

## RULES OF PROCEDURE FOR THE CEDAR PARK CITY COUNCIL

### Chapter 1: Meetings, Work Sessions, and Retreats

1.1 Regular Meetings. Regular meetings of the City Council shall be held at the Cedar Park Council Chambers on the second and fourth Thursdays of each month and shall generally commence at 6:00 pm, except as specifically modified by the City Council, and may be held at such other times as may be necessary or beneficial. Public notice of all regular meetings of the City Council shall be given as required by Texas Government Code Chapter 551, as amended (“Texas Open Meetings Act”).

1.2 Special Meetings. Special meetings of the City Council shall be held on such dates and at such times as called by the Mayor or, in their absence, the Mayor Pro Tem. Public notice of all special meetings of the City Council shall be given as required by the Texas Open Meetings Act.

1.3 Council Work Sessions and Retreats. The City Council may hold work sessions and retreats as needed. The City Council work sessions and retreats shall be held on such dates and times as called by the Mayor, or in their absence, the Mayor Pro Tem. Public notice of all City Council work sessions shall be given as required by the Texas Open Meetings Act.

1.4 Joint Meetings. The City Council may hold a joint meeting with each board, commission, and task force appointed by the City Council. Public notice of all joint meetings shall be given as required by the Texas Open Meetings Act..

1.5 Location of Meetings. Regular meetings of the City Council shall be held at the Cedar Park City Council Chambers unless the Chair (a) determines that an irresolvable scheduling conflict exists in the use of the Cedar Park City Council Chambers; and (2) promptly notifies the City Council of the choice of an alternate location. Special meetings, work sessions, retreats, and joint meetings may be held at such locations as may be necessary or beneficial to the purpose of such meeting, work session, or retreat.

### Chapter 2: Agenda

2.1 Preparation of the Agenda. The Mayor or, in their absence, the Mayor Pro Tem is responsible to prepare or ensure the preparation of the agenda for each meeting, work session, or retreat.

2.2 Agenda Categories for City Council Meetings. For each City Council meeting, the agenda may contain any of the following categories:

- (a) Call to order;
- (b) Invocation and Pledges of Allegiance;

- (c) Citizen Communications;
- (d) Mayor and Council Opening Comments;
- (e) Presentations;
- (f) City Manager's Report;
- (g) Consent Agenda;
- (h) Public Hearings;
- (i) Regular Agenda;
- (j) Executive Session;
- (k) Possible Action on Executive Session Matters;
- (l) Mayor and Council Closing Comments; and
- (m) Adjournment.

The categories listed above are demonstrative and are not meant or intended to be exclusive.

2.3 Consent Agenda. All second readings and resolutions shall presumptively be placed on the Consent Agenda. Any item on the Consent Agenda shall be removed at the request of a single Councilmember. A request for removal from the Consent Agenda may be made prior to the Consent Agenda being called for action. Any item removed from the Consent Agenda shall be considered as a separate action item at the meeting on which such item appears on the Consent Agenda.

2.4 Placement of Agenda Items by Councilmember. Any Councilmember may request the placement of any item on an upcoming agenda which shall be honored within a reasonable time. Any agenda item so requested shall bear the requesting Councilmember's name on each occasion at which the item appears on the agenda. A Councilmember may request the placement of any item on the agenda (a) during Mayor and Council Opening Comments or Mayor and Council Closing Comments, or (b) in writing directed to the Mayor.

2.5 Public Availability of Agenda. The City Council agenda and packet materials shall be made available to the public on the City's website.

2.6 Description of Certain Agenda Items. For each agenda item requiring consideration and/or action by the City Council, excluding items on the Executive Session agenda, the agenda shall include a brief substantive description of the matter for consideration and/or action.

### Chapter 3: Conduct of Meetings

3.1 Rules of Procedure. The City Council shall determine its own rules of procedure, voting, and order of business except that, upon the request of any Councilmember, the most current form of Robert's Rules of Order shall be followed for the designated item before the City Council. Councilmembers shall confine their discussions concerning a motion or a question to the merits of a motion made and seconded or to a question already presented to them. Councilmembers shall show respect and courtesy to, and refrain from making disparaging comments about, fellow Councilmembers, the public, and City staff in the conduct of a City Council meeting, outside of Council meetings, in social settings, and on social media.

3.2 Chair. The Mayor or, in their absence, the Mayor Pro Tem shall preside over and conduct all City Council meetings. In the absence of both the Mayor and the Mayor Pro Tem, the City Council shall, by majority vote of those present, determine which member shall preside over and conduct the meeting.

3.3 Parliamentarian. The City Attorney shall serve as parliamentarian for the City Council, shall construe all applicable procedural rules liberally, and serve as Sergeant at Arms in conjunction with any police representative present.

3.4 Applicant Presentation. With the exception of the Consent Agenda, the applicant for any item involving possible City Council action may make a presentation at the outset of a public hearing or before consideration of a possible action item. Such presentation shall be concise and non-repetitive.

3.5 Presentation by City Staff. With the exception of the Consent Agenda, City staff may make any presentation necessary for a public hearing or before consideration of a possible action item. Such presentation shall be concise and non-repetitive.

3.6 Written Memorandum by City Staff. For each ordinance, resolution, and action item presented to the City Council, City staff shall provide a brief memorandum providing background information and a summary of the agenda item.

3.7 Public Presentation. After any presentation by the City staff, an applicant or other member of the public who desires to address the City Council regarding an item posted for public discussion may do so, provided that (a) they register to speak and (b) limit such presentation to three (3) minutes. If feasible, the registered speakers shall be grouped into those in favor of the application and those opposed. Once a public hearing is closed there shall be no further commentary from the public on that item without the unanimous consent of the City Council members present. The giving or transferring of a person's speaking time to another is prohibited.

3.8 Citizen Communications. Any member of the public who desires to address the City Council on any item not posted for public discussion may do so during Citizen Communications, provided that (a) they register to speak and (b) limit such presentation to three (3) minutes. The giving or transferring of a person's speaking time to another is prohibited.

3.9 Registration. The registration referred to in Rules 3.7 and 3.8 shall include the following information: (a) full name; (b) business or residential address; (c) business or residential telephone number; (d) representation; (e) agenda item or topic; (f) brief statement of position [e.g. for or against an agenda item or summary of communication].

3.10 Expansion of Time for Public Presentation and Citizen Communications. The three minute limitation imposed by Rule 3.7 and Rule 3.8 may be extended upon the unanimous consent of the City Council members present.

3.11 Time Keeper. The City Secretary shall serve as time keeper for any presentation and citizen communication made to the City Council.

3.12 Repetitive, Disruptive or Disrespectful Presentations and Citizen Communications. The Chair may deny or shorten any presentation or citizen communication if it is repetitive of a presentation previously made, disruptive, or disrespectful.

3.13 Call of Agenda Items. The City Secretary shall call each agenda item by number or short caption only. It is not necessary for the City Secretary to call an agenda item by its complete caption or title.

3.14 No Vote on First Reading of an Ordinance. Unless specifically authorized by law, the City Council shall not vote on any first reading of an Ordinance. The Chair shall allow discussion by the City Council of any item on first reading of an Ordinance in order to provide direction to staff. The City Council may consider motions to amend, modify, or clarify any item on first reading of an Ordinance.

3.15 Council Vote. The City Secretary shall maintain, and the minutes shall reflect, the votes made by the City Council in open meeting.

(a) Consent Agenda. The City Council shall vote on the Consent Agenda by voice vote or by show of hands as directed by the Chair.

(b) Separate Action Items. All votes shall be by voice vote or by show of hands, unless a motion for a division of the assembly is approved by the City Council. In the event of a division of the assembly, the City Secretary shall poll the City Council as directed by the Chair.

3.16 Executive Session; Certified Agenda. All Executive Sessions shall be recorded by certified agenda in conformity with the Texas Open Meetings Act.

3.17 Attendance at Meetings. If any Councilmember becomes aware that they will be absent from any meeting, work session, or retreat, they shall notify the Mayor and City Manager. If the Mayor becomes aware that they will be absent from any meeting, work session, or retreat, they shall notify the Mayor Pro Tem and City Manager.

3.18 Participation by Videoconference. Councilmembers shall be allowed to participate in City Council meetings by videoconference in accordance with the Texas Open Meetings Act, as amended. No more than three (3) Councilmembers shall participate in any single meeting by videoconference, as determined in order of request submitted to the Mayor by email denoting the date and time of the received email. Additionally, no Councilmember shall participate by videoconference for three (3) consecutive meetings.

#### Chapter 4: Appointments

4.1 City Council Vacancies. The City Council shall follow the process set forth below when appointing a Councilmember to fill a vacancy on the City Council.

(a) Resignation or Disqualification.

- (i) A resignation of a Councilmember must be in writing, signed by the Councilmember and delivered to the Mayor or City Secretary and shall be effective upon receipt.
- (ii) A disqualification of a Councilmember under the City Charter or state law is effective immediately.

(b) Declaration of Vacancy. No later than the eighth day after resignation or on the date of disqualification or death, a vacancy shall be declared pursuant to state law.

(c) Notice of Vacancy. Once the vacancy is declared, City staff shall post notice of the vacancy on the City website to advertise for applications to fill the vacancy.

(d) Acceptance of Applications. The time period to file applications for appointment shall be at least ten (10) business days from the date the notice is posted.

(e) Interviewing Applicants; Appointment. After the filing period for applications, the City Council shall interview all applicants individually in an open session of a public meeting, deliberate after the interviews in Executive Session, and then make the appointment in open session.

4.2 Mayor Pro Tem. The Mayor shall designate the Mayor Pro Tem.

4.3 Boards, Commissions, and Committees. No person shall serve on more than one board or commission appointed by the City Council, and no current Councilmember shall serve on any board or commission appointed by the City Council, except that (a) Councilmembers may serve on the board of the reinvestment zones established by the City, (b) any two (2) or more boards or commissions may be jointly appointed in their entirety, and (c) individual board members or commissioners may be appointed to committees, which include special purpose committees, ad hoc committees, and task forces. Each board and commission appointed by the City Council shall select its officers and conduct its business in accordance with each board or commission's Rules of Procedure. The Mayor shall appoint the Chair for each committee.

(a) Except as otherwise provided in these Rules of Procedure, the City Charter, the Cedar Park Code of Ordinances, or by statute, each board and commission shall consist of seven (7) members. For each board, commission, and committee, each position shall be appointed by majority vote of the City Council as designated by the Councilmember holding the corresponding place on the City Council at the time of the appointment.

(b) For a committee with more than seven (7) members, a member for the first seven (7) positions shall be appointed in accordance with subsection (A), above; a member for every eighth (8<sup>th</sup>) position shall be appointed by the Mayor once such position becomes vacant; and positions 9 - 15 shall be appointed by the Councilmembers in order of their

place designation, i.e. the Councilmember for Place 3 shall appoint positions 3, 11, and 19 (and so on) for each board, commission, or committee.

- (c) For a committee with fewer than seven (7) members, a member for each position shall be appointed by a majority vote of the City Council.
- (d) Procedure for Appointment.
  - (i) All candidates for appointment or reappointment to a board, commission, or committee shall submit to the City Secretary a completed and signed copy of the City's Application for Appointment, inclusive of a resume, letter of interest, and background check authorization.
  - (ii) No appointment or reappointment shall be placed on a meeting agenda for consideration until a completed and signed Application has been received and the background check has been completed. Applications for all candidates being considered for an appointment shall be included in the packet for the meeting at which the appointment is to be considered. The City Secretary shall notify all candidates for an appointment to advise when they should appear before the City Council regarding the appointment.
  - (iii) During a regularly scheduled or special meeting of the City Council, the City Council may hold public interviews for each prospective appointment to a board, commission, or committee. Prospective appointments to a board, commission, or committee shall be discussed in open session prior to consideration of the appointment by the City Council.
  - (iv) All applicants shall be notified of the selected appointment to the board, commission, or committee in writing by the City Secretary within five (5) business days of the appointment.
- (e) For the Civil Service Commission, each member shall be appointed by the City Manager and then confirmed by the City Council, in accordance with Section 143.006 of the Texas Local Government Code, as amended.
- (f) All board, commission or committee members shall serve at the pleasure of the City Council and may be removed at any time by an affirmative vote of a majority of the City Council.
- (g) Each board, commission or committee member shall acquaint themselves with the City Council's Strategic Goals and vision for the City. If appointed each board, commission or committee member, by accepting such appointment, shall agree to support the Strategic Goals and the City Council's vision, goals and objectives for the City in their appointed role.

4.4 Other Appointments. Unless otherwise provided, all other appointments shall be by a majority of the City Council.

4.5 Nepotism. No person related within the second degree by affinity or the third degree by consanguinity to any member of the City Council or the City Manager shall serve on any board, commission, or committee appointed by the City Council.

#### Chapter 5: Post-Election Transition Meetings

5.1 Recognition of Outgoing Councilmembers. Outgoing Councilmembers shall be recognized at the first meeting after candidate elections.

5.2 Installation of New Councilmembers. Installation of the new Councilmembers shall take place at the first meeting after the election results have been canvassed.