

## **Voting items submitted for Council agenda by City Council Policy and Procedures**

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It is essential to clarify the process and procedures for placing up to three items on the City Council agenda to ensure transparency, fairness, and efficiency in our governance.

Clear guidelines help maintain the integrity of our decision-making process, allowing each Council Member and the Mayor to effectively bring forth matters of importance while respecting the roles and responsibilities outlined in our city charter.

By understanding these procedures, we can foster a collaborative environment where all voices are heard, agenda items are handled consistently, and the City Council can focus on addressing the needs and concerns of our community in an orderly and productive manner."

### **Procedure**

The City Council may submit voting items on a Council agenda. The following specific limitations and conditions should be followed:

#### **1. Council Communications Agenda Items:**

- Each Council Member and the Mayor may place up to three agenda items under "General Council Discussions and Communications" for any regular Council meeting.
- The agenda items must be submitted to the agenda by 1:00 p.m. the Wednesday preceding a Monday Council meeting.
- These agenda items are not subject to review or editing by other members, the Mayor, the City Manager, or any other city staff, unless the submitting member approves such changes.

Based on the provided statement, **a staff member can reach out to the Council Member or Mayor for clarification on an agenda item prior to its introduction**, but any request for clarification must be done respecting the stipulation that the agenda item is "not subject to review or editing" unless the submitting member approves such changes.

#### **2. Communication and Recognition Agenda Items:**

- Each Council Member and the Mayor may place up to three agenda items under "Communications" and "Recognitions" for any 1st regular meeting of each month, beginning at 4:30 pm.
- These items should be concise, focused, and relevant to the broader community. Examples include:

- Community Achievement
  - 1. Recognizing a local school for receiving a state or national award for academic excellence.
  - 2. Commending a local nonprofit for its contributions to community welfare, such as food drives or disaster relief.
- Milestones
  - 1. Honoring a resident who has reached their 100<sup>th</sup> birthday or a veteran for their service on a milestone anniversary
  - 2. Acknowledging a city employee for completing a commendable contribution or act of service.
- Event Highlights
  - 1. Celebrating the success of a city-sponsored event, such as an annual festival or parade that drew record attendance.
- State or National Recognition
  - 1. Highlighting when the city itself or a local institution is featured for achievements.
- All items must comply with the Texas Open Meetings Act, ensuring that they are legally permissible and properly noticed to the public.

#### **Key Points from the Statement:**

- The agenda items submitted by a Council Member or the Mayor are protected from unsolicited review or editing by any other members, the Mayor, the City Manager, or any city staff. This means that no changes or alterations can be made to the item without the explicit approval of the submitting member.
- Seeking clarification is allowable because it is different from reviewing or editing. Clarification involves understanding the intent or details of the item as submitted, without making any changes to the content. Therefore, a staff member can reach out to ensure they fully understand the agenda item to facilitate the Council Member or Mayor's wishes.

#### **Guidance for Staff Members:**

- **Reach Out Respectfully:** If there is a need for clarification to ensure accurate understanding or preparation for the agenda item, the staff member may reach out to the Council Member or Mayor in a neutral and respectful manner, making it clear that the intent is only to clarify.

- **Document Any Communication:** It is a good practice for the Council Member and Mayor and staff members to document any communication with the Council Member and Mayor regarding the clarification to avoid any perception of unauthorized review or editing.
- **Seek Approval for Any Changes:** If, during the clarification process, it becomes clear that any changes are needed (e.g., correcting a factual error), the staff member must explicitly seek the Council Member or Mayor's approval for such changes.
- **Drafting Assistance Upon Request:** If a Council Member or Mayor specifically requests assistance from staff in drafting an agenda item, the Council Member or Mayor should lead on setting the intent while staff may provide supporting expertise and technical assistance to ensure separation of roles between Council and administration.

#### **Example of a Proper Request for Clarification:**

- **Scenario:** A staff member needs to understand the scope of an agenda item titled "Review of Street Maintenance Issues in District 4" to prepare relevant background information.
- **Communication Approach:**
  - "Council Member [Name], I wanted to reach out to ensure we fully understand your agenda item regarding the review of street maintenance issues in District 4. Could you please provide additional details on the specific streets or areas you wish to focus on? This will help us prepare the most relevant information for the meeting. We are not suggesting any changes—just seeking clarity to better support your agenda item."

### **Postponed and Tabled Items**

#### **1. How to Table Items**

- To a Specific Date: "Move to table this item until the [specific meeting date] Council meeting."
- Indefinitely: "Move to table this item indefinitely."

#### **2. Impact on Three Item Limit**

- The three-item limit also applies to items that were postponed or tabled from a previous meeting. This means that even if an item was not resolved in a prior meeting, it still counts toward the three-item limit for future agendas.

#### **3. Withdraw Items**

- If a Council Member would like to withdraw any of their tabled items, the Council Member or their Assistant must advise the City Manager's Office in writing before the item submission deadlines.
  - Template: "Please withdraw my tabled/postponed item 24-C-0123 from the Council Agenda."
- If a tabled item is withdrawn after being tabled and the Council Member wants to submit the item for consideration again, a new item must be submitted.

## What Items can be added and how?

Based on the information provided under the "Interference with Administration" clause in Charter, there are specific limitations on the types of items the Mayor and City Council Members can add to the agenda.

These limitations are intended to maintain the integrity of the City Manager's authority over city officers and employees and to prevent the Mayor or Council Members from bypassing this authority.

## Items That Can Be Added by Council Members:

### 1. Inquiries for Obtaining Information

Council Members may add agenda items to request information or updates from the City Manager or departments. All inquiries should be routed through the City Manager and should not involve direct engagement with staff.

- **Suggested Example:** "Discussion and possible action to request a report on traffic congestion in District One from the City Manager, with recommendations for improving traffic flow."
- **Template:** "Discussion and possible action to request a report on [specific issue or project] from the City Manager, with an update within [X days]."
- **Non-Compliant Example:** Instruct the City "manager to compile and deliver a complete inventory of city-owned vehicles, including their operational status and specific use schedules."
  - This request is overly detailed and micromanages how information is presented.

### 2. Reporting Problems with City Services

Council Members may highlight service-related issues, such as waste collection, street maintenance, or public safety. Reports should request investigation and feedback from the City Manager.

- **Suggested Example:** "Discussion and possible action to report on inconsistent waste collection services in District Two, with a request for the City Manager to investigate and provide potential solutions."
- **Template:** "Discussion and possible action to report on issues with [specific service] in [location], with a request for the City Manager to investigate and report back with recommendations for improvement."

- **Non-Compliant Example:** "Direct the City Manager to immediately resolve waste collection delays in District Four and provide on actions taken within 48 hours."
  - This specifies both the timelines and method of resolving an operational issue, which oversteps the advisor nature of reporting problems.

### 3. Investigations Under Section 2.06

Council Members may request investigations allowed under Section 2.06 of the City Charter. Such requests should align with formal oversight processes and be routed through the City Manager.

- **Suggested Example:** "Discussion and possible action to initiate an investigation under Section 2.06 into delays in the city permitting process, with direction to the City Manager to report back with findings."
- **Template:** "Discussion and possible action to initiate an investigation under Section 2.06 of the City Charter into [specific issue], with direction to the City Manager to oversee the investigation and provide a report."
- **Non-Compliant Example:** "Request that the City Manager initiate a full review of all employee performance records in the Planning Department and share findings with City Council."
  - This involves personnel matters, which are under the purview of the City Manager, and may breach privacy and operational boundaries.

### 4. Policy and Ordinance Proposals

Council Members may propose creating or amending city policies, ordinances, or regulations. Items should set policy direction, leaving implementation to the City Manager.

- **Suggested Example:** "Discussion and possible action on establishing a citywide policy for pedestrian safety improvements."
- **Template:** "Discussion and possible action to approve/amend [specific ordinance or policy], with direction to the City Manager to implement changes and provide an implementation timeline."
- **Non-Compliant Example:** "Directing the City Manager to draft and implement a new pedestrian safety ordinance within 60 days."
  - The proposal mandates both drafting and immediate implementation, bypassing the legislative process and operational discretion.

### 5. Approval of Budget Allocations or Amendments

The Council may propose budget allocations, adjustments, or reallocation of funds, but must leave spending and implementation to the City Manager.

- **Suggested Example:** "Proposal to reallocate \$100,000 from the CIP for water infrastructure improvements."
- **Template:** "Discussion and possible action to allocate/reallocate [specific funds] to support [specific project or initiative], with direction to the City Manager to manage fund distribution."
- **Non-Compliant Example:** "Direct the City Manager to allocate \$250,000 from the Public Works budget to repair all playgrounds in District Three by the end of the fiscal year."
  - This dictates specific spending and operational timelines instead of providing general budgetary direction.

## 6. Oversight and Review of City Projects and Programs

Items should focus on oversight and receiving information about city projects and programs while leaving operational management to the City Manager.

- **Suggested Example:** "Request for an update on the progress of the downtown revitalization project, with possible recommendations for changes."
- **Template:** "Discussion and possible action to request a progress report on [specific project/program] from the City Manager, with recommendations for improvement."
- **Non-Compliant Example:** "Discussion with possible action to have the City Manager assign additional staff to the downtown revitalization project and report on their activities to Council."
  - It interferes with staffing decisions and operational management, which are exclusively under the City Manager's authority.

## 7. Approval of Strategic Partnerships or Collaborations

Council Members can propose partnerships that align with city goals. The City Manager handles negotiations and implementation.

- **Suggested Example:** "Discussion and action to approve a partnership with Non-Profit XYZ to enhance public health services, with direction to the City Manager to negotiate terms."
- **Template:** "Discussion and possible action to approve a partnership with [organization] for [initiative], with direction to the City Manager to handle negotiations and implementation."
- **Non-Compliant Item:** "Authorize the City Manager to sign an agreement with Green Energy Alliance to implement a citywide renewable energy initiative with a project budget of \$500,000, and provide updates to City Council."
  - This assumes that Council authorize execution of the agreement without prior approval of its terms.

## 8. Requests for Legislative Advocacy or Policy Support

These items involve advocating for or against state and federal legislation, with the City Manager responsible for implementing advocacy efforts.

- **Suggested Example:** "Discussion and action to oppose proposed federal regulations impacting local environmental policy."
- **Template:** "Discussion and possible action to support [state/federal legislation], with direction to the City Manager to coordinate advocacy efforts and report back on developments."
- **Non-Compliant Item:** "Direct the City Manager to draft and submit new state legislation on zoning reforms."
  - This directive infringes on the City Manager's responsibilities by specifying direct legislative actions.

## Items That Should Not Be Added by Council Members:

### 1. Direct Orders to City Officers or Employees:

- The Mayor and Council Members cannot add agenda items that effectively give orders or directives to city officers or employees. This would include any items that suggest or imply action to be taken by city staff that has not been approved or directed through the City Manager.

## **2. Administrative Actions or Operational Directives:**

- Items that interfere with administrative functions or provide specific instructions to city staff cannot be added. For example, a Council Member cannot place an agenda item directing a department head to implement a new policy or procedure, as this would interfere with the authority of the City Manager.

## **3. Personnel Matters Involving City Employees:**

- Agenda items that deal with specific personnel matters (such as hiring, firing, or other disciplinary actions) involving city employees who report to the City Manager or Directors are prohibited. These matters fall under the City Manager's purview and should not be directly influenced by Council Members.

The Mayor and Council Members can add items to the agenda that focus on information gathering, service reporting, or authorized investigations, but they cannot add items that involve directing or managing city staff or operations. The intent is to preserve the City Manager's role as the chief executive responsible for the day-to-day administration of the city's operations and to prevent the Mayor and Council Members from directly interfering with those functions.

### **Examples of How Items Should Not Be Written**

- *Discussion with possible action to direct the Public Works Director to report directly to the Council on traffic issues at Main Street.*
- *Discussion with possible action to have the Parks Department fix playground equipment in District 3.*
- *Discussion with possible action to direct the City Manager to install new pedestrian safety signs within 30 days.*
- *Discussion with possible action to direct the City Manager to reassign staff to oversee the downtown revitalization project.*
- *Discussion with possible action to instruct the Health Department to sign an agreement with Non-Profit ABC.*
- *Discussion with possible action to direct city staff to draft legislation to be presented at the state legislature.*
- *Discussion with possible action to direct the City Manager to immediately transfer \$250,000 from the Capital Improvement Fund to the Parks Department for new equipment purchases.*
- *Discussion with possible action to direct the City Manager to sign an agreement with XYZ Non-Profit for providing social services.*
- *Discussion with possible action to direct the City Manager to draft and submit new state legislation addressing zoning issues in the city.*

### **City Council Reports**

Reports provided by the Mayor or Council Members that address problems with city services should **not** mandate a specific solution. Instead, they should highlight the issue and allow the city administration, under the direction of the City Manager, to determine the appropriate resolution.

**Reasoning:**

**1. Preserving Administrative Authority:**

- The City Manager is responsible for overseeing city operations and the performance of city officers and employees. Requiring a specific solution in a report would effectively amount to giving an order, which the clause explicitly prohibits.

**2. Allowing for Professional Expertise:**

- The administration, led by the City Manager, is typically best equipped to analyze the issue and determine the most effective solution, based on professional knowledge, experience, and available resources.

**3. Compliance with the Charter's Provisions:**

- The intent of the "Interference with Administration" clause is to ensure that the Mayor and Council Members do not bypass or undermine the City Manager's authority. Recommending a solution may be permissible but mandating one would conflict with this clause.

The report from the Mayor or Council Members can describe the problem and may include suggestions or recommendations for consideration, but it must ultimately leave the decision on how to resolve the issue to the administration. This approach respects the City Manager's authority and aligns with the governance framework outlined in the city's charter.

**Guidelines When aCouncil Member Drafts Items To Add To The Agenda**

When aCouncil Member drafts items to add to the agenda, it is essential to ensure that the items are framed in a way that aligns with the governance framework of the city, respects the authority of the City Manager, and does not violate the "Interference with Administration" clause. Here are some guidelines and examples to help in drafting such items:

**Guidelines for Drafting Agenda Items:**

**1. Be Clear and Concise:**

- Clearly state the purpose of the item. Use straightforward language to avoid ambiguity.

**2. Focus on Issues, Not Directives:**

- Highlight the problem or concern without prescribing specific actions or solutions that would direct city staff or operations.

**3. Request Information or Status Updates:**

- If the item is about gathering information, state the specific information requested or ask for a status update on an ongoing issue.

**4. Suggest, Do Not Mandate:**

- You may suggest potential solutions or actions, but make it clear that these are recommendations for consideration by the City Manager and relevant staff.

**5. Ensure Compliance with Laws and Policies:**

- Confirm that the item complies with the Texas Open Meetings Act and any other applicable laws or city policies.

**6. Respect the Role of the City Manager:**

- Remember that the City Manager is responsible for executing city policy and managing day-to-day operations. The item should not undermine this role.

**Definitions and Differences:**

**1. Council Directive:**

A **Council Directive** is an official action or instruction issued collectively by the City Council through an item on the City Council Agenda. It usually results from a formal vote or consensus reached during a Council meeting, where the Council, as a body, agrees to direct the City Manager or city administration to take specific actions, implement policies, or conduct particular activities.

**• Key Characteristics:**

- **Formal Action:** It is decided by a majority vote or consensus of the full City Council during an official meeting.
- **Binding Instruction:** A Council Directive is binding and requires the City Manager or relevant city staff to execute the action as directed.
- **Scope:** It typically involves broader policy decisions, changes in city operations, or instructions that affect the City's strategic direction or operational functions.

- **Example:** A Council Directive might instruct the City Manager to develop a new citywide recycling program or to allocate funds for a specific infrastructure project.

## 2. Councilmember Inquiry:

A **Councilmember Inquiry** is a request for information or clarification made by an individual Council Member to the City Manager or city staff. It is usually intended to help the Council Member understand specific issues, gather data, or gain insight into city operations or policies.

- **Key Characteristics:**

- **Informal Request:** Unlike a directive, an inquiry is typically informal and does not require a formal vote or the collective agreement of the full Council.
- **Non-Binding:** A Councilmember Inquiry does not obligate the City Manager or staff to take specific actions beyond providing the requested information.
- **Scope:** It is limited to gathering information or seeking clarification on specific matters and does not involve directing city staff to implement changes or take actions.
- **Example:** A Councilmember Inquiry might involve asking the City Manager for a report on the current status of street repairs in a particular district or requesting data on recent crime statistics.

### Key Differences:

Aspect	Council Directive	Councilmember Inquiry
<b>Nature</b>	Formal action taken by the entire Council	Informal request by an individual Council Member
<b>Binding Effect</b>	Binding instruction to the City Manager or staff	Non-binding; only requests information or clarification
<b>Decision-Making Process</b>	Requires a majority vote or consensus	Made independently by a single Council Member
<b>Purpose</b>	To instruct or mandate specific actions or policies	To obtain information, clarification, or data

Aspect	Council Directive	Councilmember Inquiry
Example	Directing the City Manager to develop a new policy	Asking for a status update on a service issue

### Tracking and Monitoring of Inquiries and Directives

All inquiries and directives will be logged into the **Monday.com database** to ensure proper tracking and monitoring.

## Procedure (SOP) for Councilmember Inquiries

### Purpose

To establish a consistent, transparent, and efficient process for handling Councilmember inquiries in accordance with the City Charter, while ensuring proper administrative oversight, tracking, and appropriate dissemination of information.

### Scope

This SOP applies to informal inquiries and formal directives initiated by Councilmembers. It governs communication through the City Manager, staff responsibilities, tracking mechanisms, criteria for forwarding inquiries, and the hybrid model for reporting directive responses.

### Procedure

#### 1. Submission of Inquiry

##### 1.1 Channel of Communication:

- Council inquiries and directives must be submitted through the City Manager or their designee, either via email, phone, or in person.
- Direct communication with department staff is discouraged unless expressly authorized by the City Manager.

##### 1.2 Content Requirements:

- Submissions must include:
  - A clear and concise description of the requested inquiry.
  - The purpose or intended use of the information.
  - Any preferred deadlines for a response.

##### 1.3 Acknowledgment of Receipt:

- The City Manager's Office will acknowledge receipt within **24 hours**, confirming that the request is under review.

#### 2. Communication with Department Staff

##### 2.1 Authorization for Direct Communication:

- If direct communication between Councilmembers and department staff occurs, the City Manager must be notified by the department head.

## **2.2 Content Submission by Department Staff:**

- Department staff must document the content of any direct communication and submit it to the City Manager's Office within **24 hours**.

## **2.3 Database Updates:**

- The City Manager's Office will log any additional communications into the **Monday.com database** for transparency.

# *3. Initial Review and Assignment*

## **3.1 Scope and Resource Evaluation:**

- The City Manager or their designee will evaluate the request and assign it to the appropriate department(s) for response.

## **3.2 Task Assignment and Tracking:**

- Tasks will include clear deadlines, responsible staff, and milestones for accountability, tracked in the **Monday.com database**.

# *4. Response Timeframes*

## **4.1 Standard Timelines:**

- **Simple Requests:** 5-10 business days.
- **Moderate Requests:** 15-30 business days.
- **Complex Requests:** 30-60 business days, with regular progress updates.

## **4.2 Urgent Requests:**

- Expedited timelines may apply for urgent issues, as determined by the City Manager or their designee.

## **4.3 Progress Reporting:**

- For complex items, progress reports will be provided at **30-day intervals** or as directed by the Council.

# *5. Reporting Directive Responses (Hybrid Model)*

## **5.1 Default: Direct Reporting to City Council:**

- By default, responses to directives will be presented at a subsequent Council meeting as part of a formal report.
- This ensures transparency and collective review by the entire Council.

#### **5.2 Exceptions for Non-Critical Issues:**

- Responses to straightforward or low-impact directives may be delivered directly to the requesting Councilmember(s) outside of a meeting.
- The City Manager will notify all Councilmembers of the response via:
  - Email.
  - A shared entry in the **Monday.com database** for transparency.

#### **5.3 Re-Adding Items:**

- If any Councilmember believes further discussion is needed, the item can be re-added to a future agenda for Council review.

#### **5.4 City Manager's Discretion:**

- The City Manager or their designee will determine the appropriate reporting method based on the directive's complexity and potential citywide impact.

### ***6. Criteria for Forwarding Inquiries***

#### **6.1 When to Forward:**

- An individual Councilmember inquiry will be forwarded to the entire City Council if it:
  - Involves policy implications or citywide impact.
  - Requires significant financial resources or budgetary action.
  - Relates to legal or compliance issues affecting the City.
  - Pertains to a matter of public interest or potential controversy.

#### **6.2 Process for Forwarding:**

- The City Manager will inform the requesting Councilmember before forwarding the inquiry to the full Council.

## **Roles and Responsibilities**

- **Councilmember:**
  - Submit clear and concise inquiries or directives through the City Manager.
  - Specify urgency if applicable.
- **City Manager:**
  - Assign and track requests, ensuring timely and accurate responses.
  - Decide when to forward inquiries or share directive responses.

- **Department Staff:**
  - Provide timely, accurate responses to requests.
  - Document direct communication with Councilmembers and report it to the City Manager.
- **City Manager's Office:**
  - Maintain all records in the **Monday.com database**.
  - Ensure transparency through regular updates and reports.

*Effective Date*

This SOP is effective immediately and will be reviewed annually for updates or adjustments.

*draft*