

**CITY OF HORSESHOE BAY**

**RESOLUTION NO 2024-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HORSESHOE BAY, TEXAS AMENDING THE CITY COUNCIL  
RULES OF PROCEDURE**

**WHEREAS**, in order to provide a framework for the powers and authority of the City Council, the City of Horseshoe Bay City Council (“City Council”) formally adopted the Rules of Procedure (“Rules”) document on August 26, 2014 which governs activities related to City Council meetings, City Council Appointments, and Confidentiality; and

**WHEREAS**, the City Council finds that it is necessary to amend the Rules to accommodate changes in policy, law and best practices that impact the activities governed by the Rules; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City for the Rules to be reviewed every two years, beginning at the January 2020 City Council meeting in order to ensure continued compliance with laws and policies related to the activities covered in the Rules; and

**WHEREAS**, the City Council has reviewed the amended version of the Rules (attached as **Exhibit A**) and hereby approves and adopts these revisions as presented.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
HORSESHOE BAY, TEXAS:**

- 1) The Rules of Procedure are hereby adopted as presented in the attached **Exhibit A**.
- 2) The Rules of Procedure will be reviewed every two years in January, beginning with January 2020.
- 3) This Resolution shall take effect from and after its date of adoption.

**PASSED AND APPROVED** on this 16<sup>th</sup> day of January, 2024 by a vote of the City Council of the City of Horseshoe Bay, Texas.

Attest:

  
Kerri Craig  
Legislative Services Director



**City of Horseshoe Bay, Texas**

  
Elsie Thurman  
Mayor

# CITY OF HORSESHOE BAY

## CITY COUNCIL RULES OF PROCEDURE

### **SECTION 1: AUTHORITY**

- 1.1 The Charter of the City of Horseshoe Bay provides that, "Except as otherwise provided by this Charter and by the State of Texas, all powers conferred on the City shall be exercised by a City Council to be composed of a Mayor and five (5) Council Members." (Charter Art. 2.01) The Charter also provides that, "The City Council shall determine its own rules of procedure." (Charter Art. 3.06) In order to provide the framework for the execution of these powers and authority, the following set of rules shall be in effect upon their adoption by the City Council and until such times as they are amended, or new rules are adopted by Resolution. No rule or procedure stated in this document can conflict with the City's Charter, Ordinances, or laws of the State of Texas.

### **SECTION 2: GENERAL RULES**

- 2.1 Meetings to be Public: All meetings of the City Council shall be open to the public, with the exception of Executive Session.
- 2.2 City Council: For purposes of these rules, the collective membership of the Mayor and Council Members shall be known as the City Council. Individually, each shall be referred to as Mayor or Council Member.
- 2.3 Quorum: Three (3) Council Members, excluding the Mayor, shall constitute a quorum for the City Council. The Mayor shall not be able to vote, except in the case of a tie. A super quorum shall consist of four (4) Council Members. A super quorum is required when considering and voting on the imposition of taxes. The Mayor Pro Tem, acting as presiding officer in place of the Mayor, retains the right to vote and is counted towards a quorum.
- 2.4 Minutes of Meetings: An account of all proceedings of the City Council shall be kept by the Legislative Services Director, or designee, and constitute the official record of the City Council. The Official City Council Minutes shall state the subject of each deliberation and indicate each vote, order, decision, or other action taken in accordance with the Texas Government Code 551.021.
- 2.5 City Manager: The City Manager, or designee, shall attend all City Council meetings unless expressly excused. The City Manager may make recommendations to the City Council and take part in all discussions of the City Council but shall have no vote.
- 2.6 (Legislative Services Director): The Legislative Services Director, or designee, shall attend all meetings of the City Council unless expressly excused, and shall keep the official minutes. The Legislative Services Director shall work with the Mayor and City Manager in the preparation and posting of the Council agendas and packets.
- 2.7 City Attorney: The City Attorney, or designee, shall attend all regular meetings of the City Council unless expressly excused and, shall upon request give an opinion, either written or oral, on questions of law during the meeting. The City Attorney shall act as the City Council's Parliamentarian. The

City Attorney shall give an opinion, either written or oral, on questions of law to the City Manager or designated representative, during the course of daily affairs of the City. The City Attorney may make recommendations to the City Council and take part in all discussions of the City Council but shall have no vote. The City Attorney shall confer and discuss with a Council Member or the Mayor regarding a question of law pertaining to the affairs of the City. In such an event, the City Attorney shall advise the City Manager of the question posed and information provided. The City Manager shall forward the information to the full City Council as soon as reasonably practical.

- 2.8 Employees: Any employee of the City, when requested by the City Manager, shall attend any meeting of the City Council and, if requested to do so by the City Manager, such employee may present information relating to matters before the City Council. Council Members may request presentations by staff and/or particular staff members, but the City Manager will determine the staff spokesperson for providing information for a particular agenda item at the City Council meeting. In accordance with the City's Charter, no member of the Council shall give orders to any subordinate of the City Manager, either publicly or privately, with the exception of the Legislative Services Director who is a Charter Officer appointed by the City Council.
- 2.9 Executive Session: All matters taken up in Executive Session shall meet the requirements for such sessions as set out in the Texas Open Meetings Act. For the opening and closing of an Executive Session, the Mayor shall do such at the location as noted on the official agenda notice posted in compliance with the Texas Open Meetings Act. The presiding officer will announce the exact time when Council enters Executive Session, the exception(s) under which the meeting is allowed, the exact time Executive Session ends, and when Council re-convenes in the open meeting. The City Attorney shall provide a letter to the Mayor and Legislative Services Director confirming the City's legal right to convene in Executive Session for items listed on the agenda for each meeting in which Executive Session is held. If the Legislative Services Director is not present during Executive Session, she will be recalled to the meeting upon adjournment from Executive Session and before convening back into the open meeting.
- 2.10 Training and Code of Ethics: Each member of City Council, within 30 days of being elected to office, must complete one hour of training each on the Open Meetings Act and the Public Information Act, as required in the Texas Government Code, and submit the certificates of completion to the Legislative Services Director. Each member of City Council, within 30 days of being elected to office, must read the City's Code of Ethics Policy, and return the signed Acknowledgement Form to the Legislative Services Director.

### **SECTION 3: TYPES OF MEETINGS**

- 3.1 Regular Meetings: The City Council shall meet as provided in the Horseshoe Bay City Charter. (Charter Art. 3.06). The Regular City Council meetings shall be scheduled in advance for one year at the start of each fiscal year after the general election and meet the 72-hour posting requirement of the Texas Open Meetings Act. Any City Council meeting may be subject to re-scheduling, provided proper notice is given pursuant to the Texas Open Meeting Act.
- 3.2 Special Meetings: Special meetings of the City Council shall be those meetings which are not regular meetings. Special meetings may be called at the written request of the Mayor, or any two (2) Council Members (Charter Art. 3.06). The posted agenda for a Special Meeting shall list the subject or subjects to be considered and shall meet the 72-hour posting requirement of the Texas Open Meetings Act. Special Meetings are open to the public.

3.3 **Emergency Meetings:** An emergency meeting of the City Council shall be called only if immediate action is required because of an “imminent threat to public health and safety” or a “reasonably unforeseeable situation” has arisen, and only as allowed under the Texas Open Meetings Act. The posted agenda to the public of an emergency meeting shall include the emergency or urgent public necessity and shall be posted no later than one hour before the meeting is convened. The City Attorney shall provide a letter to the Mayor and Legislative Services Director confirming the City’s legal right to call an emergency meeting each time an emergency meeting is called, prior to the start of the meeting.

3.4 **Workshops:** Workshops may be called by the Mayor, or by any two (2) Council Members, for the purpose of discussing in depth, investigating, or exploring matters of interest to the City. The time, place, and purpose of such workshops shall be stated in an agenda complying with the Texas Open Meetings Act. Such workshops may include meetings with one of the City's appointed boards, commissions, or committees, meetings with civic organizations or a meeting for Council Members to research, evaluate, explore, investigate, or discuss any matter of interest or possible action affecting the City, subject to compliance with the provisions of the Texas Open Meetings Act. Public Comment must be allowed if action may be taken at the workshop.

## **SECTION 4: CONDUCT OF MEETINGS**

4.1 **Presiding Officer:** The Mayor, if present, shall preside at all meetings of the City Council and enforce these rules and procedures during a meeting. In the absence of the Mayor, the Mayor Pro Tem shall preside. The presiding officer shall make decisions on questions of procedure subject to review respectively by the City Council as a whole. Following a decision of the presiding officer on a question of procedure, any two (2) Council Members may be entitled to appeal the decision to the City Council as a whole by the making and the seconding of a motion of appeal. Once made, the appeal must be approved by an affirmative vote of a majority of the Council Members. Parliamentary assistance will be provided by the City Attorney.

4.2 **Call to Order:** The meetings of the City Council shall be called to order by the presiding officer.

4.3 **Rules of Procedure:** Robert’s Rules of Order may be followed during all meetings of the Council to the extent practical, as a non-binding guide.

4.4 **Decorum and Preservation of Order:** The Council is committed to conducting its business in a courteous, reasonable, and respectful manner. All Council Members, staff, and all persons in attendance at the meetings shall demonstrate good conduct and act with propriety and decorum. The presiding officer shall preserve order and decorum, prevent clash of personalities, or the impugning of Council Members' motives to occur, and confine Council Members in debate to the question under discussion. Elected officials, city staff, and members of the public will demonstrate professionalism and respect for each other at all times. Members shall only speak during Council proceedings after being recognized by the presiding officer. Recognition shall not be unreasonably withheld. No member of the Council, or the public, may interrupt the recognized member while speaking unless the recognized member is not adhering to proper meeting decorum. Any person who becomes unruly, boisterous, and/or threatening while addressing the Council or while attending the meeting may be removed from the room if the security officer is so directed by the presiding officer, and such person may be barred from further audience before the City Council during that session. No one in attendance, other than the City Council, may speak during a meeting or workshop unless they are first recognized by the presiding officer.

4.5 **Motions to be stated:** The presiding officer shall state the name of the Council Member making the motion, re-state the motion being considered, state the name of the Council Member who seconded, and announce the results of the vote, including specifically stating the names of members who abstain, recuse, or vote nay.

4.6 **Substitution for Mayor:** The Mayor may call the Mayor Pro Tem to take the Mayor's place in the meeting if necessary; such substitution is not to continue beyond meeting adjournment. The Mayor Pro Tem retains the right to vote as a Council Member while acting as the presiding officer.

4.7 **Amendment to the Minutes:** Amendments to the Minutes are made by a motion during the item to consider approval of the minutes. The Minutes provide the action taken by City Council and a brief summary of subjects discussed. If a Council Member desires that certain information be included in the minutes, the Council Member shall so indicate by stating, "For the record", prior to presenting the information. If it is a lengthy statement, a written copy shall be provided to the Legislative Services Director prior to the end of the meeting.

4.8 **Voting, Abstaining or Recusing:** Voting must be verbal and in the form of Yes (Aye), No (Nay), or Abstain/Recuse. If a Council Member does not wish to vote on a matter (i.e., abstain), but does not have a legal or financial conflict of interest (i.e., recusal), the Member may abstain. An abstention counts as a negative vote (Charter Sec. 3.08). A recusal is not counted as a vote at all (as if the Member was not present at the meeting). If a Council Member recuses themselves from voting due to a legal or financial conflict of interest (LGC 171.004), the Council Member shall complete and file a Conflict-of-Interest Affidavit (***attached as Exhibit A***) with the Legislative Services Director prior to the meeting at which the item will be considered. Council Members do not have to abstain from voting on the approval of minutes from a meeting at which they were not present. Council Members who elect not to vote on an item, but do not abstain or recuse themselves, will be counted as a Yes vote in accordance with the "silence is consent" legal provision.

## **SECTION 5: AGENDA**

5.1 **Preparation of the Agenda:**

A. The order of business for each meeting shall be as contained in the City Council agenda. The agenda shall be developed by the Mayor, City Manager, and Legislative Services Director. The agenda shall be a listing by topic of subjects to be considered by the City Council. City Council Members are encouraged to schedule individual, regular meetings each month with the City Manager, at least two weeks prior to the regular monthly meeting to review potential agenda items along with any other subjects the Council Member wishes to discuss or review.

B. The City of Horseshoe Bay's Charter states "The Mayor shall be responsible for preparation of the agenda for each City Council meeting. If requested by a Council Member, the Mayor must include a requested item on an agenda". (Charter Sec. 3.01) Therefore, each Council Member may place an item on the agenda, and provide supporting documentation if applicable, by informing both the Mayor and City Manager prior to the deadline for posting the agenda. In order to allow time for proper preparation and release of the Agenda Packet to the Council and public, the deadline for the Mayor or Council Members to submit agenda items is no later than 12:00 p.m. on Monday, four (4) days prior to the deadline for posting the agenda. In the event of an emergency, Council Members may request that items be added to the agenda at any time

up to 10:00 a.m. on the Thursday prior to the week of the meeting. The Mayor, City Manager, and Council Member submitting the item may communicate concerning the item, agenda language, and preparation of supporting documentation. At no time may three or more Council Members communicate with each other regarding city business outside of a Council meeting; this includes written communication via email or text or verbal communication via online meeting software. To do so would be a violation of the Texas Open Meetings Act resulting in civil and criminal penalties.

- C. The Legislative Services Director shall prepare a draft agenda, which the City Manager will distribute to the Mayor and Council Members no later than Friday, five (5) business days (7 calendar days) prior to the deadline for posting the agenda. Council Members should have all comments back to the City Manager by the following Monday by 12:00 p.m., four (4) days prior to the deadline for posting the agenda. Upon direction of the Mayor or the City Manager, the Legislative Services Director shall send a copy of the Preliminary Agenda (final draft of the agenda) to the local HSB newspaper for publication on Tuesday, three (3) days prior to the deadline for posting the agenda.
- D. The City Manager shall provide the City Council with a written analysis of, and if appropriate, recommendation of items to be acted on by the City Council at its meetings (i.e., staff reports and enclosures). These communications shall be generally referred to as the Agenda Packet. Department heads shall provide all agenda packet materials and presentations to the Legislative Services Director no later than 5:00 p.m. on Tuesday, eight (8) days prior to the deadline for posting the agenda. If changes are necessary to the Items submitted, final corrections are due to the Legislative Services Director no later than 5:00 p.m. on Wednesday, seven (7) days prior to the deadline for posting the agenda. Any items that are not fully completed and approved by this deadline will be removed from the agenda and added to the next regular Council meeting agenda, unless approved by the Mayor and City Manager. The department head responsible for any agenda items remaining on the agenda with incomplete supporting materials will provide paper copies of the materials and a written explanation for the lateness of the materials to the City Manager, Legislative Services Director, Mayor, and Council Members at the start of the City Council meeting. An electronic version of all materials will also be provided to the Legislative Services Director by the start of the meeting.
- E. The Legislative Services Director shall prepare the final Agenda and compile the final Agenda Packet based on what is complete by 5:00 p.m. on Monday, four (4) days prior to the deadline for posting the agenda.
- F. The Agenda and Agenda Packet should be available to members of the Council by 10:00 a.m. on the Friday prior to the meeting. Any breach of any prior deadline(s) may delay the ability to meet this deadline. The Agenda and Agenda Packet will be made available on the City's website by 5:00 p.m. on the Friday prior to the week of the meeting. Council Members are expected to review the Agenda Packet in full, prior to the meeting.
- G. The Legislative Services Director, or designee, shall post notices and agendas for all City Council meetings in compliance with the Texas Open Meetings Act.

5.2 Consent Agenda: In preparing the agenda, the City Manager shall consider the number and degree of complexity of items to be considered by the City Council for the purpose of conserving the City Council's time in meetings. Items which are anticipated to be routine and/or require no discussion by the City Council shall be listed under the agenda category styled "Consent Agenda" Prior to acting on the Consent Agenda, the presiding officer shall determine if there are any items which should be removed from the Consent Agenda for discussion. Any Council Member may, upon request, remove any item from the Consent Agenda for discussion and separate action. Thereafter, all remaining Consent Agenda items may be acted upon by a single motion approving the Consent Agenda.

5.3 Oral Presentations by the City Manager: Matters requiring the City Council's attention which may have developed since the deadline for delivery of the Agenda Packets may, upon approval of the Mayor and the City Attorney and after satisfying the requirements of the Texas Open Meetings Act, be presented orally by the City Manager, or designated staff. No deliberation or action may be taken on items that are not on the posted agenda.

## **SECTION 6: PUBLIC COMMENT/CITIZEN PARTICIPATION AT MEETINGS**

6.1 Business Meeting: The purpose of a City Council meeting is first and foremost to conduct city business and is not a public forum. However, the City of Horseshoe Bay provides an opportunity for citizens to speak during the Public Comment section of Regular Meetings and any other public meeting at which action will be taken. Citizens may speak about items on the agenda or any other topic not on the agenda. If an item is not on the agenda, Council may not deliberate or discuss the item.

6.2 Sign Up Required Prior to Start of Meeting: Those wishing to speak must sign up prior to the start of the meeting. A signup sheet will be available on a podium near the entrance of the meeting room. Speakers must clearly write their name and indicate which agenda item/topic they will address.

6.3 Decorum: Speakers must go to the podium and state their name for the record, prior to making their comments. Speakers may not speak from their seat unless they are physically unable to stand or move to the podium. Those who are present at the meetings are not allowed to speak out of turn or to interrupt the Mayor, Council Members, City staff, or others who have been recognized and are speaking. The City welcomes and encourages citizens to attend and participate at Council meetings. However, citizens are not allowed to speak openly during the meeting unless first recognized by the presiding officer. Violations of this rule may result in the citizen being removed from the meeting room.

6.4 Time Allowed: Each person who signed up to speak before the start of the meeting may speak for up to five (5) minutes or for a duration determined by the presiding officer prior to the start of the public comment section. After the speaker reaches their time limit, the presiding officer will ask the speaker to leave the podium. All speakers shall be given the same amount of time to speak.

6.5 Presentations (non-City): Any citizen or group wishing to make a presentation to City Council must contact the City Manager at least 2 business days prior to the meeting to get approval. Any presentation materials, including electronic presentations, must be provided to the Legislative Services Director (in final form) no later than 24 hours prior to the start of the meeting. Electronic presentations will not be accepted on the day of the meeting. The spokesperson for the organization

or group should indicate the organization or group during the sign-up process and indicate which agenda item/topic they will be addressing.

- 6.6 **Public Hearings:** Citizens who have signed up to speak about an item in the Public Hearing section of the agenda will be called upon by the presiding officer when that item is being considered, not during Public Comment. Staff will first present their report on the agenda item, if applicable, then citizens will be allowed to address the Council.
- 6.7 **Written Comments:** Citizens who wish to make public comments but who are unable to attend the meeting, may submit written comments to the Legislative Services Director via email at least 24 hours prior to the start of the meeting. The comments will be distributed to the Mayor and each City Council Member. Anonymous or unsigned comments, or comments received after the 24-hour deadline, will not be forwarded to, or considered, by Council.

## **SECTION 7: PROCEDURES FOR CITY COUNCIL APPOINTMENTS**

### **7.1 General:**

- A. As set out in Chapter 10 of the City of Horseshoe Bay Charter, the City Council has the authority to create, abolish, establish, and appoint such boards, commissions, and committees (“BCCs”), composed of citizens of the City of Horseshoe Bay or residents within the City’s extraterritorial jurisdiction (ETJ), as it deems necessary to carry out the functions of the City and to prescribe the purpose, functions, and tenure of each board, commission, or committee.
  1. The purposes of this policy are to establish uniform procedures for the following:
    - a. The establishment, management, and termination of all City of Horseshoe Bay boards, commissions, and committees; and
    - b. The appointment of citizens or residents to serve as members of Horseshoe Bay boards, commissions, or committees or as an official representative of the City of Horseshoe Bay.
  2. This procedure for City Council Appointments applies to all City Council boards, commissions, and committees and appointments with the following exceptions:
    - a. The appointment of a Council Member by the Mayor for a special assignment. Such an assignment shall be reported to the City Council as soon as possible.
    - b. The establishment of short-term ad hoc work groups or forums by the City Council upon the recommendation of the Mayor or City Manager for the purpose of facilitating community coordination and communication on a specific issue. The members of such a working group or forum may be determined by the Mayor or City Council. A maximum of two Council Members may be assigned to the same group or forum at a given time, in order to avoid a quorum.

### **B. Definitions:**

1. ***Application:*** The City of Horseshoe Bay Application to Serve (“Application”) as adopted by the City Council and published by the Legislative Services Director.
2. ***Active Application:*** A completed Application on file with the Legislative Services Director that is less than two years old from the date of filing with the Legislative Services Director. All Active Applications shall be maintained by the Legislative

Services Director unless an applicant moves out of Horseshoe Bay or requests that their application be removed from the applicant pool.

3. ***City Appointee:*** Citizen named by the City Council to represent the City of Horseshoe Bay as a member of an external (non-City) entity's Board, Commission, or Committee.
4. ***City Board, Commission, or Committee Member:*** Citizen named by the City Council to serve on a City Board, Commission, or Committee.
5. ***City Special/Single Purpose Committee:*** A committee formed by the City Council through an Ordinance to meet a special/single purpose. Special/Single Purpose Committees are typically short-lived or only active until their purpose is served.
6. ***City Statutory Board, Commission, or Committee:*** A board, commission, or committee required/recommended by the Texas Local Government Code and established by the City Council through an Ordinance to perform designated functions. A City Statutory Board, Commission, or Committee continues from year to year with changing membership until it is formally terminated by action of the City Council via Ordinance, or as provided for in the ordinance creating it. Statutory Boards, Commissions, and Committees are subject to the Texas Open Meetings Act.
7. ***City Advisory Committee:*** A committee established by the City Council through an Ordinance to perform designated functions and to act solely in an advisory capacity that has no rule-making or quasi-judicial power. A City Advisory Committee continues from year to year with changing membership until it is formally terminated by action of the City Council via Ordinance, or as provided for in the ordinance creating it. Advisory Committee meetings are open to the public (Charter Sec. 3.06) but are not subject to the Texas Open Meetings Act.
8. ***City Council Subcommittee:*** A subcommittee consisting of no more than two Council Members, and the Mayor if applicable, who work on a specific topic or provide recommendations for a specific purpose. City Council Subcommittees are created by the City Council through a Resolution and are dissolved by City Council via Resolution, or as provided for in the Resolution creating it.
9. ***Qualified Applicant:*** A citizen who meets the member eligibility qualifications and has an Active Application on file with the Legislative Services Director by the applicable deadline.

## 7.2 Establishment and Termination of City Boards, Commissions, and Committees:

- A. The City Council shall establish statutory boards, commissions, and committees as required/recommended by Texas law to assist in the conduct and operation of the City, such as the Planning and Zoning Commission (LGC 211), Board of Adjustment (LGC 211), and Capital Improvements Advisory Committee (LGC 395). Statutory boards, commissions, and committees are subject to the Texas Open Meetings Act.
- B. The City Council may establish citizen Advisory Committees to provide input, information, and guidance concerning a designated area as the need may arise. Advisory Committee meetings shall be open to the public (Charter Sec. 3.06) but are not subject to the Texas Open Meetings Act.
- C. The City Council may establish Special or Single Purpose Committees as needed. These Committee meetings are open to the public but are not subject to the Texas Open Meetings Act.

- D. All City Boards, Commissions, and Committees shall be established by Ordinance by the City Council and shall be dissolved by Ordinance as directed by the City Council, or as provided for in the Ordinance creating them. Information concerning the purposes and expectations of each group shall be set forth in the enabling Ordinance. A charter will be written for all city Boards, Commissions, and Committees which will outline the purpose of the group, responsibilities, number of members and positions, required skills and experience of members, and any other expectations of the group as determined by City Council.
- E. The duties and actions of all City Boards, Commissions, and Committees (and their members) may not be inconsistent with the Horseshoe Bay City Charter, Code of Ordinances, or the City of Horseshoe Bay Code of Ethics (**attached as Exhibit B**). Any member who is considering action on an item that may have an effect on a business entity or real property in which they have an interest must declare the conflict of interest by completing and signing an Affidavit Providing Notice of Potential Conflict of Interest (attached as Exhibit A) and recuse themselves from participating in or voting on any action related to said item.

7.3 Selection and Appointment of City Representatives and Members to City Boards, Commissions, and Committees:

- A. Through the appointment of City Representatives and Board, Commission, and Committee Members, the City Council shall seek to draw from the rich talents, experiences, and expertise of Horseshoe Bay citizens, and to provide a structure for citizen input and feedback. Participants of the HSB Citizens' Academy will be given special preference during the appointment process.
- B. Citizens are appointed to serve on a City Board, Commission, or Committee or as a City Appointee at the pleasure of the City Council. The City Council retains the right, by majority vote, to excuse an appointed member from service or to replace any appointed member at any time for any reason.
- C. No City Board, Commission, or Committee Member shall get involved in the daily operations of the departments of the City or in personnel matters. No City Board, Commission, or Committee Member is authorized to speak for the City or the City Council. Members shall communicate with the City Manager or the assigned staff liaison for the group. Members shall not communicate with or assign work to city staff without prior approval of the City Manager or staff liaison for the group.
- D. For a citizen to be eligible for consideration for appointment or re-appointment to a City Board, Commission, or Committee or to serve as a City Appointee, they must meet the following qualifications (and/or any specific qualifications as stated in the related Ordinance):
  1. Must be a registered voter in the City of Horseshoe Bay and have resided in the city for at least 12 months prior to appointment;
  2. Must not be in arrears in the payment of any taxes or other liability due to the City;
  3. Must have an Active Application on file with the Legislative Services Director;
  4. Must meet any certain requirements as set out in city ordinance or State statute; and
  5. City Statutory Board, Commission or Committee members may not hold any other public office, except that of Notary Public or as a member of the Armed Services or National Guard.

- E. Information about all City appointments that will be open at the end of each year will be announced at the regular City Council meeting in October of that year. Applications may be solicited in a variety of ways to include newspaper articles, website information, posting of notice on the official bulletin board, encouragement by word of mouth, and by invitation.
- F. Applications are available and may be completed and returned to the Legislative Services Director at any time during the year. To be considered for vacancies for terms expiring that year, the deadline for filing Applications is November 1<sup>st</sup> of that year. Incumbents seeking re-appointment must also have an Active Application on file by that date. Applicants may indicate an interest in more than one group; however, no person shall serve concurrently on more than one group, unless specifically authorized by a majority vote of the City Council.
- G. At the regular City Council meeting in November, the City Council shall be informed of all Qualified Applicants who have an Active Application on file by the deadline and have indicated an interest in appointment or re-appointment. Applicants will be informed that they are expected to attend either the November or December regular Council meeting and be prepared to speak before Council.
  - 1. Applications will be provided to the City Council at the regular meeting in November for review and consideration; however, appointments will not be made until the regular meeting in December each year.
  - 2. If a vacancy becomes open prior to the normal end of a member's term, the Council shall be provided the same information as early as possible before action is taken to make a new appointment.
- H. After reviewing all applications received by the deadline from Qualified Applicants, the City Council shall make appointments at the regular City Council meeting in December, for the following year, with consideration for appointing members with qualifications that enhance the whole group while providing a mix of experienced and new members, and geographical representation within the city, in accordance with the group's Charter.
- I. Term of Office:
  - 1. City Board, Commission, and Committee Members and City Appointees are appointed for a limited purpose and time, and once the assigned term of office is completed, they are excused from the appointment unless the City Council selects the citizen for another term of service.
  - 2. A City Appointee shall serve for the term designated by the external entity they are serving and is eligible for reappointment for only one additional term unless specifically extended by the City Council. In the event a vacancy occurs prior to the expiration of a full-term, the City Council may appoint a new member from the pool of Qualified Applicants to complete the unexpired term.
  - 3. Members of a City Board, Commission, or Committee will be appointed by the City Council for a term of two (2) years unless the Committee does not have terms or as otherwise stated in the related ordinance). No citizen shall be appointed to the same City Board, Commission, or Committee for more than two consecutive terms unless specifically extended by the City Council, or otherwise stated in the ordinance governing the group. Terms will be staggered so approximately one-half of the membership at any one time has experience (unless stated otherwise in the related ordinance). In the event a vacancy occurs prior to the expiration of a full-term, the City Council may appoint a new member from the pool of Qualified Applicants to complete the unexpired term.

4. A City Special/Single Purpose Committee Member shall be appointed for the time as designated by the City Council, or until disbanded by the City Council or at such time the final report of the Committee is received by the City Council (unless stated otherwise in the related ordinance).
5. All terms for appointments to City Boards, Commissions, and Committees and for City Appointees shall run on a calendar year from January through December (unless otherwise stated in the related ordinance or in the by-laws of external entities).

J. Any City Board, Commission, Committee Member or City Appointee who ceases to reside in the City of Horseshoe Bay during their term of office shall immediately forfeit their position (unless the associated ordinance states otherwise).

## **SECTION 8: CONFIDENTIALITY**

- 8.1 Litigation: When the City of Horseshoe Bay is involved in litigation or a legal dispute, Council Members shall not comment on settlements, appeals, or other issues related to the subject until the matter is resolved. The City Attorney shall be authorized to provide any public responses or comments, as needed on matters involving litigation, after consultation with the Mayor and City Manager.
- 8.2 Executive Sessions: All matters discussed in Executive Session, as authorized by the Texas Open Meetings Act, may be deemed confidential by law, and participants authorized to attend Executive Sessions are not required to make public disclosure concerning the matters discussed in Executive Session. It shall be the policy of the City Council that the Mayor, individual Council Members, City Manager, City Attorney, Legislative Services Director, and others who are authorized to attend Executive Sessions shall not make selective disclosure of confidential matters where the information has not been released to the general public. The presiding officer may be authorized to issue a statement regarding confidential matters upon approval of same by the City Council, and only under the guidance of the City Attorney. Violations of this procedure shall be enforced in accordance with the Ethics Policy and practices as adopted by the City Council, and state law.