



**Council Policy and Valuation  
Committee Agenda**

Wednesday, April 17, 2024  
11:00 AM

City Hall - 141 W. Renfro  
Burleson, TX 76028

1. **CALL TO ORDER**

2. **CITIZEN APPEARANCES**

Each person in attendance who desires to speak to the Committee on an item NOT posted on the agenda, shall speak during this section. A speaker card must be filled out and turned in to the City Secretary prior to addressing the Committee. Each speaker will be allowed three minutes to speak.

Each person in attendance who desires to speak on an item posted on the agenda shall speak when the item is called forward for consideration.

3. **REPORTS AND DISCUSSION ITEMS**

**A.** Consider approval of the minutes from the January 24, 2024 Council Policy and Valuation committee meeting. *(Staff Contact: Amanda Campos, City Secretary)*

**B.** Receive a report, hold a discussion, and provide staff direction on the City's Newspaper Service for public and legal notices. *(Staff Contact: Richard Abernethy, Administrative Services Director)*

**C.** Review, discuss, and provide feedback on possible amendments to City Council Policy #17 - Establishing City Council Rules of Procedure for City Council Meetings. *(Staff Contact: Amanda Campos, City Secretary)*

4. **EXECUTIVE SESSION**

In accordance with Chapter 551 of the Texas Government Code, the Committee may convene in Executive Session in the City Council Workroom at City Hall to conduct a closed meeting to discuss any item listed on this agenda.

**A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**

5. **BOARD REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS**

6. **ADJOURN**

**CERTIFICATE**

I hereby certify that the above agenda was posted on this the 10th of April 2024, by 5:30 p.m., on the official bulletin board at the Burleson City Hall, 141 W. Renfro, Burleson, Texas.



Amanda Campos

City Secretary

**ACCESSIBILITY STATEMENT**

The Burleson City Hall is wheelchair accessible. The entry ramp is located in the front of the building, accessible from Warren St. Accessible parking spaces are also available in the Warren St. parking lot. Sign interpretative services for meetings must be made 48 hours in advance of the meeting. Call the A.D.A. Coordinator at 817-426-9600, or TDD 1-800-735-2989.

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## Council Policy and Valuation Committee

**DEPARTMENT:** City Secretary's Office  
**FROM:** Amanda Campos, City Secretary  
**MEETING:** April 17, 2024

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**SUBJECT:**

Consider approval of the minutes from the January 24, 2024 Council Policy and Valuation committee meeting. *(Staff Contact: Amanda Campos, City Secretary)*

**SUMMARY:**

The Council Policy and Valuation committee duly and legally met on January 24, 2024 for a regular meeting.

**OPTIONS:**

Committee may approve the minutes as presented or approve with amendments.

**RECOMMENDATION:**

Approve.

**STAFF CONTACT:**

Amanda Campos  
City Secretary  
[acampos@burlesontx.com](mailto:acampos@burlesontx.com)  
817-426-9665

## COUNCIL POLICY & VALUATION COUNCIL COMMITTEE

January 24, 2024

DRAFT MINUTES

Council present:

Dan McClendon, Chair

Larry Scott

Adam Russell

Council Absent:

Staff present

Tommy Ludwig, City Manager

Harlan Jefferson, Deputy City Manager

Eric Oscarson, Deputy City Manager

Matt Ribitzki, Deputy City Attorney

Amanda Campos, City Secretary

Monica Solko, Deputy City Secretary

Tony McIlwain, Director of Development Services

Emilio Sanchez, Deputy Director of Development Services

Alex Philips, Director of Economic Development

John Butkus, Finance Director

Justin Scharnhorst, Assistant to the City Manager

**1. CALL TO ORDER – Time: 11:00 a.m.**

Chair Dan McClendon called the meeting to order at 11:02 a.m.

**2. CITIZEN APPEARANCES**

- None.

**3. GENERAL**

**A. Consider approval of the minutes from the November 20, 2023 Council Policy and Valuation Committee meeting. (Staff Contact: Amanda Campos, City Secretary)**

Motion made by Larry Scott and seconded by Adam Russell to approve.

Motion passed 3-0.

**B. Receive a report, hold a discussion, and provide staff direction regarding the pursuit of the Texas Comptroller of Public Accounts' Transparency Stars program which recognizes local governments for going above and beyond in their transparency efforts. (Staff Presenter: Harlan Jefferson, Deputy City Manager)**

Harlan Jefferson, Deputy City Manager, reported on the Texas Comptroller of Public Account' Transparency Stars program to the committee.

Presentation included purpose of the program, benefits, opportunity to reduce security risk, awards for program. Start at the basic level and then move forward with obtaining the others. Committee was in favor of program.

**C. Receive a report, hold a discussion and provide feedback regarding Easement & Right-of-way Use Agreements. (Staff Presenter: Tony McIlwain, Development Services Director)**

Tony McIlwain, Development Services Director, reported on the easement and right-of-way use agreements to the committee.

Discussion included Public Works- Engineering will continue to review and administratively approve easement use agreements (citywide) and right-of-way use agreements that are located outside of Old Town. All right-of-way use agreements located in Old Town will proceed to the Old Town Design Standards Review Committee for review and then to City Council for consideration. All public parking and public sidewalks use agreements will proceed directly to City Council for consideration. Staff to file the right-of-way or easement agreements with the city secretary's office instead of the county property records. Requirements for a bond for the use to go back to original status. Relying on the Old Town Design Standards Review Committee to review and needing someone with architecture credentials on the committee. The agreement is non-transferrable if the owner changes. Annual audit will include bond insurance, no owner changes; add to the application to include that agreement is at the discretion of the council as ROW is an asset. There is no guarantee; council will determine if it is public benefit to use the ROW. Establish application fee(s), renewals, five-year application, surety adjustments, revisit escrows after five years, annual review fee, prorating for January start. New agreements to be reviewed by Old Town Design Standards Review Committee, council review once every five years and staff review annually.

The committee was in favor of the following:

- One-time application fee of \$525, unless significant changes would trigger another application fee.
- Old Town Design Standards Review Committee (OTDSRC) to review use agreements.
- Grandfather current agreements.
- Brief council each year with findings.
- No escrow account.
- Add a consultant with an architect credentials to the OTDSRC to help with review process.

## **RECESS AND BACK TO ORDER**

Chair Dan McClendon recessed for a short break at 12:26 p.m. and called the meeting back to order at 12:36 p.m. with all members present.

### **D. Receive a report, hold a discussion, and provide staff feedback regarding the Asset Management Policy and Risk Matrix. (Staff Presenter: Eric Oscarson, Deputy City Manager)**

Eric Oscarson, Deputy City Manager, reported on the asset management policy and risk matrix to the committee.

Committee discussed benefits of asset management, policy for asset management and consequences of failure, risk matrix, framework for implementing and changes it will make to the city debt structure. Next step will bring to the full council for a council discussion.

## **4. BOARD REQUESTS FOR FUTURE AGENDA ITEMS OR REPORTS**

- None.

## **5. EXECUTIVE SESSION**

In accordance with Chapter 551 of the Texas Government Code, the Committee may convene in Executive Session in the City Council Workroom at City Hall to conduct a closed meeting to discuss any item listed on this agenda.

### **A. Pending or Contemplated Litigation or to Seek the Advice of the City Attorney Pursuant to Section 551.071**

- No executive session needed.

## **6. ADJOURN**

There being no further business Chair Dan McClendon adjourned the meeting.

**Time: 1:15 p.m.**

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Monica Solko  
Deputy City Secretary

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Choose an item.

**DEPARTMENT:** Administrative Services

**FROM:** Richard B. Abernethy, Administrative Services Director

**MEETING:** April 17, 2024

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**SUBJECT:**

Receive a report, hold a discussion, and provide staff direction on the City's Newspaper Services for public and legal notices. (Staff Contact: Richard Abernethy, Administrative Services Director)

**SUMMARY:**

The City relies on local newspapers for publishing legal and public notices mandated by state law, covering competitive bids, election notices, developments, and public hearings for budget adoption.

Despite a renegotiated contract with the Fort Worth Star-Telegram (i.e. McClatchy) in 2021, costs have neared the \$50,000 threshold outlined in the Local Government Code and City Council Policy 36. Additionally, contracted prices with McClatchy are not competitive compared to neighboring cities.

Staff have explored options to save costs while adhering to state procurement laws. Three main options include: competitively bidding the newspaper service with primary and secondary newspaper choices, maintaining the current contract with the Fort Worth Star-Telegram while monitoring spending, or retaining the Fort Worth Star-Telegram while also utilizing the Cleburne Review Times for less prominent advertisements.

**RECOMMENDATION:**

Maintain the utilization of the Fort Worth Star-Telegram for primary public and legal notices, while leveraging the Cleburne Review Times for other notices such as bid advertisements.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

N/A

**REFERENCE:**

N/A

**FISCAL IMPACT:**

N/A

**STAFF CONTACT:**

Richard B. Abernethy  
Administrative Services Director  
[ravernethy@burlesontx.com](mailto:ravernethy@burlesontx.com)  
817-426-9662



# Evaluation of Newspaper Services

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COUNCIL POLICY AND VALUATION COMMITTEE

APRIL 17, 2024

# Background

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- In previous years, the City has exceeded the \$50,000 threshold that necessitates the competitive bidding process in accordance with both the Local Government Code and City Council Policy 36.
- The contract with Fort Worth Star Telegram was renegotiated in 2021, resulting in an overall decrease in expenditures. However, staff remains concerned that the \$50,000 threshold may be met or exceeded in the near future.
- This creates an opportunity to competitively bid the services for advertisement of official city notices, ensuring compliance with the Local Government Code and the potential for cost savings.

# Purpose

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- Compliance with the Competitive Bidding Requirements
- Identification of Cost Saving Measures

# Overview

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- Notable Challenges
- Local Government Code Requirements
- Competitive Bidding Requirements
- Historical Costs for Official City Notices
- Interlocal Agreements
- Cost Comparisons
- Other Methods of Outreach
- Next Steps

# Notable Challenges

- Cost
- Bidding/Procurement



# Local Government Code Requirements

Texas Local Government Code requires that notices be published in a newspaper. These notices include, but are not limited to:

- Advertisements for competitively sealed bids
- Election notices
- Items related to development
- Items related to water utilities
- Items related to zoning regulations
- Meeting notices
- Public hearings related to budget



In 2023, HB 622 would have authorized alternative media to satisfy the public notice requirements, including social media, free newspapers, school newspapers, a homeowners’ association newsletter or magazine, utility bills, direct mailings and any other form of media authorized by the comptroller. The bill made it through the House Committee but failed to move on to vote by the house.

# Local Government Code Requirements cont.

Texas Local Government Code also has stipulations related to the type of newspaper in which these notices may be published:

## §2051.044 Type of Newspaper Required

- Devote not less than 25% of total column lineage to general interest items;
- Be published at least once each week;
- Be entered as second-class postal matter in the county where published;
- Have been published regularly and continuously for at least 12 months before the governmental entity or representative published notice; and
- A weekly newspaper that has been published regularly and continuously

**The City currently uses the Fort Worth Star-Telegram to advertise legal notices.**



# Competitive Bidding

Advertisement of official city notices is not exempt from the competitive bidding requirement as outlined by the Local Government Code.

## § 252.021. Competitive Requirements for Purchases

Before a city enters into a contract for the purchase of most goods and services that require an expenditure of more than \$50,000 from one or more municipal funds, the city must:

- comply with statutory procedures for competitive sealed bidding or competitive sealed proposals, including high technology items or insurance;
- use the reverse auction procedure for purchasing;
- comply with certain statutorily prescribed methods of construction procurement



# Historical Cost for Official City Notices

Fiscal Year	Transaction Count	Amount	Avg. Cost Per Transaction
2019-2020	82	\$99,633.95	\$1,215
2020-2021	62	\$82,944.11	\$1,338
2021-2022	100	\$73,465.04	\$735
2022-2023	82	\$43,190.10	\$527
2023-2024 (spend to date)	33	\$12,414.83	\$376

### Factors to Consider:

- A contract with The Fort Worth Star Telegram (McClatchy Shared Services) was negotiated in 2021 and the rate being charged was reduced from market rate to \$6.06 per line + \$10.00 online publication fee.
- The May 2020 election, originally scheduled for fiscal year 2020-2021, was delayed to November 2021, aligning with the 2021-2022 fiscal year. This shift necessitated the re-issuance of legal notices and may have contributed to a higher-than-average number of transactions.

\*Transaction count refers to the number of individual accounts that incur charges for each invoice  
\*This data was pulled from the Munis system and includes issued checks and P-Card transactions beginning in 2022

# Historical Cost for Official City Notices

by Department/Division

Department/Division	Fiscal Year				
	FY 19-20	FY 20-21	FY 21-22	FY 22-23	FY 23-24 (to date)
City Secretary's Office	\$78,330.11	\$67,920.99	\$66,859.64	\$23,994.71	\$4,672.88
Engineering Capital	\$15,241.80	\$10,735.88	\$1,389.56	\$4,418.96	\$3,839.32
Purchasing				\$9,472.96	
Environmental Services	\$5,773.74				
Parks		\$2,302.04	\$1,663.60	\$1,666.20	\$1,690.44
Library			\$1,604.80	\$1,050.40	
Community Development				\$2,075.26	\$1,827.10
Police	\$288.30	\$542.16	\$1,367.80	\$203.92	
Cemetery Services		\$1,443.04			
Economic Development			\$579.64		
Engineering Development				\$146.19	\$385.09
Water/Wastewater Services				\$161.50	
<b>Total</b>	<b>\$99,633.95</b>	<b>\$82,944.11</b>	<b>\$73,465.04</b>	<b>\$43,190.10</b>	<b>\$12,414.83</b>

# Interlocal Agreements

The Purchasing Division reached out to all cities whom we currently have interlocal agreements in place with. Of those who responded, only 2 had active contracts in place with McClatchy Advertising (Fort Worth Star Telegram) with terms that allowed cooperative agreements:

City	Contract?	Notes
Fort Worth	Y	Contract terms allow for cooperative contracts
Grand Prairie	Y	Contract terms allow for cooperative contracts
Hurst	N	No current agreement in place
McKinney	N	Currently using Star Local Media
North Richland Hills	N	No current agreement in place
Southlake	Y	Terms of current contract do not allow for cooperative purchases

# Cost Comparisons

## Cities Using The Fort Worth Star Telegram

**CITY OF BURLESON**  
 ITB 2024-005 West Ellison Street & Parking Improvements  
 Notice is hereby given that the City of Burleson is seeking proposals for West Ellison Street & Parking Improvements. The deadline for submission is December 20th, 2023 at 2:00PM CST. The bid opening will be virtual at 3:00PM. A link for the bid opening will be provided via Bonfire.  
 A mandatory pre-bid meeting will be held November 28th at 10:00 am.  
 The project includes: 10,105 SF of building demolition & asbestos abatement, 5,000 SY of off-street parking, on-street parking, 169 LF of 8" Water PVC, 119 LF of 6" water PVC, and streetscape elements. The Project has an expected duration of 270 calendar days.  
 Specifications and Contract Documents for this project shall be available for viewing and download in electronic (PDF) format at the City's e-procurement system, Bonfire <https://burlesontx.bonfirehub.com/login> (registration is required) at no cost beginning November 9th, 2023. Any interpretations, corrections, clarifications, or changes to this Invitation to Bid will be issued via addendum. Addenda will be posted in Bonfire. It is the responsibility of the respondent to monitor the Bonfire website for addenda. Proposers shall acknowledge receipt of each addendum by submitting a signed copy with their submission. Oral explanations will not be binding.  
 POSTED THIS the 9th day of November 2023, in the Burleson City Hall, 141 West Renfro, Burleson, Texas.  
 W00000000  
 Publication Dates

Current Contract	City of Fort Worth	City of Grand Prairie
\$6.06 per line	\$.44 per line	\$1.90 per line
\$10.00	\$15.00	\$5.00
Final Cost (2 runs): \$555.40	Final Cost (2 runs): \$52.84	Final Cost (2 runs): \$168.40

- February 5, 2024 – staff reached out to the Fort Worth Star Telegram to formally inquire about the potential of participating in a cooperative contract with the City of Fort Worth.
  - McClatchy Advertising was unwilling to honor Fort Worth’s price citing that they published significantly more ads compared to the City of Burleson.
- Staff also inquired about the possibility of establishing an agreement using the City of Grand Prairie cooperative contract.
  - McClatchy Advertising would not honor that agreement and that lowering our rate would not be possible.

# Cost Comparisons

## Fort Worth Star Telegram & Cleburne Times Review

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ITB 2024-005 West Ellison Street & Parking Improvements  
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POSTED THIS the 9th day of November 2023, in the Burleson City Hall, 141 West Renfro, Burleson, Texas.  
W00000000  
Publication Dates

### Fort Worth Star Telegram

\$6.06 per line + \$10.00 online publication fee

**Final Cost:**  
**\$555.40**

**Invitation to Bid**  
**CITY OF BURLESON**  
ITB 2024-005 West Ellison Street & Parking Improvements  
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POSTED THIS the 9th day of November 2023, in the Burleson City Hall, 141 West Renfro, Burleson, Texas.

### Cleburne Times Review

\$20 per column inch + \$17.00 online publication fee

**Final Cost:**  
**\$387.60**

# Other Methods of Outreach

In addition to publishing notices in the newspaper, the City also notifies citizens/customers via:

- The City website
- Social media
- Bonfire (bids and proposals)
- Letters/Postcards
- Everbridge/Constant Contact

# Next Steps

## Committee Discussion and Options

- Competitively bid advertisement of official City notices
  - Consider having a primary and secondary newspaper for legal notices and go under contract with both the Fort Worth Star Telegram & Cleburne Times Review
  
- Track spending with McClatchy and bring forward to City Council should we be certain the \$50,000 threshold will be reached.
  
- Go under annual contract with the Cleburne Times Review in an amount not to exceed \$50,000 and utilize them a long with the Fort Worth Star-Telegram.

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# Questions or Comments



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Choose an item.

**DEPARTMENT:** City Secretary Office  
**FROM:** Amanda Campos, City Secretary  
**MEETING:** April 17, 2024

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**SUBJECT:**

Review, discuss, and provide feedback on possible amendments to City Council Policy #17 - Establishing City Council Rules of Procedure for City Council Meetings. *(Staff Contact: Amanda Campos, City Secretary)*

**SUMMARY:**

The city council first adopted Policy #17 May 5, 1985 and did not revisit the policy until January 2020. In January 2020 the city council totally revamped the policy to better reflect current operations and to help engage the community in the council meeting process. The policy is designed to encouraged transparency and engagement.

The policy was reviewed again in February 2021 and June 2022. It was a goal of my office to bring forward at least for review the policy every year since it's intention is to provide transparency and engagement. At this time I am presenting the policy to the city council committee to see if there is a need or desire to make any amendments. I have no proposed amendments.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

N/A

**REFERENCE:**

City Council Policy #17

**FISCAL IMPACT:**

None

**STAFF CONTACT:**

Name: Amanda Campos, City Secretary  
[acampos@burlesontx.com](mailto:acampos@burlesontx.com) or 817-426-9665



# Council Policy #17

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ESTABLISHING CITY COUNCIL RULES OF PROCEDURE FOR CITY COUNCIL MEETINGS

COUNCIL POLICIES & VALUATION COMMITTEE – APRIL 17, 2024

# Overview

- First adopted May 5, 1985 and amended January 2020, February 2021, and June 2022
- 7 sections to the policy
  - Section 1 provides for authority of the city council to hold meetings
  - Meeting Agendas
  - Rules, procedures and conduct
  - Order of Business on the agenda
  - Burleson Rules of Order (modified Robert's Rules of Order)
  - Mayor/Mayor Pro Tem
  - Audio/Video Use



# Discussion and Staff Direction



## CITY COUNCIL POLICY

17

### City of Burleson City Council Policy Establishing City Council Rules of Procedure For City Council Meetings

Item C.

Adopted date	November 11, 1982
Revision dates	May 5, 1985 January 21, 2020; February 22, 2021; August 8, 2021; June 20, 2022
Department Name	City Council

#### I. AUTHORITY

Pursuant to the provisions of the Charter of the City of Burleson, Texas, the City Council shall enact rules of procedure for all meetings of the City Council of the City of Burleson, Texas, which shall be in effect upon their adoption by the City Council until such time as they are amended or new rules adopted. These guidelines shall remain flexible and in compliance with the City Charter, the Texas Open Meetings Act, and any other applicable state laws.

Pursuant to the Charter of the City of Burleson, Texas, Section 32; the city council shall meet regularly at times prescribed by its rules but not less frequently than once each month. The city secretary shall call special meetings upon the request of the mayor, city manager, or a majority of the members of the city council. All meetings must be held in accordance with state law.

#### II. MEETING AGENDAS

- a. **Preparation & Posting of:** The City Manager is responsible for creating the agenda and agenda packet materials for City Council meetings. The City Secretary is responsible for posting the agenda and distributing agenda packets to the City Council.
- b. **Placing Items on the Agenda:** The Mayor or any one Councilmember may request that an item be placed on the agenda by the following means:

- i. Request the item during the “Request for Future Agenda Items” during the work session portion of a Council meeting; or
  - ii. Notify the City Manager, in writing, of the request a least ten (10) business days prior to any regularly scheduled City Council meeting.
- c. Agenda Packet:**
- i. Contents: The agenda packet will include a report and related documents (i.e. ordinance, contract, bid tabulation, etc.) for each item on the Consent Action and/or General Action sections of the agenda.
  - ii. Distribution: In most cases, the agenda packet should be made available to the City Council at least 5 (five) calendar days prior to the regularly scheduled City Council meeting.
- d. Agenda Item Pages:** Each AIP shall contain all pertinent information on the item of business. Generally, the report shall include the following order of information:
- i. Action requested of the City Council
    - 1. Items concerning an ordinance must identify the proponent of the ordinance in parenthesis following the action requested.
  - ii. Background and/or historical information
    - 1. Input/Recommendations received from applicable City Boards or from the public
    - 2. Financial impact (i.e. source of funds)
    - 3. Identity of the City Manager’s office contact and city departmental staff member whom Council and the public should contact for additional information
- e. Consent Agenda Items:** The City Manager may place on the consent agenda section of the agenda any items that, in the City Manager’s view, are routine in nature. Consent agenda items should not include:
- i. An item concerning an election
  - ii. An item authorizing the issuance (or notice of issuance) of any debt instrument (bonds, certificates of obligation, capital lease agreements, etc.)

*Posted consent agenda items may be removed from consent by any one councilmember who request the removal during the open meeting.*

*Any posted item on the agenda that does not require a public hearing may be added to the consent agenda by a vote of the city council during the open meeting.*

- f. **Councilmember’s Obligations to be Prepared in Advance:** In order to provide for informed decision making and to instill confidence in the electorate, in advance of each meeting, each Councilmember is expected to:
- i. Study and be familiar with all material in the agenda packet provided by the staff in advance of the meeting.
  - ii. Include staff and citizen contacts, field observations and inquiries in their preparation.
  - iii. Direct any questions about the agenda packet to the city manager’s office or the staff member designated on the agenda report.

### III. COUNCIL MEETINGS: RULES, PROCEDURES AND CONDUCT

a. **Presiding Officer**

- i. The Mayor presides at meetings of the City Council (City Charter, Sec. 22(a)).
- ii. The Mayor Pro Tem, who shall act as mayor during the absence or disability of the Mayor (City Charter, Sec. 22(b)).
- iii. In the event the Mayor and Mayor Pro Tem are absent, the Councilmember in attendance with the longest tenure shall preside over the meeting. In the event of a tie in tenure, the members may draw lots to determine who shall preside.

b. **Burleson Rules of Order**

- i. The rules contained in Section V of this Policy shall govern the Burleson City Council meetings in all cases to which they are applicable and not in direct conflict with State laws. These rules are intended to be fair and complete.

c. **Executive Session (Closed Session)**

- i. The Texas Open Meetings Act provides for narrowly drawn exceptions to the requirement that meetings be open to the public. The City Council shall follow TOMA with regards to executive sessions requirements.

- d. **Annual Meeting Calendar:** The City Council shall adopt a calendar outlining their scheduled regular meetings for any calendar year no later than December 1<sup>st</sup> of the preceding year.
- e. **Citizen Appearances:** Each person in attendance who desire to speak to Council on an item **not** posted on the agenda, shall speak during this section. Each person in attendance who desire to address the Council on an item posted on the agenda or at a public hearing shall address the council when that item is called forward for consideration.

A speaker card must be filled out and turned in according to speaker rules listed in this section. Under the Texas Open Meeting Act the city council may take action only on legally posted items on the agenda. There will be no discussion of any un-posted items, council will only receive comments and may only ask clarifying questions and respond with facts or explanation of policy.

**Speaker Rules**

- 1. Each person will be allowed three (3) minutes and will not be interrupted by Council or staff.
- 2. Council may request the City Manager place the subject on a future Council meeting agenda or request staff meet with the person for further discussion.
- 3. Speaker Cards
  - a. Speaker cards will be provided at the council meetings for in-person speakers and can be handed directly to the City Secretary Office staff.

- f. **Speakers at council meetings:** Each person who desires to speak to the city council pertaining to an item listed on the agenda or advertised as a public hearing will have two options to address the city council. Each person shall address the council when that item is called forward for consideration.

**Speaker Rules**

- 1. A speaker card must be filled out and turned into the City Secretary's staff
- 2. Each person in attendance will be allowed three (3) minutes and will not be interrupted by Council or staff. The presiding officer



- may grant additional time to a speaker if requested however the presiding officer will maintain fairness for speakers on the item
3. Applicants will not be timed and be allowed reasonable time by the presiding officer to offer facts of their case and answer questions, however applicant must submit to the City Secretary any hand-outs or material at least 72 hours prior to the meeting. Applicants will be cognizant of time and be precise when presenting their case.
  4. Online speaker cards will be provided through the city's website and available to anyone not attending the council meeting in-person. Online speaker cards are for posted agenda item only. Online speaker cards must be submitted 30 minutes prior to the posted start time of the meeting. Online speaker cards will be read aloud by the City Secretary at the time the item is presented for speakers. All online speaker cards received after the deadline will be forwarded to the city council as soon as practical.

#### IV. COUNCIL MEETINGS: ORDER OF BUSINESS

Council meetings shall generally adhere to the following order of business:

##### a. Regular Session:

- i. Should begin with a Call to Order by the Mayor (presiding officer)
  1. formal roll call or statement by presiding officer (or city secretary) indicating quorum present
  2. statement of date and time
  3. invocation
  4. pledge of allegiance – United States and Texas
- ii. Public Presentations: Proclamations, recognitions, general reports, and updates from the public or community organizations.
- iii. Community Interest Items: In accordance with the Texas Open Meetings Act, an "item of community interest" includes the following:
  1. expressions of thanks, congratulations, or condolence;
  2. information regarding holiday schedules;
  3. honorary recognitions of city officials, employees, or other citizens;

- 4. reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by city official or city employee; and
- 5. announcements involving imminent public health and safety threats to the city.
- iv. Items to be continued or withdrawn: Any City Councilmember or the City Manager may request an item be removed from consideration and either (1) continued to a future meeting date or (2) withdrawn from consideration altogether or (3) move in the order of the agenda.
- v. Items to be withdrawn from Consent Agenda for separate discussion or items to be added to the consent agenda
  - 1. Items to be withdrawn from the consent agenda for separate discussion: Any Councilmember wishing to discuss and vote on a consent agenda item individually should make that request in an open meeting.
  - 2. Items to be added to the consent agenda: Any councilmember may request a posted agenda item that does not require a public hearing be moved to the consent agenda via council vote in an open meeting.
- vi. Citizen Appearances:

It is the policy of the City Council of the City of Burleson to encourage open government and the opportunity for all citizens to address the Council and receive fair consideration for each item listed on the agenda. Therefore, and in the interest of time, decorum and the constraints of the Texas Open Meetings Act, there are rules that must be enforced. On items not posted on the agenda, the Council may receive comments or suggestions. The Council cannot discuss or deliberate on the unposted matter. The Council may, however, ask clarifying questions, respond with facts, explain a policy, and propose that the item be placed on a future agenda.

  - 1. In accordance with Section 551.007 of the Texas Open Meetings Act, the public has a right to speak on items on the agenda either at the beginning of the meeting or during the meeting when an agenda item is being considered.
  - 2. Under the Texas Open Meetings Act and Public Information Act laws of the State of Texas, the City Council may take action only on items legally posted on the agenda.

3. On items not posted on the agenda, the Council may receive comments or suggestions. The Council cannot discuss or deliberate on the unposted matter. The Council may, however, ask clarifying questions, respond with facts, explain a policy, and propose that the item be placed on a future agenda.
4. Each person will be allowed three (3) minutes to comment on any particular subject. Council and staff will not interrupt speaker's time and will ask questions or clarification after the three (3) minutes of time. If the person requires a translator, they will receive six (6) minutes to allow to address the Council.
5. Each person shall fill out a speaker card and present to the City Secretary before speaking.
6. Profanity or threatening language will not be tolerated and may result in the following:
  - i. Cancellation of remaining time;
  - ii. Removal from the Council Chambers; and/or
  - iii. A contempt citation.
- vii. Consent Action Agenda: All items listed are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of the items unless a Councilmember or citizen so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.
- viii. General Action Items: Items may include, but are not limited to: Public Hearings, Ordinances & Resolutions, Contracts & Agreements, etc. Items scheduled for public hearing or which involve outside organizations should, typically, be listed first.
- ix. Reports: An opportunity for the City Manager or his/her staff to obtain direction from Council on a future item, provide information on current items, or respond to previous Councilmember requests for information.
- x. City council request for future items or reports: An opportunity for any member of the city council to request a future council meeting item.
- xi. Executive Session (if needed): The City Council may choose to meet in Executive Session in accordance with state law. Executive Session may be held at any time when a City Council meeting is convened.
- xii. Adjourn: With no further business the presiding officer shall request a motion to adjourn. No vote is necessary.

## V. BURLESON RULES OF ORDER

The rules contained in this section the policy shall govern the Burleson City Council meetings in all cases to which they are applicable and not in direct conflict with state laws.

- a. **Presiding Officer:** The Mayor, if present, shall be the presiding officer. In the absence of the Mayor the Mayor Pro Tem shall be the presiding officer. In the absence of both the Councilmember with the most senior tenure should preside.
  - i. Should by statement identify quorum present call the meeting to order according to posted agenda and clearly state date and time.
  - ii. Should establish the order of the meeting by following the posted agenda and may call items out of order for purpose of functionality.
  - iii. Shall not make initial motions on items before the Council, however may second a motion.
  
- b. **Motion:**
  - i. Motion dies from lack of second
  - ii. No amendments to original motion, except by the member making the motion
  - iii. Each item posted on the agenda should be voted on individually
  
- c. **Point of Order:**
  - i. Any Councilmember may request to identify procedural defect
  - ii. Any Councilmember may make call a filibuster point of order
    1. Presiding officer request Councilmember speaking to yield the floor
    2. Presiding officer present to the other members of Council an opportunity to speak
    3. If no other member wishes to speak the officer can return the floor to the original member speaking
  
- d. **Point of Information:**
  - i. Any Councilmember may request additional information for other members to consider
  - ii. There is no debate

- e. **Call the Question:** Only when a motion is on the table for consideration
- i. Any Councilmember may call the question
  - ii. Requires a second but no vote
  - iii. Ends debate or discussion and requires immediate vote on item
- f. **Public Hearing:**
- i. Council should fairly allow everyone to be heard before Councilmembers speak
  - ii. After all speakers, Council may comment and recall speakers if needed
  - iii. Each person will be allowed three (3) minutes to speak. Council and staff will not interrupt speaker's time and will ask questions or clarification after the three (3) minutes of time. If the person requires a translator, they will receive six (6) minutes to address the Council.
  - iv. Applicants will not be timed and be allowed reasonable time by the presiding officer to offer facts of their case and answer questions, however applicant must submit to the City Secretary any hand-outs or material at least 72 hours prior to the meeting. Applicants will be *cognizance of time and be precise when presenting their case.*
- g. **Table:**
- i. Items will be tabled to a specific date and the request made by applicant or staff
  - ii. If no date is stated when item is tabled, the item after 180 days will be placed on the next regular agenda and considered
  - iii. In non-zoning cases, citizens may make a request to table
- h. **Adjourn:**
- i. Adjournment of the meeting requires a motion and a second but no vote
  - ii. Presiding officer will announce date and time of adjournment

**i. Executive Session:**

- i. Can be taken at any time during the meeting with proper notice to the public – presiding officer (or city secretary) shall announce the exceptions and time
- ii. Any member of the Council present may request to convene into executive session
- iii. City Manager, Deputy City Manager, City Secretary or Deputy City Secretary may request Council convene into executive session
- iv. All request to convene into executive session requires a motion, a second and a vote by Council
- v. All request to reconvene into open session requires a motion, second and a vote by Council

**VI. MAYOR/MAYOR PRO-TEM**

**a. Mayor:**

- i. Per Sec. 22 of the Charter of the City of Burleson, the Mayor presides at meetings of the City Council and, except in cases involving conflict of interests, must vote upon all items voted on by the City Council.

**b. Mayor Pro-Tem:**

- i. The City Council shall elect in accordance with Sec. 22 of the Charter from among its members, a Mayor Pro Tem, who shall act as Mayor during the absence or disability of the Mayor, and, if a vacancy occurs in the Mayor's place, shall become Mayor until the next general election. (City Charter, Section 22(b))
- ii. Qualifications: Any Councilmember who has served at least 2 years on the City Council shall be qualified to serve as Mayor Pro Tem.
- iii. Nomination process: Councilmembers interested in serving as Mayor Pro Tem shall, at least five business days prior to the meeting, submit to the City Secretary written notification of their interest of serving. The City Secretary shall present to Council, in executive session, all the names of the interested, qualified, Councilmembers. (*no discussion or vote will take place, this is informational only*)
- iv. Election: Each year at a regular meeting by August 31<sup>st</sup>, an agenda item for Election of Mayor Pro-Tem shall be placed on the Regular

Session agenda. All action for election of the Mayor Pro-Tem shall occur during open session.

**VII. AUDIO/VIDEO USE**

- a. Recording of Council meetings on video equipment larger than a cell phone or tablet shall be located at the rear of the chambers so as not to interfere with the sight lines of the seated audience.