



# City of West University Place

*A Neighborhood City*

## **CITY COUNCIL**

Bob Higley, Mayor  
Kevin Trautner, Mayor Pro Tem  
Lauri Lankford, Councilmember  
John P. Barnes, Councilmember  
Ed Sobash, Councilmember

## **STAFF**

David J. Beach, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## **City Council Meeting Agenda**

Notice is hereby given of an **executive session, workshop** and **regular meeting** of the West University Place City Council to be held on **Monday, June 8, 2020** beginning at **4:00 p.m.** in the **Municipal Building** located at 3800 University Boulevard, West University Place, Texas, for the purpose of considering the agenda of items listed.

Due to the Novel Coronavirus (COVID 19) pandemic and CDC's recommendation regarding social distancing measures, the public will not be allowed to be physically present at this meeting, **City Council will** be audible to members of the public and allow for two-way communications for those desiring to participate. **To attend the meeting via telephonic means**, please use the following toll-free number: **1-844-648-1102**, **Meeting ID Number 841-495-323** or follow link to <https://join.me/westumeeting>.

**Any person interested in speaking** on any item on the agenda or during public comments must submit his/her request via email to the City Secretary at [tgilliam@westutx.gov](mailto:tgilliam@westutx.gov). The request must include the speaker's name, address, the phone number that will be used for the call, and the agenda item number, if applicable, and it must be received prior to the posted time of the meeting.

Note: All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and, if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

The agenda packet is accessible to the public on the City's website. After the meeting, a recording of this meeting will be made available to the public.

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## **EXECUTIVE SESSION**

- 1. Call to Order**
- 2. Convene into Executive Session**  
Matters related to legal services.

Executive Session will be held in accordance with Sections 551.071 and 551.074 of Chapter 551 of the Texas Government Code.

- 3. Adjourn Executive Session**

## **WORKSHOP (5:00 PM)**

- 4. Call Workshop to Order**

**5. Compensation Study and Personnel Policies and Employee Handbook**

Matters related to the 2020 compensation study and the City's Personnel Policies and Employee Handbook. *Recommended Action: Discuss and take any desired action. Mr. James Urban, HR Director*

**6. Adjourn Workshop**

**REGULAR MEETING (6:30 PM)**

**7. Call Regular Meeting to Order**

**8. Roll Call**

**9. Pledge of Allegiance**

**10. Proclamation for Dr. Evelyn Carson**

Matters related to a proclamation recognizing Dr. Evelyn Carson for her 100<sup>th</sup> Birthday. *Recommended Action: Read proclamation. Mayor Bob Higley [see Proclamation]*

**11. Public Comments**

This is an opportunity for citizens to speak to the Council relating to agenda and non-agenda items. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer his/her comments until such time the item is discussed.

Speakers are advised that comments cannot be received on matters which are the subject of a public hearing once the hearing has been closed. Public comments must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments.

Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. Speakers are required to register in advance and must limit their presentations to three minutes each.

**12. Information and Updates related to COVID-19**

Matters related to COVID-19. *Recommended Action: Discuss and take any desired action. Mr. Dave Beach, City Manager and Mr. Aaron Taylor, Fire Chief and Emergency Management Coordinator [see Agenda Memo 12]*

**13. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. City Council Minutes**

Approve the City Council Meeting Minutes of May 18, 2020. [see Action Minutes]

**B. Council Rules of Procedure**

Matters related to an ordinance adopting revisions to Council's Rules of Procedure. *Recommended Action: Adopt ordinance on the first of two readings. Mr. Dave Beach, City Manager [see Agenda Memo 13B]*

**C. Acceptance of Compensation Study**

Matters related to accepting the City's 2020 Compensation Study. *Recommended Action: Accept the City's 2020 Compensation Study. Mr. James Urban, HR Director [see Agenda Memo 13C]*

**14. Recess Regular Meeting to Convene Workshop**

Matters related to a modeling study on the City's storm water drainage system. ***Mr. Gerardo Barrera, Public Works Director***

**15. Adjourn Workshop and Reconvene Regular Meeting**

**16. Adjourn Regular Meeting**

With no other matter before the council, the meeting will adjourn.

**In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact City Secretary Thelma Gilliam at 713.662.5813 at least 24 hours prior to the meeting so that reasonable accommodations can be made to assist in your participation in the meeting. The Council Chambers is wheelchair accessible from the west entrance, and specially marked parking spaces are available in the southwest parking area. Special seating will be provided.**

I certify that the attached notice and agenda of items to be considered by the West University Place City Council on June 8, 2020, was posted on the Municipal Building bulletin board on June 5, 2020, at approximately 3:00 o'clock p.m.

***Thelma A. Gilliam***  
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Thelma A. Gilliam, City Secretary

(SEAL)

# *City of West University Place*

## *Proclamation*

### **100<sup>th</sup> Anniversary of the Birth of Dr. Evelyn Carson**

**WHEREAS**, Longevity of life is a blessing for an individual and for a community which benefits from the knowledge, creativity, and experiences this individual brings to all; and

**WHEREAS**, the City of West University Place recognizes with respect and admiration the contribution of senior citizens to our community; and

**WHEREAS**, Dr. Evelyn Carson was born on May 23, 1920 and has lived in West University Place for over 50 years; and

**WHEREAS**, Dr. Carson has always been driven to learn more and share knowledge with others, which is why she sought and earned a degree in Education from the University Houston; and

**WHEREAS**, her passion for learning and teaching has had a positive impact on her students as well as her professional associates and friends; and

**WHEREAS**, Dr. Carson has exemplified a love for her family and friends and must be commended for her life-long dedication to helping and teaching others in the community.

**THEREFORE, I, Bob Higley, Mayor of the City of West University Place, Texas, and on behalf of the City Council and the citizens of West University Place, honor Dr. Evelyn Carson for her long life and prosperity.**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of West University Place to be affixed.

Executed this 8th day of June 2020.

SEAL

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Bob Higley, Mayor



**AGENDA MEMO**  
Business of the City Council  
City of West University Place, Texas

<b>Meeting Date</b>	06042020	<b>Agenda Item</b>	12
<b>Approved by City Manager</b>	Yes	<b>Presenter(s)</b>	D. Beach, City Manager A. Taylor, EMC, Fire Chief
<b>Reviewed by City Attorney</b>	N/A	<b>Department</b>	Fire
<b>Subject</b>	Information and Update Related to COVID-19 and City Response		
<b>Attachments</b>	None		
<b>Financial Information</b>	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

**Executive Summary**

Update and discussion between City Council and staff on the COVID-19 emergency and City's response to this declared emergency.

**Recommended Action**

Discussion purposes only, no action recommended.



**AGENDA MEMO**  
Business of the City Council  
City of West University Place, Texas

<b>Meeting Date</b>	06.08.2020	<b>Agenda Item</b>	13A
<b>Approved by City Manager</b>	N/A	<b>Presenter(s)</b>	T. Gilliam, City Secretary
<b>Reviewed by City Attorney</b>	N/A	<b>Department</b>	Administration
<b>Subject</b>	Approval of the May 18, 2020 Minutes		
<b>Attachments</b>	Minutes		
<b>Financial Information</b>	Expenditure Required:	N/A	
	Amount Budgeted:	N/A	
	Account Number:	N/A	
	Additional Appropriation Required:	N/A	
	Additional Account Number:	N/A	

**Executive Summary**

The Minutes of the May 18, 2020 City Council workshop and regular meeting are attached for Council's review and approval.

**Recommended Action**

Staff recommends approval of the May 18, 2020 Minutes.



# The City of West University Place

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## **CITY COUNCIL MINUTES**

The City Council of the City of West University Place, Texas, met in a workshop and regular session via teleconference due to the Coronavirus (COVID-19) health threat on **Monday, May 18, 2020**, at **5:30 p.m.** in the Council Chambers in the Municipal Building, 3800 University, West University Place.

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Agenda items were as follows:

### **1. Call Workshop to Order**

Mayor Higley called the workshop to order at 5:30 p.m.

### **2. Roll Call**

Mayor Pro Tem Trautner, Councilmember Sobash, City Manager Beach, City Secretary Gilliam, Police Chief Walker, IT Director Dang and Public Works Director Barrera were present.

Councilmembers Barnes and Lankford, City Attorney Petrov and Planning and Zoning Chair Richard Wilson attended via teleconference.

### **3. Boards and Commissions**

Matters related to discussion concerning current and future projects of the City's boards and commissions and an update by Zoning and Planning Commission Chair Richard Wilson, with specific discussion relating to the City's noise and light ordinances. *Recommended Action: Discuss and take any desired action. Mr. Dave Beach, City Manager*

City Manager Beach presented and explained that this workshop is (1) to allow Zoning and Planning Commission (ZPC) Chair Richard Wilson to provide an update and receive feedback on the noise and lighting ordinances currently before the ZPC and (2) for Council to review issues it wants to address either at a boards and commissions level or at staff level.

Regarding the lighting ordinance, Mr. Wilson said it is being proposed that the ordinance be moved from the Zoning Ordinance to Chapter 54 of the Code where it would be a better fit because it deals generally with prohibited type activities that do have potential sanctions for violations.

Mr. Wilson said the existing general rule is that a person can't shine light onto a neighbor's property and it's the same premise in the proposed ordinance, though the ZPC has tried to improve on the wording.

Mr. Wilson said the ZPC meeting held last week resulted in two refinements of the ordinance:

1. All references to the phrase "light trespass" and the definition of light trespass are to be removed from the draft ordinance because the only place in the ordinance that the term actually appeared is

in the exception for residential security lighting – Sec. 54-219(c). He said after a lengthy discussion on residential security lighting the ZPC decided that the light trespass standard was inappropriate for security lighting and that the same general glare standard that governs in the ordinance was appropriate for security lighting; and

2. References to the lighting at the ballfield that are contained in 54-219(b) were deleted from the proposed ordinance because lighting at the ballfield is addressed in another specific ordinance that deals with ballfields in general.

Mr. Wilson said subject to any feedback received tonight, he thinks ZPC is ready to sign off on the final version of the ordinance at its next meeting.

Mayor Pro Tem Trautner asked if “glare” was different from “light trespass” and whether Nuisance Declared (Sec. 54-17) should include both because you can have a glare without light trespass and have a light trespass without a glare. Mr. Wilson said some amount of light on a property is going to illuminate a neighbor’s property regardless of what type of there is. He said the thinking behind staying away from light trespass is that there is too broad of a brush and it ends up prohibiting intrusions that are really not offensive to a person of ordinary sensibilities. Mr. Wilson said light trespass is a difficult term to define and as a matter of physics a certain amount of light trespass is really inevitable.

Councilmember Lankford said she noticed that a penalty applies to a person, corporation or association, but under the Nuisance Declared section it states only that it would be unlawful for any person to cause or permit, etc., and she wonders if it should be “any person, corporation or association” as stated in the penalty section. Mr. Wilson said he believes the catch all definition of persons that is in the general Code of Ordinances is broad enough to actually include corporation and association. He said his guess is that the penalty language was copied out of some other ordinance and maybe that is something the city attorney can review.

City Attorney Petrov confirmed that the definition of “persons” in the earlier part of the Code is extremely broad and includes corporations and associations, however he recommended that the language be made consistent.

Councilmember Lankford asked Mr. Wilson to confirm whether the field lighting portion has been taken out of the ordinance. Mr. Wilson said yes it has, because in Section 54-219(b) there is a provision that states field lighting for outdoor athletic facilities shall be turned off within 30 minutes and that the ordinance that governs the little league fields, which he believes is in Chapter 58, specifically addresses shut-off times on a field by field basis for those fields. He said any other fields would likely be owned by the City and one of the exceptions is to exempt the City from this ordinance. He said the City will develop its own procedures for when it wants to turn its lights off at the fields (i.e. the lights at the Rec Center).

Councilmember Lankford also pointed out that in number 4 of Section 54-219 the word “confirm” should be “conform.”

Councilmember Barnes asked in regards to 54-291(c) if there any kind of industry standard definition for residential security lighting that the City can use because he can see where the City could get into some kind of issue as to what constitutes security lighting. Mr. Wilson said no one has suggested any such definition and he thinks the example of motion activated flood lights is some indication of security lighting. He said the argument can be made that most of the exterior lighting, unless it’s illuminating the house itself, can be argued as being some form of security lighting.

The mayor then proceeded to the topic of noise.

Mr. Wilson said the City has an existing noise ordinance that's found in Chapter 54 and it has a slightly different structure than the proposed ordinance. He said the current ordinance basically does not have what is Sec. 54-40 in the proposed ordinance – a general noise level limit. He said the existing ordinance has a basic nuisance standard and an enumeration of a number of specific noises. He said the ZPC thought it was a good idea to just have a general rule and add it to Sec. 54-40.

Mr. Wilson said the two biggest noise issues are construction and yard equipment.

Mr. Wilson said in Sec. 54-41(7) of the proposed ordinance, which deals with construction noise, ZPC went with the approach that outside of quiet hours there is no noise decibel base prohibition on the theory that construction is what it is. He said setting levels would result in unintended consequences about the way construction actually functions. He also said that construction is somewhat transitory and its protection is the quiet hours, which have been expanded in the proposed ordinance by one hour in the evening on weekdays and three hours on Saturdays and Sundays.

Mr. Wilson said the way it will work under the proposed ordinance is that outside of quiet hours, construction noise is whatever construction noise is. Within quiet hours, construction is going to have to meet the decibel standard in Sec. 54-40, which is a fairly low standard.

Mr. Wilson then began the discussion on yard equipment. He said the ZPC had a tough time from a legislative approach on the subject of yard equipment, specifically leaf blowers. He said they considered a number of approaches, plus another that hasn't been discussed as a Commission but he will mention it anyway. He said the four approaches reviewed are:

1. Stay with the way it is under the current ordinance, which is that the activity is basically prohibited during quiet hours and outside of the quiet hours neither the equipment nor the sound levels generated by the equipment are regulated (this one received the most support at their recent meeting).
2. Have a noise-based standard outside of quiet hours so if a homeowner is using leaf blowers during the day, there will be a decibel limit.
3. Regulate the equipment instead of the noise. This approach is contained in the proposed ordinance. The equipment has to be certified at 65 decibels or less. He said for enforcement it's a very simple matter to determine whether the equipment is compliant with the standard or not. He said the argument against the equipment-based standard is that it's likely that most landscapers working in West U probably don't own compliant equipment and would have to go to purchase compliant equipment, which would result in higher prices.
4. Limit the use of yard equipment to certain days of the week. The argument against this approach is landscapers have work elsewhere on different days. He said if Council were to take this approach it would probably have to allow the use of yard equipment outside quiet hours on Saturday for the do-it-yourself element of the City's populace.

Mayor Pro Tem Trautner said he thinks ZPC did a great job with the ordinance and said he is in favor of both the increase in quiet hours and the equipment decibel limitation. He said he thinks it's a nice option to go with the decibel limitation because ultimately Council can tweak the limitation now or in the future.

Councilmember Barnes said he agrees with Mayor Pro Tem Trautner and think it's great to have a mechanical decibel level approach. He said the one thing he would add is that the City allow contractors a time period to bring equipment into compliance rather than have it go into effect immediately.

Councilmember Sobash said if Council takes the approach of regulating equipment it ends up picking a number (65 decibels), which seems arbitrary. Mr. Wilson said 65 decibels is the number that frequently shows up in the ordinances of other municipalities.

Mayor Pro Tem Trautner said he is confident that this Council can agree upon either 65 or 70 decibels. He said the important thing is the structure and approach.

Councilmember Sobash said leaf blowers may be the majority of the lawn equipment used, but there are lawnmower noises, power washer noises and a host of very often used similar sounding equipment that are probably much louder. He said his power washer is much louder than his leaf blower and if he couldn't use his leaf blower and used his power washer to blow his sidewalks he'd be compliant with the rules and that seems strange to him.

Councilmember Sobash said there will be a lot of do-it-yourself homeowners like him whose equipment won't be in compliance.

Councilmember Lankford asked how the ordinance will be enforced. Mr. Wilson said when there is a complaint, Code Enforcement will go to the property with the sound meter. City Manager Beach added that on weekends it would be law enforcement that would respond to the complaint and that a lot of the equipment are stamped with the number of decibels. He said as the City moves forward with this, staff will have a list of approved machines that residents can refer to and the last result would be to pull up the manufacturer's website.

Councilmember Lankford asked why ZPC picked the property line of a property to measure noise levels rather than at any point on the property. She said a resident wrote in with a good point stating that noise can be muffled by a bush or vines at the property line but in the middle of the property the noise could be louder because of being further away from the buffers. Mr. Wilson said he is not an expert on sound but it seems to him that it is not real likely that the noise would be louder the further away from the source of it.

Mr. Wilson said the proposed ordinance has a laundry list of things in the new number 13 of Sec. 54-41 which basically deals with equipment other than leaf blowers. He said it provides for a decibel limit measured at 25 feet and the reason is that if you measure it at the property line all equipment would be in violation.

City Manager Beach begin to wrap things up and confirmed that Council is in favor of increasing the quiet hours and that a majority is in favor of looking at a decibel level for the equipment.

Councilmember Lankford inquired about Sec. 54-43. She said because of changes to the nuisance law in 2016 she thinks it is better to say "in violation of this article" instead of "declared to be a public nuisance." Councilmember Barnes said he agrees with the suggested language.

Mayor Higley said the city attorney can review the language and also see what kind of action would be considered offensive for the purpose of allocating damages.

City Manager Beach moved on to the discussion on projects for boards and commissions that were submitted to him by councilmembers prior to the workshop. He reviewed the items for feedback as to whether they want to proceed with the projects and at what level (board/committee or staff).

1. Are the City's rules with respect to removal of trees during construction and the requirement to plant replacement trees versus replacement inch certificates (e.g. contribution to the Tree Trust) still appropriate or do they need to be modified?

Council agreed that this should be reviewed at the staff level first to see if there is an issue before deciding to give it to the appropriate board/commission.

2. Are there new pervious materials that can be used for driveways? If so, can they be specified in the Code of Ordinances so that a special exception from the ZBA is not necessary anytime residents wish to use something other than concrete?

Council agreed to have the appropriate board/commission review.

3. The State has prevented cities from regulating building materials permitted under the International Building Code. Can a city do something along the lines of additional registration for problematic building materials, such as stucco?

Council agreed that staff will provide recommendations to the appropriate board/commission to review.

4. Should all "through" lots really be subject to the double setbacks currently in the City's Ordinances?

Majority of Council agreed to have the appropriate board/commission review.

5. Is it still appropriate to prohibit "multiple utility service" (i.e. a second utility meter) on a property?

City Manager Beach recommended leaving the process as a special exception.

6. I would like to see more virtual classes, activities and seminars added to our recreational offerings on an ongoing basis. (Parks & Senior Boards)

Council agreed to have the appropriate board/commission review.

7. I would like the Council to consider whether we would like a Board, such as the Recycling Board, to provide input on some green initiatives for residents, such as, the city offering rain barrels to every home and ended up cutting their detention requirements significantly. In West U's case, this would be unlikely to have a significant impact our runoff, however, every little bit helps.

Council agreed to have the appropriate board/commission review.

8. Consider increasing pervious surface on property/building sites to help with stormwater runoff, increasing separation between homes for airflow and possibly look a variable requirement based upon the size of the lot (Current coverage is 80/20 whether it is a 5,000 sq. ft. lot or a 20,000 sq. ft. lot)

Council agreed to have the appropriate board/commission review.

Councilmember Barnes said he wanted to add one issue that comes up periodically which is that Council should look at how it requires contractors to communicate when those "noisy" activities are going to be taking

place on adjacent properties. He said contractors should be required to inform neighbors of when construction that will take a day or two will take place because they know in advance.

**4. Adjourn Workshop**

Councilmember Barnes moved to adjourn the workshop at 6:29 p.m. Mayor Pro Tem Trautner seconded the motion. **MOTION PASSED.**

**Ayes:** Higley, Trautner, Barnes, Lankford, Sobash  
**Noes:** None  
**Absent:** None

**REGULAR MEETING (6:30 PM)**

**5. Call Regular Meeting to Order**

**6. Roll Call**

**7. Pledge of Allegiance or Moment of Silence**

Police Chief Ken Walker led the Pledge.

**8. Public Comments**

This was an opportunity for citizens to speak to City Council relating to agenda and non-agenda items.

**Mr. Aurelio Diez, 4025 Southwestern** (attending via phone), spoke regarding the noise ordinance and thinks the current revision is a step in the right direction. He said he supports the increase in the quiet hours being proposed, but he suggested to Council that the quiet hours be expanded even further or that a noise-free day be established – maybe Sundays.

City Secretary Gilliam received and read emails received from residents. The emails have been summarized as follows:

**Elizabeth Strelow, 6519 Mercer**, expressed her support for both increasing the quiet hours and implementing a decibel restriction on equipment.

**Kim King, 6603 Rutgers**, expressed that she is in support of the draft ordinance that sets decibel maximums and expanding quiet hours.

**Richard Beck, 4116 Rice**, expressed that he is for both increasing quiet hours and implementing a decibel restriction on equipment. He stated that he also believes the measuring location should have more flexibility.

**Cynthia Johnson, 3805 Tennyson**, expressed her support for the addressing the hours of operation and permissible noise levels of equipment. She also suggested eventually phasing out the use of gas blowers as better equipment is available.

**Paul Scheet, 3602 Carnegie**, expressed that he is both for increasing the quiet hours and implementing a decibel restriction on equipment.

## 9. **Council Rules of Procedures**

Matters related to reviewing the Council Rules of Procedures. *Recommended Action: Discuss and take any desired action.* **Mr. Dave Beach, City Manager**

City Manager Beach presented and said the ordinance is being revised to include a rule that relates to remote council meetings. He said the current Rules were sent to Council prior to the meeting for review and any suggested revisions.

Mr. Beach read the following inquiries/suggestions received from Councilmember Lankford:

- Rule 7 and Rule 17 - Revisions necessary to permit remote attendance and how remote attendance affects who will be the presiding officer.
- Rule 10 - The Deadline for including an agenda item needs to be better defined. Does this mean 5 full days or 5 business days? Also, is the day of the meeting counted in the calculation of days or not? All makes a difference for the determination of the deadline.
- Rule 11 - When a request to include an agenda item is submitted to the City Secretary, the request must also be forwarded to all Council members. Rule 10 permits that such a request can also be submitted to the City Manager. When a Council member submits a request per Rule 10 to the City Manager, must the request be also be forwarded to all Council Members? This should be clarified.
- Rule 27 - I am concerned the passage of H.B. 2840 has impacted this rule. In part, Rule 27 requires that all public comments must be kept "relevant". H.B. 2840 states that "reasonable rules" may be adopted regarding the public's right to address a governmental body. However, H.B. 2840 also states that the governmental body may not prohibit "public criticism of the governmental body" unless the public criticism is otherwise prohibited by law. Since West U permits public comments all issues (agenda and non-agenda), I am concerned that the relevancy requirement in Rule 27 of the City Council's Rules of Procedure could be construed as an attempt to prohibit criticism. I would like the Council to consider whether the relevancy requirement of this Rule should be omitted.

Councilmember Trautner asked if a councilmember participating remotely under the new proposed ordinance revision would be considered present at a meeting for all purposes – meaning quorum, voting and so forth. City Attorney Petrov said yes if the member attends remotely per the provisions of the Open Meetings Act (OMA) the member will be considered present for all intended purposes.

Councilmember Trautner said the language being added relating to remote meetings infers that a quorum (3 members) has to be physically present at the meeting location. City Attorney Petrov said that is correct. He said right now the City is operating under a suspension of the OMA, but once the OMA begins operating under normal conditions members of City Council will be allowed to attend remotely but will be required to have a physical meeting location that is open to the public and a quorum present at the physical location.

City Attorney Petrov confirmed that a member attending a meeting via video conferencing is considered present for all purposes and counted as part of the quorum but that a physical quorum will need to be present at the meeting location as well.

Councilmember Lankford asked if renumbered Rule 24 where it states "...concurrence of a majority of the Council present" includes the member attending via video. City Attorney Petrov confirmed that it does include the member attending video because that person is in the meeting for all purposes.

Mayor Higley confirmed with City Attorney Petrov that a quorum has to be physically present at a meeting location but a councilmember (or two councilmembers) doesn't have to be physically present to be part of a voting group. Mayor Higley said he doesn't think it makes much sense.

City Secretary Gilliam said the reason for allowing video conferencing is so that a councilmember (or two) is able to attend the meeting if he/she is out of town or whatever and is not able to be in attendance physically.

Councilmember Sobash asked if the mayor was not in attendance if he would still be able to run the meeting via video conferencing. City Attorney Petrov said yes for all intended purposes. Councilmember Lankford questioned whether this was correct and asked the City Attorney to verify his position.

Councilmember Barnes suggested that for the future Council consider who the most "senior" councilmember is (Rule 17).

Councilmember Barnes also inquired about Rule 7 where it states "a request by a councilmember to attend a meeting remotely must be sent to the City Secretary within three days of a scheduled meeting. He asked if that is business or calendar days. City Secretary Gilliam replied 3 business days.

After a brief discussion, it was the desire of Council to remove the number of days from Rule 7.

Councilmember Lankford said on pages 6, 7, and 8 the Rules that have been embedded in the text (cross-references) have not been renumbered.

Mayor Pro Tem Trautner inquired about renumbered Rule 11 (Agenda Deadline) having to do with providing (in writing) to the City Secretary or City Manager with the subject of an item to be placed on the agenda by 5:00 pm on the fifth day preceding the meeting.

Councilmember Sobash suggested deleting the "fifth day" and "in writing" requirements from renumbered Rule 11 and all were in agreement.

Mayor Pro Tem Trautner suggested revisions to Rule 27 (Remarks to be Germane). He said what he thinks it means to say is "Public comments on agenda items..." so if the sentence was revised to say "public comments on agenda items must be kept relevant to the subject before the Council" he thinks that fits and works.

Councilmember Barnes said Council can't limit comments to what is on the agenda. Councilmember Lankford said Council can limit it to agenda items only, but it doesn't and City Attorney Petrov agreed and said that Council's Rules don't allow limitations as currently written.

Councilmember Barnes said he is not for limiting comments to agenda items only. Mayor Pro Tem Trautner said he was just talking about fixing the language. He said there are two sets of comments that people can make – either comments during the agenda discussion on the agenda items in which case you could say you want those comments limited to the agenda items and then they also have the opportunity under the public comment section that is unrelated to the agenda to just make any comments they want. He said he is fine substantively with people coming up on the agenda item and they have 2 minutes on the agenda item and they bring up something else for the remaining minute.

Councilmember Lankford said she is fine with that, too. She said because of the new House Bill that was incorporated into legislation states that Council can't prevent criticism, her concern is the statement that the public speaking about matters "must be kept relevant." She said she doesn't see why it needs to be relevant or irrelevant because people are allowed to talk about matters not on the agenda. She said if there is a subjective basis to prevent somebody for speaking by saying "that's not relevant" it could be applied to people that are criticizing and then would it be a restriction that isn't allowed. She said her concern is that it would look like they are restricting people from speaking.

City Attorney Petrov said he understands Councilmember Lankford's point regarding relevancy, especially when Council allows the public to speak on anything. He said to the House Bill, however, he says that any criticism is by definition of the statue therefore relevant because the statue prevents the criticism. He said if a person was criticizing the council he would advise that the criticism is a relevant comment.

City Manager Beach said staff will bring back the ordinance with revisions based on tonight's comments for Council's review.

#### **10. Harris County Multi-Hazard Mitigation Plan**

Matters related to adopting a resolution accepting the Harris County Mitigation Plan. *Recommended Action: Accept Volume 1 and the City of West University Place's portion of Volume 2 of the Harris County Multi-Hazard Mitigation Plan. Mr. Aaron Taylor, Fire Chief*

Chief Taylor presented and said that under the Disaster Mitigation Act of 2000, the United States Federal Emergency Management Agency (FEMA) requires that local jurisdictions have in place a FEMA-approved Hazard Mitigation Action Plan (HMP) as a condition of receipt of certain future federal mitigation funding.

The HMP serves as a guiding document to analyze and reduce the jurisdiction's vulnerabilities to a variety of hazards and though updated annually it must be adopted by Council every 5 years.

Councilmember Sobash moved to adopt the Resolution accepting all of Volume 1 and the City of West University Place's portion of Volume 2 of the Harris County Multi-Hazard Mitigation Action Plan. Councilmember Barnes seconded the motion. **MOTION PASSED.**

**Ayes:** Higley, Trautner, Barnes, Lankford, Sobash  
**Noes:** None  
**Absent:** None

#### **11. Information and Updates related to COVID-19**

Matters related to COVID-19. *Recommended Action: Discuss and take any desired action. Mr. Dave Beach, City Manager and Mr. Aaron Taylor, Fire Chief and Emergency Management Coordinator*

Fire Chief Taylor reported the following:

- As of today, the cases for Harris County in Houston is 9,465 cases. Of those, 5,698 are active cases, 3,563 recovered and 204 deaths.
- As of Sunday, West U has 14 confirmed cases and no deaths of which staff is aware.
- This week is a week of transition for full-time employees for the City's reopening on June 1.
- Parks and Recreation continues to work on plans for a modified schedule to reopen the Rec Center on June 1.
- Governor Abbott provided an update to today – Executive Order GA13 Phase II of the Open Texas Plan.

- Surge of cases due to reopening has not happened.
- Phase II reopening was mostly restaurants increased capacity from 25% to 50%.
- There will be a delay in opening of West U Colonial Park pool.

Councilmember Sobash asked about guidance on parks and pools. Chief Taylor said the Governor is looking at the Disney model. City Manager Beach said the regular pools are able to open, but the Rec Center pool is scheduled to open on June 1 depending on the training of lifeguards, etc.

## **12. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

### **A. City Council Minutes**

Approve the City Council Workshop Minutes of May 11, 2020.

### **B. Landscaping Contract**

Matters related to rejecting bids relating to the landscaping contract. *Recommended Action: Reject bids. Ms. Susan White, Parks and Recreation Director*

### **C. Storm Sewer Management Project**

Matters related to rejecting bids for the Storm Sewer Management project. *Recommended Action: Reject bids. Mr. Gerardo Barrera, Public Works Director*

Mayor Pro Tem Trautner moved to accept the Consent Agenda as presented. Councilmember Lankford seconded the motion. **MOTION PASSED.**

**Ayes:** Higley, Trautner, Barnes, Lankford, Sobash  
**Noes:** None  
**Absent:** None

## **13. Adjourn Regular Meeting**

With no other matter before council, the meeting will adjourn.

Councilmember Lankford moved to adjourn the meeting at 7:20 p.m. Councilmember Sobash seconded the motion. **MOTION PASSED.**

**Ayes:** Higley, Trautner, Barnes, Lankford, Sobash  
**Noes:** None  
**Absent:** None

*Audio of this Council Meeting is available on the City's website or contact the City Secretary's office for a copy.*

Prepared by: City Secretary Thelma A. Gilliam

Approved by City Council on: \_\_\_\_\_



# AGENDA MEMO

Business of the City Council  
City of West University Place, Texas

<b>Meeting Date</b>	06/08/2020	<b>Agenda Item</b>	13B
<b>Approved by City Manager</b>	Yes	<b>Presenter(s)</b>	D. Beach, City Manager
<b>Reviewed by City Attorney</b>	Yes	<b>Department</b>	Administration
<b>Subject</b>	City Council Rules of Procedure		
<b>Attachments</b>	<ol style="list-style-type: none"> <li>Proposed Ordinance</li> <li>Exhibit A – Proposed Changes to City Council Rules of Procedure</li> </ol>		
<b>Financial Information</b>	Expenditure Required:		None
	Amount Budgeted:		None
	Account Number:		None
	Additional Appropriation Required:		None
	Additional Account Number:		None

## Executive Summary

Based upon comments received at the May 18 City Council meeting, staff has made the necessary edits to the City Council’s Rules of Procedure. The primary change is the addition of Rule 7 which allows for remote attendance of meetings. A few other minor changes (see redlined edits) in the Rules of Procedure were based upon Council’s discussion during the May 18 meeting.

### Additional Changes / Clean Up:

- **Rule ~~17~~18. Presiding Officer.** The Mayor, or in the Mayor's absence or inability to perform, the Mayor Pro Tem, shall be the presiding officer at all Council meetings. If both the Mayor and Mayor Pro Tem are absent or unable to perform, the most senior Council Member present shall preside. In the event two or more Members equally possess the greatest seniority, then the eldest person among them shall preside. For this purpose, seniority is measured by current, continuous service on the City Council.

*When the Mayor or Council Member who would be the meeting’ Presiding Officer is attending remotely, the senior member of Council present at the physical meeting location will be the Presiding Officer.*

- **Rule ~~27~~28. ~~Remarks to be Germane~~ Matters on the Agenda.** Public comments on matters on the agenda must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. *This rule does not prohibit criticism of the City or criticisms of actions or omissions of the City*

- **Rule 2829. Matters Not On the Agenda.** Discussion of matters not on the agenda is usually governed by Section 551.042 of the Texas Government Code, which currently provides:
  - (a) If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:
    - (1) a statement of specific factual information given in response to the inquiry; or
    - (2) a recitation of existing policy in response to the inquiry.
  - (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

Persons making personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. This rule does not prohibit criticism of the City or criticisms of actions or omissions of the City.

#### Recommended Action

Staff recommends that Council approve the ordinance adopting Council Rules of Procedure on the first of two readings.

City of West University Place  
Harris County, Texas

**ORDINANCE NO. XXXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS; AMENDING APPENDIX B, RULES OF PROCEDURE, OF THE CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:**

**Section 1.** Appendix B, Rules of Procedure, of the Code of Ordinances of the City of West University Place, Texas is amended to read as set out in Appendix A, attached hereto. All other portions of Appendix B of the Code of Ordinances not specifically amended hereby remain in full force and effect.

**Section 2.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 3.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

**Section 4.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**Section 5.** This Ordinance takes effect immediately upon its passage and adoption on second reading.

**PASSED, APPROVED AND ADOPTED ON FIRST READING** on the \_\_\_\_ day of \_\_\_\_\_, 2020.

**PASSED, APPROVED AND ADOPTED ON SECOND READING, AND SIGNED,** on the \_\_\_\_ day of \_\_\_\_\_, 2020.

(Seal)

**Attest:** \_\_\_\_\_ **Signed:** \_\_\_\_\_  
City Secretary Mayor

Recommended by: \_\_\_\_\_  
City Manager

Approved as to legal form: \_\_\_\_\_  
City Attorney



Appendix A to Ordinance No. XXXX

CITY OF WEST UNIVERSITY PLACE
RULES OF PROCEDURE

Part I. General Provisions

Rule 1. Scope of Rules. These rules shall govern the conduct of the Council and shall be interpreted to insure fair and open deliberations and decision making.

Rule 2. Technical Parliamentary Forms Abolished. Except as specifically required by these rules, the Council shall not use any formal points of parliamentary order, personal privilege, parliamentary inquiry or other technical forms.

Rule 3. Rulings; Matters Not Covered. The presiding officer shall rule, initially, on all questions of procedure. The ruling of the presiding officer may be appealed to the entire Council. Any matter or order or procedure not covered by these rules shall be decided in the same manner.

Rule 4. Interpretation. These rules are intended to supplement and shall be interpreted to conform with the statutes of the State of Texas and the charter and ordinances of the City of West University Place. In general, these rules shall be interpreted to allow the majority to prevail but preserve the right of the minority to be heard.

Part II. Time and Place of Meeting

Rule 5. Regular Meetings. The City Council shall meet in regular session on each second and fourth Monday in each calendar month beginning at 6:30 PM. The City Council, by motion, resolution or ordinance, may reschedule any regular meeting. If a regular meeting falls on a legal holiday, it is automatically rescheduled for the following Monday, unless rescheduled by the City Council.

Rule 6. Special Meetings. Calling special meetings is governed by Section 2.09 of the Charter, which currently provides: "Special meetings may be called by the City Secretary at the request of the Mayor or two Members of Council. The City Manager shall be notified of all special meetings." A request for a special meeting shall be filed with the City Secretary in written form unless made at a regular meeting at which all Council Members are present.

Rule 7. Remote (Virtual) Meetings. As permitted by the Texas Open Meetings Act, Chapter 551, Texas Government Code, a member of the City Council will be provided the opportunity to attend City Council meetings remotely via video conference if he/she is not physically able to attend a meeting and a quorum of the City Council will be physically present at the meeting location. A request by a Council Member to attend a meeting

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~~remotely must be sent to the City Secretary within three (3) days of a scheduled meeting.~~

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**Rule 87. Quorum, Majority Voting.** Quorum and majority voting are governed by Section 2.10 of the Charter, which currently provides: A majority of Council, qualified and serving, shall constitute a quorum at all meetings for the transaction of business, and no action of the Council shall be of any effect unless it is adopted by the favorable vote of a majority of Council present unless otherwise provided by this Charter.

### Part III. Agenda

**Rule 98. Preparation of Agenda; Requests.** As a general rule the City Manager creates each City Council agenda. The City Secretary prepares, posts and distributes notices of meetings and assembles the agenda package. The City Manager is responsible for approving each agenda package before posting. The City Manager must place a subject on the agenda if the subject is requested by the Mayor or by two or more Council Members.

**Rule 109. Consent Agenda.** In preparing an Agenda the City Secretary may separately designate items as "Consent Agenda" which may be acted upon by the Council under Rule 354. The "Consent Agenda" shall consist of routine items, which in the City Secretary's determination can be appropriately considered as a group (without separate discussion) at the Council meeting.

**Rule 110. Agenda Deadline.** All requests to place a subject on the agenda must be ~~in writing (including fax or e-mail) and~~ provided to the City Secretary or City Manager ~~by 5:00 PM on the fifth day preceding the meeting.~~

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**Rule 124. Requests to Include.** Each request to include an agenda item shall be forwarded to all members of the Council at the time the request is submitted to the City Secretary or City Manager. When a Council Member will be absent from a meeting, the Council Member may request that an item not be included and such request shall not be unreasonably denied.

**Rule 132. Withdrawal of Items.** The person who requests an item be placed on the agenda may withdraw the item from the agenda prior to the Council meeting, but in withdrawing the item shall state the reason and such reason shall be transmitted to the Council.

**Rule 143. Council Action to Defer, Continue or Not Act.** A Council Member wishing to withdraw, defer or continue an item may make a motion to that effect. Such a motion shall be considered before any other action on that item.

**Rule 154. [Reserved]**

### Part IV. Conduct of Meetings

**Rule 165. Roll Call.** Before proceeding with the business of the Council, the City Secretary shall note the Members present, and enter their names in the minutes. The presiding officer shall determine the presence of a quorum as required by law and these rules.

**Rule 176. Call to Order.** The presiding officer shall call the meeting to order.

**Rule 187. Presiding Officer.** The Mayor, or in the Mayor's absence or inability to perform, the Mayor Pro Tem, shall be the presiding officer at all Council meetings. If both the Mayor and Mayor Pro Tem are absent or unable to perform, the most senior Council Member present shall preside. In the event two or more Members equally possess the greatest seniority, then the eldest person among them shall preside. For this purpose, seniority is measured by current, continuous service on the City Council.

When the Mayor or Council Member who would be the meetings' Presiding Officer is attending remotely, the senior member of Council present at the physical meeting location will be the Presiding Officer.

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**Rule 198. Control of Discussion.** The presiding officer shall moderate discussion of the Council on each agenda item to assure full participation in accordance with these rules. The presiding officer will preserve order and decorum, preventing the impugning of any member's motives or other personal comment not relevant to the orderly conduct of business. The presiding officer shall request all speakers to keep comments brief and relevant to the question before the Council. All persons present in the meeting room should avoid abusive, rude or inappropriate conduct. See Chapter 38 of the Texas Penal Code regarding the "hindering" of official proceedings.

**Rule 2019. Order of Consideration of Agenda.** Except as otherwise provided in these rules, each agenda item shall be considered in the numerical order assigned by the City Secretary. Each agenda item shall be introduced by the presiding officer. To introduce an item, it shall be sufficient to identify the item by the number assigned by the City Secretary. However, as provided in Section 2.11 of the City Charter: Every ordinance shall be introduced in writing or printed form and have a clearly summarized and fully descriptive title or caption. After a measure is introduced, the standard procedure is as follows:

- (1) Reading of the measure by the City Secretary (or other person designated by the presiding officer). Reading ordinances or resolutions by caption or summary is allowed if the full text is available as prescribed by the Charter. (Note: Section 2.11 of the Charter currently requires additional steps for ordinances: "The reading aloud of the title or caption of the ordinance shall suffice as a reading provided that printed copies of the ordinance, in the form required for adoption, are available to all members of Council and that a reasonable number of additional copies is available to interested citizens present at the Council meeting. A majority of the Council qualified and serving may require an ordinance to be read in its entirety.")

- (2) The City Manager or other person may present a staff statement.
- (3) Public comments that have been deferred to the agenda item.
- (4) Discussion.
- (5) Motion and second.
- (6) Additional discussion, if necessary.
- (7) Vote. Informal voice voting shall be used, unless a Council Member requests a roll call vote. On a roll call vote, the moving member votes first, the seconding member votes second, the remaining members vote in alphabetical order and the presiding officer votes last (unless the presiding officer has moved or seconded the motion). In case of a tie, the motion fails.

**Rule 210. Presiding Officer's Right to Enter into Discussion.** The Mayor (or other presiding officer) as a Member of the Council may enter into any discussion.

**Rule 224. Limit on Remarks.** Each Council Member shall limit his or her remarks to a reasonable length.

**Rule 232. Presiding Officer's Right to Speak Last.** The presiding officer has the right to speak last on any item.

**Rule 243. Closing Debate or Discussion.** Debate or discussion shall be closed on any item by the presiding officer with the concurrence of a majority of the Council present. Except as provided by Rule 312, a call for the vote shall not close discussion if any Member of the Council still wishes to be heard or the presiding officer determines the continued participation of others will be helpful to the Council.

## **Part V. Citizen Participation**

**Rule 254. Public Participation.** Comments and suggestions by the public are highly valued and encouraged during those parts of a meeting designated for public participation. Speakers should register in advance and should limit their presentations to three minutes each. Speakers should direct all remarks and questions to the Council. The presiding officer may refer a matter for investigation, response or other action. Public comments by a speaker relating to a non-agenda item shall be heard after the pledges at the beginning of a meeting. For comments relating to an agenda item, the speaker has the option of speaking during the Public Comment Period or may defer his/her remarks until the subject agenda item is addressed by Council. Council members may ask questions of a speaker or discuss a matter raised by a speaker if the matter is included as an item on the agenda. The Mayor may request a staff report or comments on an agenda item before calling for public comments. The "Texas Open Meetings Act" requires the City to post a notice, in advance, listing every topic or subject to be considered by the Council. This law may prevent the Council from considering a subject raised by a member of the public. In this case, the presiding officer may refer the matter, and the Council may direct that the matter be placed on the agenda for an upcoming

meeting.

**Rule 265. Manner of Addressing Council.** A person desiring to address the Council shall step to the lectern or other designated place, state his or her name and address for the record.

**Rule 276. Total Time Limits.** Total time for public comment on any subject under Council consideration can be limited to a fixed period by the presiding officer. A majority vote of the Council may extend the time limitations of this rule.

**Rule 287. ~~Remarks to be Germane~~Matters on the Agenda.** Public comments on matters on the agenda must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. This rule does not prohibit criticism of the City or criticisms of actions or omissions of the City

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**Rule 298. Matters Not On the Agenda.** Discussion of matters not on the agenda is usually governed by Section 551.042 of the Texas Government Code, which currently provides:

- (a) If, at a meeting of a governmental body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:
  - (1) a statement of specific factual information given in response to the inquiry; or
  - (2) a recitation of existing policy in response to the inquiry.
- (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

Persons making personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. This rule does not prohibit criticism of the City or criticisms of actions or omissions of the City

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## **Part VI. Council Action**

**Rule 3029. Motion Required.** All action requiring a vote shall be moved by a Member of the Council.

**Rule 310. Motion to Reconsider.** Except in case of a tie vote, a motion to reconsider must be made by a Council Member who was on the prevailing side in the original action or by a Council Member absent at the time of the original action. The motion must be made at a meeting when the subject is on the agenda. See Rule 98.

**Rule 324. Less Than a Full Deck.** When only three Members of the Council are in attendance at a meeting and an agenda item fails to receive two affirmative or negative votes, the item shall, upon the request of any Council Member in attendance at the

meeting, be continued and placed on the agenda for the next Council meeting, and continued thereafter upon the agenda for subsequent meetings until it shall receive sufficient affirmative or negative votes to pass or fail. If consideration of an ordinance is continued under this rule, the ordinance shall not be considered to have been read or voted upon.

**Rule 332. Call for Vote.** At the conclusion (or closure) of debate or discussion, the presiding officer shall call for a vote, provided however, a majority of the Council present may close further discussion and require a vote at any time.

**Rule 343. Separate Consideration.** Except as otherwise required by these rules each agenda item shall be voted upon separately and each separate vote shall be recorded by the City Secretary.

**Rule 354. Action on Consent Agenda.** Except as herein provided, the "Consent Agenda" shall be considered as a group (without separate discussion on each item). When the Consent Agenda is introduced, each Council Member has the right to remove any item, in which case the item is handled under Rule 2049. After items are removed, the presiding officer shall ask the Members to indicate their votes on the remaining Consent Agenda items. Each Member may indicate a separate affirmative vote on each remaining item by saying "aye," or the Member may indicate a different vote on any particular item, in which case that item is automatically removed from the Consent Agenda and handled under Rule 2049. The City Secretary shall record the votes on each item separately.

**Rule 365. Consideration Out of Order.** With the consent of the Council any agenda item may be considered out of order, at the request of a Council Member.

**Rule 376. Recording Names of Moving Members.** The City Secretary shall record the name of the Council Member making each motion and seconding each motion.

**Rule 387. [Reserved]**

**Rule 398. [Reserved]**

#### **Part VII. Miscellaneous**

**Rule 4039. Voting Required.** Section 2.10 of the Charter requires Members to vote, as follows:

Each member of Council present shall vote on every action taken by Council unless the action involves the member's own conduct or presents a possible conflict of interest. In that case, the member shall file with the City Secretary a written statement of the reason for abstaining.

Any Member prohibited from voting by personal interest shall announce at the

commencement of consideration of the matter and shall not enter into discussion or debate on any such matter.

Any Council Member refusing to vote--and not excused from voting--shall be recorded in the minutes as voting in the affirmative.

**Rule 410. Suspension of Rules.** These rules or any part hereof may be suspended for a specific purpose, or any single meeting, by a vote of three-fourths of the Council Members present.

**Rule 421. Informal Requests.** A Member of the Council, before or during the consideration of any matter, or in the course of a hearing, may request and receive information, explanations or the opinions of the City Manager, City Attorney, City Secretary or any City employee present, all subject to Rules [243](#) and [332](#).



**AGENDA MEMO**  
Business of the City Council  
City of West University Place, Texas

<b>Meeting Date</b>	06.08.2020	<b>Agenda Item</b>	13C
<b>Approved by City Manager</b>	Yes	<b>Presenter(s)</b>	J. Urban, HR Director
<b>Reviewed by City Attorney</b>	N/A	<b>Department</b>	Administration
<b>Subject</b>	Acceptance of Compensation Study		
<b>Attachments</b>	N/A		
<b>Financial Information</b>	Expenditure Required:	N/A	
	Amount Budgeted:	N/A	
	Account Number:	N/A	
	Additional Appropriation Required:	N/A	
	Additional Account Number:	N/A	

**Executive Summary**

GovHR presented the results of the recently concluded compensation study. Findings include a new pay structure. Accepting the results of the study will inform staff to incorporate the changes recommended in the compensation study into the budget process for 2021.

**Recommended Action**

Staff recommends that Council accept the compensation study.