may not exceed more than six square feet in surface area and may not be attached to any stick, pole or other appurtenance that could be used as a club or deadly weapon.
5. Only one person at a time may stand at the speaker's podium unless the speaker is a child or requires an interpreter or other special assistance or unless the person is appearing as a group receiving a recognition or award presented by the Mayor or City Council.
6. No person may approach nearer the City Council than the front of the speaker's podium without leave of the Chair. A speaker may not bring to the podium any bag or other container. Recording equipment (including cameras, microphones, tripods and supporting equipment) may not be used within any seating area or aisle in such a manner as to impede the use of the aisles or exits, interfere with the use of the seating area or obstruct the view of another, but may be set up behind the public seating area or at the sides of the City Council chamber to the front of the public seating area, no nearer to the podium than the edge of the raised portion of the City Council seating area. For safety purposes, standing or sitting in any aisle used for ingress or egress into the City Council chamber is not allowed. The maximum occupancy limitation for the City Council chamber is ____ and will be

- DRAFT -
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enforced by the Chair. Overflow crowds may stand in the public area outside the City Council chamber provided that hallways, exits, and elevator areas must remain unobstructed.

I. WAIVER OF RULES

As referenced in RONR (10th ed.) p. 254 et seq., certain procedural rules contained in federal law, state law or the City Charter cannot be suspended. As referenced in RONR (10th ed.) p. 256, certain rules of order can only be suspended by 2/3 vote. Other rules may be waived or suspended by a majority vote of the Councilmembers present (but not less than five votes) when it is deemed that there is good cause to do so, based upon the particular facts and circumstances involved.

J. NON-EXCLUSIVE RULES

The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the City Council, or of its presiding officer, to govern the conduct of City Council meetings as may be considered appropriate from time to time, or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the City.

K. NON-OBSERVANCE OF RULES

Rules adopted by the City Council are solely to expedite and facilitate the transaction of the business of the City Council in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of, or invalidate any action taken by, the City Council.



City Council Item Summary Sheet

Work Session

Date: October 1, 2012

Agenda Item

Appointment of a Charter Review Committee

Summary of Request/Problem

At the request of Mayor Ronald E. Jones, Council is requested to discuss appointing a Charter Review Committee.

Recommendation/Action Requested and Justification

Council discussion.

Submitted By:

Approved By:

William E. Dollar
City Manager