

**AGENDA FOR THE KERRVILLE CITY COUNCIL WORKSHOP**

**TUESDAY, AUGUST 27, 2019, 4:00 P.M.**

**KERRVILLE CITY HALL, COUNCIL CHAMBERS**

**701 MAIN STREET, KERRVILLE, TEXAS**



**KERRVILLE CITY COUNCIL AGENDA**  
**WORKSHOP, AUGUST 27, 2019, 4:00 PM**  
**CITY HALL COUNCIL CHAMBERS**  
**701 MAIN STREET, KERRVILLE, TEXAS**



**1. CALL TO ORDER**

**2. INFORMATION AND DISCUSSION**

**2.A. Recovery Community Coalition (RCC) Annual Report**

Attachments:

[RCC City Council Annual Report 2019.pdf](#)

**2.B. Review, discussion, and action regarding City Council Rules of Procedure**

Attachments:

[20190827\\_Rules\\_ProceduralRulesforMeetings\\_082119 DRAFT redlined.pdf](#)

**3. RECESS**

**4. RECONVENE**

*Workshop will reconvene in the Upstairs Conference Room.*

**5. EXECUTIVE SESSION**

*City Council may, as permitted by law, adjourn into executive session at any time to discuss any matter listed above including if they meet the qualifications in Sections 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberations regarding gifts), 551.074 (personnel/officers), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Texas Government Code. Council will discuss the following matters in executive session:*

**5.A. Legal matters related to damaged aerial pipe bridge located along the Guadalupe River near Loop 534 (Consultation with Attorney, 551.071).**

**5.B. Legal matters related to the enforcement of sign code (Consultation with Attorney, 551.071).**

**6. ACTIONS ON ITEMS DISCUSSED IN EXECUTIVE SESSION, IF ANY**

**7. ADJOURNMENT**



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Recovery Community Coalition (RCC) Annual Report

**AGENDA DATE OF:** August 27, 2019      **DATE SUBMITTED:** Aug 08, 2019

**SUBMITTED BY:** Dannie Smith

**EXHIBITS:** [RCC City Council Annual Report 2019.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	\$0	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

On November 8, 2016, Resolution No. 26-2016 created the Recovery Community Coalition. The purpose of the Coalition is to enhance the opportunities for the recovery community to become fully integrated into the fabric of Kerrville. One of the requirements listed in the powers and duties require the Coalition to report on an annual basis, or more frequently as deemed proper by the Coalition or City Council, their conclusions, achievements, ideas, desires, and plans to the City Council. On August 27, 2019, Sabine Kuenzel, Member of the Recovery Community Coalition will present the 2019 Annual Report to the Kerrville City Council.

**RECOMMENDED ACTION:**

No action required, information only.

The background features abstract, overlapping green geometric shapes, primarily triangles and polygons, in various shades of green, creating a modern and dynamic visual effect.

# Kerrville Recovery Community Coalition

2<sup>nd</sup> Annual Report

## Context City Council's charge - Resolution 26-2016

- ▶ Identify strategies and techniques to remove barriers to full integration of recovery community into the general community
- ▶ Identify and advocate goals and ideas to enhance positive relationships within the recovery community
- ▶ On an annual basis, report conclusions, achievements, ideas, desires, and plans to the City Council

# 2018 Annual Report Summary - 1/2017-6/2018

- ▶ Conclusions regarding review of Ord. No. 2013-06 – Group Homes and Boarding Homes
- ▶ Identified three areas of specific focus to explore (in subcommittees)
  - ▶ Public relations/media – opportunities for public education; stigma reduction
  - ▶ Transportation – realistic opportunities to increase mobility, especially to work, school, and support services
  - ▶ Resources information – increase awareness; link needs with available community services
- ▶ Researched and received presentations
  - ▶ Fire/Police departments
  - ▶ Kerr-Konnect; MyRideTX

# 2018 Annual Report Summary - 1/2017-6/2018

- ▶ Opened channel of communication to establish the KRCC as a positive link between law/policy makers and the recovery community
- ▶ Outreach to those working on the front lines of potential conflict points
- ▶ Raised awareness of positive opportunities as well as challenges
- ▶ Began to impact the overall health, safety, wellness of the community at large by focusing on the recovery community's needs

# 2019 Annual Report - 7/2018-7/2019

- ▶ \*Dale Trees, Chair; Rep. from residential addiction treatment facility
- ▶ Dawn Elder, Vice- Chair; member of the recovery community
- ▶ Dr. Kendall Young, Ed. D. Secretary KRCC; Lead Counselor – High School Kerrville Independent School District
- ▶ J. Stephen Pautler, FACHE, MHA, BSN, Representative of Peterson Health
- ▶ Leigh Ann Fitzpatrick, Representative of mental health support facility (State Hospital)
- ▶ Randi Benno, Representative of MHDD
- ▶ Rick Stolpman, Member of recovery community



# 2019 Annual Report - 7/2018-7/2019

- ▶ Laura Godwin, Owner of female boarding facility licensed by the City
- ▶ Claudia Richner, RN; Interested community citizen
- ▶ Blair Geisler, Member of recovery community
- ▶ Shawn Driggers, Interested community citizen
- ▶ Brian Brannan, Representative of residential addiction treatment facility in Kerr Co.
- ▶ Kara Grant, Member of recovery community
- ▶ Sabine Kuenzel, Member of recovery community

# Received presentations

- ▶ Peterson Health – ER report
- ▶ Kerr Co. Drug Court
- ▶ Kerr Co. Jail – Well Path Mental Health Program
- ▶ Starlight Recovery Treatment facility (adolescent program)
- ▶ Hill Country Crisis Center (domestic violence)
- ▶ Information re: sex trafficking
- ▶ Project Purple – (Chris Herren) youth SUD prevention

# Received presentations

- ▶ Mercy Gate Ministries
- ▶ Data for individuals' (in recovery) needs
- ▶ Data from Christian Men's and Women's Job Corps
- ▶ Private foundation grants - Chris Daniels
- ▶ Update on schools
- ▶ Additional data re: EMS calls
- ▶ 86<sup>th</sup> Legislative Session
- ▶ Cross-pollination of information regarding recovery-related current events (emails)

# Activities

- ▶ Big Texas Rally Aug. 2018 – representation
- ▶ Holiday Lighted Parade Oct. 2018
- ▶ Capitol Day March 2019 – Canvassed and advocated
- ▶ Hill Country Recovery Rally May 2019 (sponsored by Starlight, La Hacienda, Serenity House, Awakenings, Recovery Unplugged, MHDD, CASA, CSU, Salvation Army, majority of local recovery homes - KRCC provided support and participated)
- ▶ Opioid Training (from Office of Rural Health, KRCC provided support and participated)
- ▶ Tracked and shared key information of recovery-related bills during 2019 Texas Legislative Session
- ▶ Recovery home and alumni meeting outreach
- ▶ Created Communities Project subcommittee

# Communities Project subcommittee

- ▶ Differentiate from KRCC
  - ▶ KRCC focuses on strategies for *integration* of recovery community into general community
  - ▶ CP focuses on strategies to *improvements within* the recovery community
- ▶ History
  - ▶ Opportunity for assistance to raise awareness via Facing Addiction – now McShin Foundation
  - ▶ Voted to create and participate – Late summer 2018
  - ▶ Training, initial input, community prioritization – Fall and early winter 2018
  - ▶ Identification and development of focused projects – Late winter. spring, and early summer 2019

# Conclusions & Achievements

- ▶ Published and distributed Resource Guide
- ▶ Elevated awareness
- ▶ Strengthened relationships among service providers
- ▶ Facilitated cross-communication and inter-disciplinary education
- ▶ Developed community survey re: area needs that could be met within a recovery center

# Ideas, Desires, and Plans

- ▶ Continue review of previously identified gaps to brain-storm
- ▶ Explore potential for CP breaking away to form non-profit; linked and supported by KRCC
- ▶ Research opportunities to address homelessness as it relates to SUD/MHI
- ▶ Research and explore gaps and opportunities regarding unfunded individuals
- ▶ Continue exploring cross-support with SUD related sex trafficking initiatives

# Ideas, Desires, and Plans

- ▶ Opportunities for public education
  - ▶ Pursuant to 2019 Legislative Session mandates and opportunities
  - ▶ Press releases
  - ▶ News articles
- ▶ Explore funding and relationship building opportunities with private foundations
- ▶ Strengthening County jail / Sherriff education, communication, and cross-support



# Ideas, Desires, and Plans

- ▶ Additional events
  - ▶ Night of Remembrance International Overdose Awareness Day – Aug. 31
  - ▶ Recovery month – September
    - ▶ Rally – as an annual event, also
    - ▶ Sports competition
    - ▶ Fun run
    - ▶ Pop-up sober-Pro events

# Ideas, Desires, and Plans

- ▶ Explore additional opportunities with focus on:
  - ▶ Education
  - ▶ Prevention
  - ▶ Treatment
  - ▶ Support



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Review, discussion, and action regarding City Council Rules of Procedure

**AGENDA DATE OF:** August 27, 2019      **DATE SUBMITTED:** Aug 20, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:** [20190827\\_Rules\\_ProceduralRulesforMeetings\\_082119 DRAFT redlined.pdf](#)

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
\$0	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

Review the revisions for Council Rules, discussed during the August 20, 2019 Council workshop.

**RECOMMENDED ACTION:**

Approve procedure revisions.

# DRAFT 8/21/19

## PROCEDURAL RULES FOR MEETINGS KERRVILLE CITY COUNCIL

### SECTION ONE. GENERAL PROVISIONS

**Rule 1.1 Scope of Rules; Intent.** These rules govern the conduct of the Council at or in relation to its meetings and shall be interpreted to ensure fair and open deliberations and decision-making. The rules are intended to promote and maintain courtesy, civility, and collegiality during meetings. Acting as a governing body, Council is the ultimate authority in the application, interpretation, and enforcement of these rules.

**Rule 1.2 Technical Parliamentary Forms Abolished.** Except as specifically required by these rules, Council shall not use any formal points of parliamentary order, personal privilege, parliamentary inquiry, or other technical forms.

**Rule 1.3. Rulings; Matters Not Covered.** Rulings on procedure are governed by the presiding officer or by a majority of Council, which would prevail. Section 3.02 of the City Charter provides the following basis for this:

*The Mayor shall preside at meetings of the Council and shall exercise such other powers and perform such other duties as are or may be conferred and imposed upon him by this Charter and the ordinances of the City.*

Any matter or order or procedure not covered by these rules may be deferred to the presiding officer or legal counsel, as appropriate.

**Rule 1.4 Interpretation.** These rules are intended to supplement and shall be interpreted to conform to the statutes of the State of Texas law and the City's Charter and its ordinances ~~of the City of Kerrville~~. In general, these rules shall be interpreted to allow the majority to prevail but preserve the right of the minority to be heard.

**Rule 1.5. Authority to Change and Adopt Rules of Procedure.** Adoption and/or modification of rules governing City Council meetings is addressed in Section 3.04 of the Charter, which provides the following with respect to rules of procedure:

*...The Council shall determine its own rules and order of business and keep a journal of its proceedings. It shall have power to compel the attendance of absent members, may punish its members for disorderly behavior, and by vote of not less than a majority of all its members, expel from a meeting a member for disorderly conduct for the violation of its rules; but no member shall be expelled from a*

*meeting unless notified of the charge against him and given an opportunity to be heard in his own defense.*

## **SECTION TWO. TIME AND PLACE OF MEETING**

**Rule 2.1. Regular Meetings.** Scheduling regular meetings is governed by Section 3.01 of the Charter and Section 2-31 of Article II of the Code of Ordinances. Section 2-31 of Article II of the Code of Ordinances provides:

*City Council will hold its regular meetings on the second and fourth Tuesdays of each month, beginning at 6:00 p.m. The Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate.*

### **Rule 2.2. Special Meetings/Informal Events.**

- (a) *Special Meeting.* A “special meeting” of Council is defined as a meeting where at a minimum, City business will be deliberated. A Council workshop or ~~special-called business~~ meeting other than a regular meeting specified by 2.1, above, are examples. Section 3.01 of the Charter provides:

*Special meetings shall be called by the City Secretary upon request of the Mayor, the City Manager, or a majority of the members of the Council.*

The preferred method for a Councilmember seeking to call ~~Notwithstanding this section, any two Councilmember may request a special meeting. A request for a special meeting is to do so at a regular meeting through the making of a motion under future agenda items. A Councilmember may, however, shall be filed with~~ contact the City Secretary or City Manager in written writing, which may include email/electronic format unless made at a regular meeting at which a quorum of Councilmembers is present, and request a meeting by also providing the purpose of the meeting and timing of such. The City Manager shall then seek to schedule the meeting with the Council if a majority of its members agree to do so. and all ~~The City Secretary or City Manager shall notify Councilmembers shall be notified~~ of all special meetings.

- (b) *Informal event.* It is important that when more than two Councilmembers are invited or may attend any event or gathering where City business ~~will~~ may be discussed, the event should be posted as a precautionary measure. Such “informal events” may include a town hall discussion, informational gathering, or a community event at which one or more Councilmembers may present information concerning public business or policy. Where a Councilmember believes that such an event may occur, the Councilmember may request that the City Secretary or City Manager post the event, which the City Secretary shall then do. The City Secretary or City Manager shall notify Councilmembers of such events.

**Rule 2.3. Quorum, Majority Voting.** Quorum and majority voting are governed by Section 3.05 of the Charter, which provides:

*A majority of all the members of the Council shall constitute a quorum to do business, but a less number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The affirmative vote of a majority of all the members of the Council shall be necessary to adopt any ordinance, resolution, or order; except that a vote to adjourn, or an action regarding the attendance of absent members, may be adopted by a majority of the members present.*

### SECTION THREE. AGENDA

**Rule 3.1. Agenda Preparation; Councilmember Agenda Requests.** The City Secretary shall prepare, post, and distribute notices of meetings and the assembled agenda packages. The City Manager is responsible for assembling the agenda package for each meeting. The preferred method for a Councilmember seeking to add an item to a future agenda is to do so at a regular meeting under future agenda items. Any Councilmember, while outside of a regular meeting, wishing to have a matter heard at a City Council meeting shall make a written request, including via email, to the City Manager or City Secretary, and such request shall include the support of another Councilmember. The request shall contain a short summary statement of the proposed presentation and be submitted before 5:00 p.m. WednesdayMonday, the sixth-eighth day preceding such meeting. The City Manager ~~must~~ shall place a subject on the agenda if the subject is requested by ~~the Mayor or~~ a Councilmember in accordance with this section. Other persons may request that the City Manager place an item on the agenda pursuant to Rule 3.3.

**Rule 3.2. Consent Agenda.** In preparing an agenda, the ~~City Secretary~~ City Manager may separately designate items as “Consent Agenda” which may be acted upon by the Council under Rule 6.5. The “Consent Agenda” shall consist of routine items, which in the ~~City Secretary~~ City Manager’s determination, may be appropriately considered as a group, without separate discussion, at the Council meeting. Any item listed on the consent agenda may be removed by a member of Council or upon a request by staff or a member of the public.

**Rule 3.3. Agenda Requests from Public.** The preferred method for a person seeking to add an agenda item for Council consideration during a meeting is to do so at a regular meeting under the Visitors/Citizen Forum. Council may then agree to place this item on a future agenda. Alternatively, Any a person wishing to have a matter heard at a City Council meeting shall ~~may~~ make a written request for this action, including via email, to the City Manager or City Secretary. Any such request must include a “sponsorship” of the item from a Councilmember. Thus, the request should include either a statement that a named Councilmember has agreed to sponsor the item or that the requestor is seeking such sponsorship through the forwarding of his or her request to the entire Council. The request must also contain a short summary statement of the proposed presentation, the issue or question before Council, and shall be submitted before 5:00 p.m.

Procedural Rules for Meetings (Effective Feb. 1, 2007); Revised 9/8/09, 3/14/17, 3/28/17, 9/26/17, 9/25/18, 8/29/19

Monday, the eighth day preceding such meeting. Despite this timeline, however, a requestor should understand that the item may not be placed on the very next meeting agenda, but instead, due to any necessary preparation and research, will be placed on another agenda in the very near future. Once the person's request has been placed on an agenda, neither that person nor anyone else may submit the item, or an item concerning a similar subject matter, for placement on an agenda for a period of one-hundred eighty (180) days unless the item was postponed to a future meeting or a Councilmember makes a written request for placement. This rule does not apply to the right to appeal or petition Council pursuant to City ordinance or other law.

**Rule 3.4. Requests to ~~Include or Exclude Items.~~** Each request to include or exclude an agenda item shall be forwarded to all members of the Council at the time the request is submitted to the City Manager or City Secretary. When a Councilmember will be absent from a meeting, the Councilmember may request that an item not be included and such request shall not be unreasonably denied.

**Commented [MH1]:** May want to define 1) who may make a request (CC, CM, citizen); and 2) how this process then works – e.g., does the item actually make it on the agenda, is it deferred to another meeting, what meeting, etc.?

**Rule 3.5. Council Action to Defer, Continue, or Not Act.** A Councilmember wishing to withdraw, defer, or continue an item may make a motion to that effect. Such a motion shall be considered before any other action on that item.

#### **Rule 4. Conduct of Meetings**

**Rule 4.1. ~~Roll Call~~Determination of Quorum.** Before proceeding with the business of the Council, the City Secretary shall make note of Members present and enter those names in the minutes. The presiding officer shall determine the presence of a quorum as required by law and these rules.

**Rule 4.2. Call to Order.** The presiding officer shall call the meeting to order.

**Rule 4.3. Presiding Officer.** The Mayor, or in the Mayor's absence or inability to perform, the Mayor Pro Tem, shall be the presiding officer at all Council meetings. The presiding officer retains all rights and privileges of a Member of Council. If both the Mayor and Mayor Pro Tem are absent or unable to perform, the most senior Councilmember present shall preside. In the event two or more Members equally possess the greatest seniority then the eldest person among them shall preside.

**Rule 4.4. Control of Discussion.** The presiding officer shall control discussion of the Council on each agenda item to assure full participation in accordance with these rules, the City Charter and the Code of Ordinances. The presiding officer will preserve order and decorum, preventing the impugning of any member's motives or other personal comment not relevant to the orderly conduct of business. The presiding officer ~~shall~~may request, and restate as appropriate, that all speakers keep comments brief and relevant to the question before the Council. All ~~persons present in the meeting room~~visitors ~~should~~shall ~~eschew~~refrain from abusive, rude, or inappropriate conduct.

Procedural Rules for Meetings (Effective Feb. 1, 2007); Revised 9/8/09, 3/14/17, 3/28/17, 9/26/17, 9/25/18, 8/29/19

See Chapter 38 and Section 42.05 of the Texas Penal Code regarding the “hindering” or “disrupting” of official proceedings.

**Rule 4.5. Order of Consideration of Agenda.** ~~Except as otherwise provided in these rules, each agenda item shall be considered in the numerical order as presented in the meeting agenda.~~ Each agenda item shall be introduced by the presiding officer. To introduce an item, it shall be sufficient to identify the item by the number assigned to it on the agenda. However, as provided in Section 3.06(a) of the City Charter:

*Ordinances and resolutions shall be introduced only in written form.*

After a measure is introduced, the standard procedure for consideration ~~will be~~ as follows, but may be deviated from as provided below:

- (1) Reading of the measure by the presiding officer ~~or other person designated by the presiding officer~~. Reading ordinances or resolutions by caption or summary is allowed if the full text is available as prescribed by the Charter. (Note: Section 3.06(a) of the Charter requires additional steps for ordinances: “No ordinance shall be passed until it has been read and voted upon in at least two regular meetings, except an emergency measure. The final reading of each ordinance shall be in full unless a written or printed copy thereof shall have been furnished to each member of the Council prior to such reading.”)
- (2) The City Manager or ~~other person~~designee may present a staff statement or presentation with questions and discussion from City Council.
- (3) Public Comments.
- (4) Discussion.
- (5) Motion and second.
- (6) Vote.
- (7) If a majority of Council votes against a motion, the Councilmember making the original motion may amend that motion for reconsideration. In addition, any Councilmember may make an alternate motion for consideration related to that agenda item.

In the absence of ~~the~~ objections of the presiding officer or a majority of Council, ~~by consensus or vote, which would prevail~~. Council may vary the standard procedure. Informal voting by voice or a show of hands shall be used at the discretion of the presiding officer, unless a Councilmember requests a roll call vote or a roll call vote is otherwise required by state law. In case of a tie, the motion fails. For purpose of this rule and others, “consensus” is defined as a majority of the Councilmembers present at the meeting.

**Rule 4.6. Discussion; referenced document.** A Councilmember ~~shall~~should speak only after being recognized by the presiding officer. A Councilmember ~~recognized for a specific purpose~~ shall limit remarks to ~~that purpose~~the issue or question before Council. A Councilmember ~~after~~

Procedural Rules for Meetings (Effective Feb. 1, 2007); Revised 9/8/09, 3/14/17, 3/28/17, 9/26/17, 9/25/18, 8/29/19



~~being recognized~~ shall not be interrupted except by the presiding officer to enforce these rules. Anyone speaking shall be recognized by the presiding officer. Where a Councilmember plans to reference or cite a document that was not included as part of the agenda packet, the Councilmember should make copies for each Councilmember and provide the document to the entire Council as soon as possible and prior to the meeting. The Councilmember may seek the aid of the City Manager in complying with this provision.

**Rule 4.7. Presiding Officer's Right to Enter into Discussion.** The Mayor (or other presiding officer) as a Member of the Council may enter into any discussion.

**Rule 4.8. Limit on Remarks.** Each Councilmember shall limit his or her remarks to a reasonable length. Toward that end, each Councilmember is limited to five minutes of speaking time per agenda item at one time, which a Councilmember may ask the presiding officer or Council to abide by and enforce. The allotted time includes questions asked of staff and citizens, ~~and~~ the corresponding responses, and concluding remarks.

**Rule 4.9. Call for Vote.** At the conclusion (or closure) of debate or discussion, the presiding officer shall call for a vote, provided however, a majority of the Council present may require a vote at any time.

## SECTION FIVE. CITIZEN PARTICIPATION

### Rule 5.1. Public Participation.

(a) Purpose/Registration. Comments and suggestions by ~~the public~~visitors are highly valued and encouraged during those parts of a meeting designated for public participation. Speakers ~~should~~shall register in advance of the reading of a measure for consideration and ~~should~~shall limit their presentations to four minutes each. Time limitations of this rule may be extended by the consensus of Council or pursuant to majority vote.

(b) Special Meetings/Informal Events. Visitors wishing to speak at a special meeting or informal event called and controlled by Council, including a workshop, may speak only during the appropriate agenda item for such purposes, which may be placed at the beginning of the meeting. This rule does not apply where a special meeting or informal event is not called nor controlled by Council and where Council will not deliberate or take action.

(c) Speaker Comments. Speakers ~~should~~shall direct all remarks and questions to the Council, who may refer them to the City Manager for investigation, response, or other action. The "Texas Open Meetings Act" requires the City to post a notice, in advance, listing every topic or subject to be considered by the Council. This law may prevent the Council from considering a subject raised by a member of the public. In this case, the presiding officer

may refer the matter, and the Council may direct that the matter be placed on the agenda for an upcoming meeting.

(d) Signs, etc. Visitors are prohibited from bringing signs, placards, or anything else that may obstruct the views or seating into City Hall, the meeting room, or any location where Council is holding its meeting.

Formatted: Font: Italic

**Rule 5.2. Manner of Addressing Council.** A person desiring to address the Council shall step to the lectern or other alternate arrangement and state his or her name and address for the record before proceeding with comments. All comments from the public ~~should~~shall be directed to the Council.

**Rule 5.3. Total Time Limits.** Those members of the public speaking on items both on the agenda and not on the agenda are limited to four minutes of speaking time. A person may speak only once on any agenda item. However, Applicants, or those persons having placed an item on the agenda seeking a specific answer from the Council, ~~will~~may be allowed ~~ten-up to five~~ minutes of total speaking time. Time limitations of this rule may be extended by the consensus of Council or pursuant to majority vote.

**Rule 5.4. Remarks to be Germane/Non-redundant.** Public comments must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, overly redundant, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting.

**Rule 5.5. Matters not on the Agenda.** ~~Under-Visitors may speak during the Visitor/Citizens Forum item on the agenda, the first ten completed requests to speak under this item will be the maximum number of people that will be allowed to speak on items not specifically mentioned listed on the agenda. The maximum number of people allowed to speak may be increased by consensus of Council or pursuant to majority vote.~~ Discussion of matters not on the agenda is prohibited by the Texas Open Meetings Act. Council may provide or ask the City Manager to provide specific factual information in response to the inquiry, recite existing policy, or propose ~~the placement of~~placing the issue on an upcoming meeting agenda.

## SECTION SIX. COUNCIL ACTION

**Rule 6.1. Motion Required.** All action requiring a vote shall be moved by a Member of the Council. Each motion will require a second by another Member of the Council to be considered. A motion must be voted on or withdrawn before another motion for that same agenda item can be considered. Any Member of the Council can make an amendment to a motion. With a second, the amended motion is then voted on.

**Rule 6.2. Motion to Reconsider.** Except in case of a tie vote, a motion to reconsider may be made but only by a Councilmember who was on the prevailing side in the original action. This type of

motion may only be made at the same meeting when the subject is considered. Rule 4.5 does not apply to this process.

**Rule 6.3. Recording names of Moving Members.** The City Secretary shall record the name of the Councilmember making each motion and corresponding second to the motion.

**Rule 6.4. Separate Consideration.** Except as otherwise required by these rules, each agenda item shall be voted upon separately and each separate vote shall be recorded by the City Secretary.

**Rule 6.5. Action on Consent Agenda.** Except as herein provided, the "Consent Agenda" shall be considered as a group without separate discussion on each item. When the Consent Agenda is introduced, each Councilmember has the right to remove any item, in which case the item is handled under Rule 4.5. After items are removed, the presiding officer shall ask the Members to indicate their votes on the remaining Consent Agenda items. The City Secretary shall record the votes on each item separately.

**Rule 6.6. Consideration Out of Order.** With the consensus of Council or pursuant to majority vote, any agenda item may be considered out of order, at the request of any Councilmember.

**Rule 6.7. Council Appointments.** The Council may consider and make appointments to City boards and commissions by either of the following procedures:

- By direct motion. The Councilmember shall state the name of the person and the board to which they are being appointed. The motion will require a second, and a majority vote of the Council shall be required for appointment.
- By nomination process. The mayor shall open the floor for nominations, whereupon Councilmembers may put the names of appointees forward. The names submitted shall be debated. When the debate ends, the City Secretary shall call the roll of the Councilmembers, and each member shall cast their vote from those persons nominated. The nominee receiving the highest number of votes shall be appointed. If more than one appointee is to be selected, then each member shall have as many votes as there are slots to be filled; however, a member shall not cast more than one vote for a single candidate. A majority of the members voting shall be required for appointment.

In accordance with Section 3.01 of the City Charter, all meetings of all boards, commissions and committees of the Council shall be open to the public and as provided by state law. The requirements of the Texas Open Meetings Act shall apply to all elected or appointed authorities, boards, commissions, Council, or other bodies of the City that are composed of a quorum of members of a particular body. However, the law's requirements shall not apply to a meeting solely among the City's professional staff.

**Rule 6.8. Board Application Process.** The City Manager shall ensure that public notice is provided to announce the opening of positions on various boards, such notice to be given at least

30 days prior to the date of the meeting that Council will consider such appointments. Where an unexpected vacancy occurs, the City Manager shall provide such notice not less than 14 days prior to the date of the meeting.

## **SECTION SEVEN. MISCELLANEOUS**

**Rule 7.1. Voting Required.** Section 3.05 of the Charter requires Councilmembers to vote, as follows:

*No member may be excused from voting except when such member has a conflict of interest as defined by law.*

Any Council Member prohibited from voting by personal interest shall announce at the commencement of consideration of the matter and shall not enter into discussion or debate on any such matter. In that case, the member shall file with the City Secretary a written statement (electronic communications are considered acceptable) of the reason for abstaining. Any Councilmember refusing to vote – and not excused from voting – shall be considered in violation of the City Charter and will be recorded in the minutes as voting in the affirmative and may be held to further repercussions as deemed appropriate by the City Council.

**Rule 7.2. Point of Order.** A Councilmember may make a point of order to draw attention to a violation of these rules, such as the irrelevance or continued repetition of a speaker. Such action is not to be made because of disagreement over the subject matter of the discussion or an opinion. A point of order may be made at any point during a meeting and it may interrupt the pending discussion, takes precedence over that discussion or any other motion, and must be decided before any other discussion or action occurs. Following a point of order, the presiding officer shall immediately stop the discussion, acknowledge the point of order, and allow the Councilmember who raised it the opportunity to state the basis thereof. No debate concerning the point of order is permitted beyond a fair, reasonable clarification of the applicable rule. After hearing the basis upon which the point of order is made, the presiding officer must rule immediately subject to conferring with relevant authorities about the validity of the raised issue. The presiding officer may dispute the point of order, accept it and apply or comply with the applicable rule, or not accept the order. If a Councilmember believes that the ruling given by the presiding officer is incorrect, then a Councilmember may make the procedural motion “dissenting from the chair’s ruling.” This motion must then be seconded and put to the vote without debate. The result of the vote will determine whether the ruling is upheld or reversed.

**Rule 7.3. Suspension of Rules.** These rules or any part hereof may be suspended for a specific purpose or any single meeting by consensus of Council or pursuant to majority vote. This does not apply to those rules directly mentioned in the City Charter or other sections of the Code of Ordinances.

**Rule 7.4. Informal Requests.** A Member of the Council, before or during the consideration of any matter, or in the course of a hearing, may request and receive information, explanations, or the opinions of the City Manager or City Attorney.

**Rule 7.5. Council ~~Liaisons~~; attendance at board meetings.**

~~(a) A Councilmember serving as an ex officio member of a City board and/or commission will act to relay Council actions concerning board and/or commission items and to report back to Council. Where a board or commission does not include a Councilmember as an ex officio member, the City Manager will work with staff to provide regular reports to Council regarding board or commission proceedings.~~

~~Council Liaisons should also abide by the rules and procedures for meetings of the board and/or commission meeting they are attending. Ex officio members will be appointed by Council with consideration given to applicable expertise.~~

A Councilmember may attend a board or commission meeting in their capacity as a councilmember, but should not participate in the discussion or deliberation so as to avoid any undue influence or an issue of due process. A Councilmember may attend a board or commission meeting and participate in the discussion where they have a personal interest in an issue before the board or commission, such as attending a Planning and Zoning Commission meeting for property that he or she owns and that is subject to a zoning change.

Commented [MH2]:

**Rule 7.6. Councilmember Requests of Staff.** Pursuant to Section 6.05 of the City Charter, Council is generally limited to going through the City Manager with respect to a request to staff. The policy basis for this procedure includes helping to ensure the City Manager is aware of any issue raised by a Councilmember, promoting the “chain of command” management, and efficiency. Where such a request or inquiry is made to the City Manager, the City Manager will address the request or inquiry as efficiently as possible, based in part on the nature of the request and existing workload, and will communicate with the Councilmember as to the timing of a response. The Councilmember should provide as much information as possible to help ensure that the response adequately addresses the question. In most cases, the City Manager will provide the response to the entire Council. Where a request will, in the City Manager’s opinion, utilize a significant amount of staff time or other resources or divert from City policy, the City Manager may ask the Councilmember to place the issue on an agenda for Council direction.

T:\Legal\COUNCIL\OMA-Meeting Procedure\ProceduralRulesforMeetings\_082119 DRAFT redlined.docx

Procedural Rules for Meetings (Effective Feb. 1, 2007); Revised 9/8/09, 3/14/17, 3/28/17, 9/26/17,  
9/25/18, [8/29/19](#)



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Legal matters related to damaged aerial pipe bridge located along the Guadalupe River near Loop 534

**AGENDA DATE OF:** August 27, 2019      **DATE SUBMITTED:** Aug 19, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:**

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
N/A	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

Discussion in Executive Session.

**RECOMMENDED ACTION:**

Information



**TO BE CONSIDERED BY THE CITY COUNCIL  
CITY OF KERRVILLE, TEXAS**

---

**SUBJECT:** Enforcement of sign code

**AGENDA DATE OF:** August 27, 2019

**DATE SUBMITTED:** Aug 22, 2019

**SUBMITTED BY:** Shelley McElhannon

**EXHIBITS:**

---

<b>Expenditure Required:</b>	<b>Remaining Budget Balance in Account:</b>	<b>Amount Budgeted:</b>	<b>Account Number:</b>
N/A	N/A	N/A	N/A

**PAYMENT TO BE MADE TO:** N/A

---

<b>Kerrville 2050 Item?</b>	No
<b>Key Priority Area</b>	N/A
<b>Guiding Principle</b>	N/A
<b>Action Item</b>	N/A

---

**SUMMARY STATEMENT:**

Discussion in Executive Session

**RECOMMENDED ACTION:**

Discussion