

CITY OF JOHNSON CITY

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 1.03.036 OF CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.03 CITY COUNCIL, OF THE CITY OF JOHNSON CITY CODE OF ORDINANCES; AMENDING RULES OF PROCEDURE; AND PROVIDING FOR AN EFFECTIVE DATE

RECITALS

WHEREAS, Section 1.03.036 of Chapter 1 General Provisions, Article 1.03 City Council, of the City Code of Ordinances provides for the rules of procedure for council meetings; and

WHEREAS, the City Council of the City of Johnson City (“City”) desires to amend the rules regarding motions to renew in order to facilitate consideration of each agenda business item by the Council and for the efficient conduct of council meetings; and

WHEREAS, pursuant to Texas Local Government Code Section 22.038, the City Council is authorized to determine the rules of its proceedings.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Johnson City:

ARTICLE I. FINDINGS OF FACT

The foregoing recitals are adopted as facts and are incorporated fully herein.

ARTICLE II. AMENDMENT, ADOPTION AND ENACTMENT

The City Council of the City of Johnson City hereby amends and enacts amendments to Section 1.03.036 Rules of Procedure of Chapter 1 General Provisions, Article 1.03 City Council, of the City’s Code of Ordinance, as depicted below and incorporated fully herein for all intents and purposes, with underlined text constituting new text, and to read as follows:

Section 1.03.036 Rules of Procedure.

- (a) Robert’s Rules of Order. For all council meetings, Robert’s Rules of Order will be followed as practicable unless suspended by a majority vote by the council: except for the rules outlined below in this section. To the extent of a conflict or inconsistency with Robert’s Rules of Order, the rules herein shall prevail.
- (b) Presiding officer. The mayor shall be the presiding officer at all meetings of the city council and have a voice in all of its proceedings, but shall have no vote except in the event of a tie vote by the council. In the event of the absence of the mayor, the mayor pro tempore shall be the presiding officer and shall be

able to vote in all matters. In the event of the absence of the mayor and mayor pro tempore, the councilmembers shall select one of its members to preside over that meeting.

- (c) Call to order. All meetings will begin promptly at the hour stated and shall proceed upon declaration of a quorum.
- (d) Conformance to agenda. The presiding officer shall follow the agenda as published; however, the presiding officer may address items out of order, subject to the approval of the council, should such change facilitate guests or other factors.
- (e) Presentation of agenda items. Agenda items will be presented by the individual who placed the item on the agenda. In the event that the individual requesting an item to be on the agenda is absent and an alternate presenter is not designated, the item may be tabled and placed on the subsequent council meeting.
- (f) Council action.
 - (1) It is the policy of the city council to permit introduction of an item and discussion prior to making a motion for action (in lieu of the rule in Robert's Rules of Order requiring a motion to act prior to any discussion of any item on the agenda). After discussion, the council will act by approving or disapproving a motion or tabling an item. In the event that there is no motion or a second to a motion, no action will be deemed taken and the matter is deemed moot.
 - (2) Council action is valid upon an affirmative vote by a majority of the members of the city council present and voting at the meeting. There may be situations, however, in which the presiding officer concludes after discussion that there is a consensus on the matter among the council, and the issue does not require an official, formal vote. The presiding officer shall state for the record the determination of the council (i.e., hearing no objection, so ordered).
 - (3) A motion to renew an original main motion which has been defeated or rejected cannot be brought before the Council at a subsequent or later meeting unless a) the motion to renew concerns and contains a substantially new proposition(s) regarding the defeated original main motion or b) there has occurred such a substantial change in the situation regarding the defeated original main motion as to make the motion to renew a wholly new question. A motion to renew does not apply to an original main motion which has been adopted.

ARTICLE III. REPEALER AND SEVERABILITY

REPEALER: All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

SEVERABILITY: Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

ARTICLE IV. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and approval.

PASSED AND APPROVED this, the _____ day of _____, 2022,
by a majority vote of the City Council of Johnson City, Texas.

CITY OF JOHNSON CITY, TEXAS

Rhonda Stell, Mayor

Attest:

Whitney Walston, City Secretary