

**CITY OF LEAGUE CITY  
CITY COUNCIL GOVERNANCE POLICY  
AND RULES OF PROCEDURE**

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Amended 8/23/16

Proposed Changes:

Mayor Hallisey

Council Member Millican

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## **ARTICLE I**

### **PREAMBLE**

The City Council of League City is the governing body for the City of League City, Texas. The City Council is responsible for a wide range of activities and oversight in its policy making and governance role. It is the responsibility of the City Council to: (1) set policy, (2) allocate municipal resources, (3) establish expectations for fair and open government, and (4) ensure the Council as a body works together as an effective team. To achieve those goals, the Council hereby determines that it is necessary and proper to adopt a governance policy and rules of procedure to guide its official actions, deliberations of city affairs, responsibilities to all stakeholders, and its own discipline.

By adopting this City Council Governance Policy and Rules of Procedures, the City Council acknowledges its responsibility to the citizens of League City, to each other, and to the City Manager and professional staff. The City Council will govern the City in a manner associated with a commitment to the preservation of the values and integrity of democratic representative local government, and a dedication to the promotion of efficient and effective governance. The following policy statements and rules will serve as a guide and acknowledgement to the commitment of serving the best interest of the citizens of League City.

### **MISSION STATEMENT**

In order to ensure proper discharge of duties for the improvement of democratic local government, members of the City Council of League City will display behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of League City and each other in their relationships.

## **ARTICLE II**

### **DUTIES TO THE ELECTORATE**

#### **Section 1. Fair and Open Local Government.**

The City Council believes in open and fair local government. The Council holds the public's trust to govern in a manner which promotes the best interest of the citizens of League City. It shall be the policy of the Council to faithfully comply with the Texas Open Meetings Act and its associated requirements which promote transparent local government in all aspects of the City's operations. While there may be instances where confidentiality is in the best interest of the local government, the Council will operate in a manner that promotes the free flow of information to the citizens of League City. All members of Council will strive to meet the standard of avoiding even the appearance of improper behavior in all Council matters and dealings with the public's business.

#### **Section 2. Informed electorate.**

Because representative local government is only successful when the citizens are kept informed and educated about the issues facing their city, the Council will endeavor to keep the community informed on municipal affairs; encourage communication between the citizens and the City Council; strive for strong working relationships among all local government units in League City. It is through an informed public that progress is ensured and elected government remains sensitive and responsive to its constituents.

#### **Section 3. Informed City Council.**

(a) Because representative local government is only successful when the elected representatives are proactive in being informed about the action and policy guidance that they are proposed to provide as the governing body, it is the responsibility of all members of Council to be informed about: (1) items appearing on an upcoming meeting agenda for which the Council has been provided a meeting packet; (2) previous action taken by the City Council at a meeting from which they were absent; and (3) discussion items presented at a work session from which they were absent.

(b) When a member of Council is appointed to serve as a member of or liaison to a board, the member is responsible for keeping the Council informed of significant board activities.

(c) Each new member of Council shall, upon taking the oath of office, be provided the following vital information:

- (1) City Charter;
- (2) Comprehensive Plan;
- (3) Current budget;
- (4) Comprehensive annual financial report for the last fiscal year;
- (5) Any Council-adopted strategic plan in effect for the City;
- (6) City Council Governance Policy and Rules of Procedure; and
- (7) Public Information Act and Open Meetings Act Training.

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

(d) Each member of Council is encouraged to attend at least one Texas Municipal League sponsored conference each year in order to stay informed on issues facing municipalities.

#### **Section 4. Integrity.**

Because the public's trust in its local government is dependent upon the public's faith in the unimpeachable integrity of the individual elected officials, members of Council shall:

- (a) not use their position to secure special privileges;
- (b) not solicit, accept, or undertake any assignment, position, or representation that has even the potential to conflict with their duty to promote the best interest of the City;
- (c) avoid situations that could cause any person to believe that they may have brought bias or partiality to a question before the Council; and
- (d) not engage in nor condone any unethical activity or behavior.

#### **Section 5. Compliance with all laws.**

As a legislative body, the City Council routinely enacts ordinances that govern every person within the territorial limits of the City of League City. Each member of the City Council shall set an example for compliance by always acting in accordance with all applicable ordinances and state law, regardless of whether the member disagrees with any provision thereof.

## **ARTICLE III**

### **RELATIONS AMONG MEMBERS OF COUNCIL**

#### **Section 1. Mutual respect.**

As the elected governing body of the City of League City, the Council has the responsibility to govern in such a manner that promotes effective, open and fair local government. The Council works as a collective team in its governance role and is effective only when its individual members act with respect for each other in all matters which the Council may address, despite debate and differences of opinions among the individual members. All members of Council shall observe and display decorum and civility at all times in their public and private interactions with each other.

#### **Section 2. Council equality.**

The governing authority of the City Council rests in the collective body politic and not in its individual members. No one member of Council has greater authority than any other member of Council. Except for those powers designated by state law, the City's Charter, ordinances, or these Rules of Procedure, which may be exercised by the mayor or mayor pro-tem, the sole official power of each member of Council exists through the exercise of his or her individual vote.

#### **Section 3. Strict confidentiality.**

(a) In the course of performing their official duties, the members of Council will be privy to confidential information, defined as any information that the member of Council is notified is confidential at the time it is shared with the member or that a reasonable person would understand to be confidential from the totality of the circumstances surrounding how the member is made aware of the information. Every member of Council shall maintain the strictest confidentiality of all such information received, regardless of whether said information is discussed in an Executive Session. No member of Council shall divulge or cause or permit to be disclosed any confidential information to any person not included in the communication by which the member of Council received the confidential information.

(b) Legal counsel from and matters discussed with the City Attorney are confidential and legally protected by the attorney-client privilege. This privilege belongs to the entire City Council and may be waived only by majority vote of the Council. No member of Council shall divulge or disclose any such privileged matter unless the Council has voted to waive the privilege.

(c) Because disclosure of confidential information by an individual member of Council: violates both the public trust and Council trust; damages the City's position in negotiations,

disputes, and litigation; and is contrary to the best interest of the citizens of League City, it shall never be tolerated.

#### **Section 4. Sharing facilities.**

The City Council is provided the following facilities at City Hall, the use of which is to be shared fairly and equally among all the members of Council:

(a) ~~three (3)~~ two (2) parking spaces designated "Council" immediately outside the rear doors of City Hall, available for use by any member of Council on a first come, first served basis; the mayor will have a parking space labeled "Mayor".

~~(a) — three (3) parking spaces designated "Council" immediately outside the rear doors of City Hall, available for use by any member of Council on a first come, first served basis; and~~

~~(b) — an office designated "City Council" on the first floor of City Hall, equipped with a telephone, computer, desk, small conference table, and chairs, for use by any member of Council solely to conduct City business. Members may reserve the use of the Council office in advance by contacting the City Secretary's Office, or may use the office on a first come, first served basis if it is not reserved or being used by another member of Council at that time.~~



## ARTICLE IV

### INTERACTION WITH STAFF

#### Section 1. Council Relations with City Manager.

(a) One of the most important relationships in city government is the relationship between the City Council and its City Manager. The Council is committed to have an open and honest relationship between the Council and Manager. As the Council's chief staff support, the City Manager is expected to provide professional and balanced advice to the Council on all matters being considered by the Council.

(b) The City Manager understands he/she works at the direction of the Council and should facilitate the Council's receiving information, data, and sound professional recommendations at all times.

(c) Individual members of Council shall refrain from making requests and/or demands of the City Manager which would require a major change in existing City policy, a substantial investment in time or other City resources, or special handling of matters which might result in different treatment or the appearance of partiality.

(d) The members of Council acknowledge that: (i) under the City's Charter, the City Manager is responsible to the Council for the administration of all the affairs of the City; and (ii) the City Manager is only able to address issues that may exist in any part of the City's operations if he/she is aware of them. Therefore, it is unethical for any member of Council to publicly criticize any perceived deficiencies in the City's operations without first notifying the City Manager of the issue(s) and allowing him/her a reasonable opportunity to take corrective action to address the member's concern. Should ~~the~~ a member of Council be dissatisfied with the City Manager's response, the member may raise his/her concern in whatever manner he/she believes most efficient and effective to achieve the best interests of the City.

~~Therefore, it is unethical for any member of Council to publicly criticize any perceived deficiencies in the City's operations without first notifying the City Manager of the issue(s) and allowing him/her a reasonable opportunity to take corrective action to address the member's concern.~~

## **Section 2. Interference with staff ~~prohibited~~.**

Under the Council-Manager form of government as adopted by the City Charter, interference by members of Council in the city's administrative service, including the hiring, firing, and work of City staff (except those positions appointed by the City Council pursuant to the Charter or an ordinance) is ~~strictly~~ prohibited.

## **Section 3. Procedures for contact with staff.**

(a) Members of Council ~~shall~~ **should** not contact or visit directors, department heads, or individual departments to discuss or inquire about any City-related matter without advance knowledge being provided to the City Manager or his/her principal assistants (Deputy City Manager and Assistant City Manager). This policy promotes the following important principles: (1) respect for the Council-Manager form of government as authorized in the City Charter; (2) the establishment of a clear chain of command within the organization; (3) assists the City Manager in knowing about problems and concerns from members of Council and permits him/her to undertake corrective actions consistent with the overall direction from the Council; and (4) reinforcing the mutual respect between the members of Council and the City Manager.

(b) Members of Council should direct information requests to the City Manager or his/her principal assistants (Deputy City Manager and Assistant City Manager). A request that requires an expenditure of City resources should always be directed to the City Manager.

(c) It is understood that personal relationships may exist between members of Council and individual City staff. This section is not intended to limit purely personal relations or casual contacts.

## **Section 4. Power to inquire unaffected.**

These rules are not intended to limit the power, under Article II, Section 14 of the City Charter, of the City Council to, by majority vote, inquire into the official conduct of any office, officer, or employee of the City.

## ARTICLE V

### MEETINGS

#### Section 1. Types of Meetings.

- (a) Regular Meetings. The Council shall meet no less frequently than once each month for the purpose of transacting the official business of the City of League City. **CHARTER**
- (b) Special Meetings. Special meetings may be held on any day of the week to consider items that require action prior to the next regularly scheduled meeting and may be called by the City Secretary upon the written request of the Mayor or any three (3) members of the Council. **CHARTER**
- (c) Work Sessions. Work sessions may be held for the City Council to receive supplemental information and briefings from staff regarding items contemplated for a future regular meeting.
- (d) Executive Sessions. The City Council may meet in closed sessions not open to the public only in compliance with the Texas Open Meetings Act. Any final action, decision or vote on a matter deliberated in an executive session will be made in an open meeting. All members of Council shall maintain discussions in executive session **strictly as** confidential. No confidential information discussed in an executive session may be disclosed to anyone not present in that executive session except as authorized by a majority vote of the city council at an open meeting. The record of each executive session shall be a certified agenda that complies with the Texas Open Meetings Act and an audio recording (amended 8/23/16, Res. 2016-103)
- (e) Strategic Planning Sessions. The City Council is responsible for establishing a vision for the City of League City and planning for its future. On an annual basis, the Council shall convene in at least one strategic planning session wherein the Council sets priorities, goals and objectives for the City. Policy direction should be consistent with the strategic goals and objectives.

#### Section 2. Council addition to meeting agendas.

A Council addition to a meeting agenda can only be made by the written request, directed to the City Manager or City Secretary, **or by the Mayor or** any two members of the City Council, that is received by noon on Monday of the week before the meeting on the agenda of which the item is requested to be placed. A Council agenda item for which the request is received after this deadline will be placed on the agenda of the regular meeting immediately following the meeting for which the item was requested. This section shall apply to proclamations, awards, and recognitions to be issued or presented by the Chair during that portion of meeting agendas.

### **Section 3. Consent agenda.**

- (a) The consent agenda consists of routine, operational items and previously discussed items that may not require additional deliberation by the Council. The City Manager has the authority to add or remove items from the consent agenda.
- (b) During the consent agenda section of a meeting, a consent agenda item may be removed upon the request of any ~~two~~ member of Council. Each item so removed shall be opened separately for discussion and action during the very next section of the meeting agenda, entitled Items Removed from Consent Agenda.

### **Section 4. Chair of meetings.**

- (a) The Mayor serves as the head of city government for all ceremonial purposes and as the chairperson for all meetings of the Council. The Mayor Pro-Tem shall assume those duties in the absence of the Mayor.
- (b) The Chair is expected to provide leadership and seek consensus when there is a disagreement between individual members of Council. The Chair shall preserve order and decorum and shall require members of Council engaged in debate to limit discussion to the question under consideration.
- (c) The Chair will encourage all members of Council to participate in Council discussion and shall allow each member of Council an opportunity to speak before any other member can speak again on the same subject.
- (d) For all action items on the meeting agenda, the Chair shall request a motion ~~to approve~~ from the other members of Council, and may, in the absence of such a motion, make a motion ~~to approve~~.

### **Section 5. Conduct of meetings.**

- (a) A member of Council may participate remotely in any meeting of the City Council by means of a videoconference call, provided that: (i) all relevant provisions of the Texas Open Meetings Act are met; (ii) no member of Council may participate by videoconference call in more than two (2) consecutive meetings of the Council; and (iii) a member of Council intending to participate remotely provides written notice of such intent to the City Manager not less than 24 hours prior to the posted start time of the meeting.

(b) During Council meetings, all members of Council shall preserve order and decorum and shall demonstrate respect and courtesy to each other, the City Manager and his/her staff, and members of the public appearing before the Council.

(c) All members of Council shall in their deliberations strive to promote an atmosphere conducive to the fair exchange of ideas and perspectives among members, and shall refrain from impugning the integrity or motives of any other member of Council, the City Manager and his/her staff, or a member of the public as a part of the discussion or vote on the question before the Council.

(d) Individual members of Council shall not interrupt or delay proceedings and shall not refuse to obey the lawful orders of the Chair or the Council Governance Policy and Rules Procedures.

(e) During Council meetings, members of Council ~~will~~ shall refrain from using cell phones and other devices to communicate with each other ~~or another person~~. If a member of Council must take a phone call or respond to electronic communications, the member should first excuse himself/herself from the Council Dias.

#### **Section 6. Rules for speakers.**

The Chair shall enforce the following rules for members of the public who wish to speak at a Council meeting:

(a) A person wishing to address the City Council during the citizen comments section of an agenda must first sign in with the City Secretary. The following information must be provided on the sign-up sheet: name, residence address, daytime telephone number, and the subject matter to be addressed, including the agenda item number, if applicable.

(b) Speakers must address their comments to the entire Council rather than to individual members of council or staff. ~~If an addressing a specific agenda item, speakers must keep their remarks specific to the item being considered by the City Council.~~ Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated.

(c) A person who signs in to speak on a public hearing item will be called at the time the public hearing item is reached on the agenda. The Chair shall call speakers in the order that they submitted their speaker request forms. When there is more than one speaker on the same subject, members of Council shall delay their comments until after all speakers on the subject have been heard.

(d) All speakers will have a maximum of three minutes to address the Council, unless the time is extended by the Chair.

## **Section 7. Council comments and reports.**

The agenda of regular Council meetings shall have one section entitled “Comments/Reports from Members of Council” to allow comments and reports from each and every member of Council. The Chair shall grant the floor to each member of Council, including himself/herself, during this portion of the meeting agenda according to Council position number, with the Mayor treated for this purpose as having Position 8. At the first regular meeting after the adoption of these Rules of Procedure, Position 1 shall be first to give comments/reports, followed by Position 2, Position 3, and so on until all members have each had a turn. The privilege of being first shall rotate by position number until all eight positions shall have had a turn at being first, after which it will start over at Position 1. A member of Council who is absent for his/her turn at starting first shall forfeit that turn only.

The Chair shall grant the floor to each member of Council, including himself/herself, during this portion of the meeting agenda ~~according to Council position number, with the Mayor treated for this purpose as having Position 8. At the first regular meeting after the adoption of these Rules of Procedure, Position 1 shall be first to give comments/reports, followed by Position 2, Position 3, and so on until all members have each had a turn. The privilege of being first shall rotate by position number until all eight positions shall have had a turn at being first, after which it will start over at Position 1. A member of Council who is absent for his/her turn at starting first shall forfeit that turn only.~~

The Chair shall grant the floor to each member of Council, ~~including himself/herself,~~ during this portion of the meeting agenda according to Council position number, ~~with the Mayor treated for this purpose as having Position 8.~~ At the first regular meeting after the adoption of these Rules of Procedure, Position 1 shall be first to give comments/reports, followed by Position 2, Position 3, and so on until all members have each had a turn. The privilege of being first shall rotate by position number until all ~~eight~~ seven positions shall have had a turn at being first, after which it will start over at Position 1; ~~the Mayor will speak after Council.~~ A member of Council who is absent for his/her turn at starting first shall forfeit that turn only.

## ARTICLE VI

### ENFORCEMENT

#### **Section 1. Duty to enforce.**

The City Council has the obligation to the public and the City's staff to ensure compliance by its members to this Governance Policy and Rules of Procedure.

#### ~~**Section 2. Investigations.**~~

~~The City Council may use its power to inquire, under Article II, Section 14 of the City Charter, to investigate any alleged misconduct or violation by any of its members of this Governance Policy and Rules of Procedure or the Code of Ethics adopted in Division 2 of Article II of Chapter 2 of the City's Code of Ordinances. If the Council desires the assistance of legal counsel in conducting such an investigation, the Council shall retain special counsel for that purpose and not utilize the City Attorney's Office, to avoid subjecting the City Attorney to an impermissible conflict of interest. If an investigation includes convening a Council meeting, said meeting shall comply with all requirements of the Texas Open Meetings Act.~~

Above section also indicated as stricken by Millican.

#### ~~**Section 3. Sanctions available.**~~

~~(a) At the conclusion of an investigation, the City Council may vote to impose one of the following sanctions, commensurate with the severity of any violation that it found to have been committed:~~

- ~~(1) Reprimand — Rebuke for misconduct or violation of this Governance Policy and Rules of Procedure or the City's Code of Ethics, to serve as a warning against further misconduct.~~
- ~~(2) Censure — Condemnation for a serious or repeated misconduct or violation of this Governance Policy and Rules of Procedure or the City's Code of Ethics that shows blatant disregard for the duties owed by the offending member to the public, the other members of Council, and/or the City staff. A censure requires a 5/8 vote of those present and may include the stripping of position(s) held by the violator on any board, committee, or commission appointed by Council. If the violation is related to a breach of confidentiality, Council's vote to censure a member may also include the exclusion of that member from Council Executive Sessions for a~~

~~period of up to six (6) months. The Council may allow the violator's presence at an Executive Session during the period of the ban only by unanimous consent of the members present.~~

~~(b) — No sanction may be imposed pursuant to this section until the alleged violator has been provided written notice of the alleged violation at least ten (10) days before the Council meeting at which the proposed sanction is to be discussed, as well as the right to answer the charges before the Council vote on any sanction.~~

~~(c) — No sanction provided for herein shall be construed to compromise an elected official's capacity, restrict an elected official's ability to hold his/her office, or take away any privileges of that office, except as allowed by law.~~

Above section also indicated as stricken by Millican.

~~**Section 4. — Official acts unaffected.**~~

~~A violation of this Governance Policy and Rules of Procedure does not invalidate any otherwise lawful act of the Council.~~

**Section 4. Official acts unaffected.**

A violation of this Governance Policy and Rules of Procedure does not invalidate any otherwise lawful act of the Council.