

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS
ORDINANCE NO.

AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE CODE OF ORDINANCES BY REPEALING AND REPLACING SUBSECTION 1-10-3.7 "CITY ATTORNEY" OF CHAPTER 1 "ADMINISTRATION", ARTICLE 1-10 "RULES, TIMES AND PROCEDURES FOR CONDUCTING CITY COUNCIL MEETINGS", SECTION 1-10-3 "GENERAL RULES"; BY REPEALING AND REPLACING SUBSECTION 1-10-6-1.2 "COUNCIL MEMBERS' SUBMISSION OF AGENDA ITEMS" OF CHAPTER 1 "ADMINISTRATION", ARTICLE 1-10 "RULES, TIMES AND PROCEDURES FOR CONDUCTING CITY COUNCIL MEETINGS", SECTION 1-10-6 "ORDER OF BUSINESS"; AND BY REPEALING AND REPLACING SUBSECTION 1-10-7.10 "WITHDRAWAL OF MOTIONS" OF CHAPTER 1 "ADMINISTRATION", ARTICLE 1-10 "RULES, TIMES AND PROCEDURES FOR CONDUCTING CITY COUNCIL MEETINGS", SECTION 1-10-7 "CONSIDERATION OF ORDINANCES RESOLUTIONS AND MOTIONS"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 3.09, Meetings of City Council of the City of Coppell Home Rule Charter established the rules for meetings of the City Council; and

WHEREAS, Section 3.12, Rules of Procedure of the City of Coppell Home Rule Charter establish that the City Council shall provide by ordinance a method and rules by which a citizen may have an item placed on a City Council agenda; and

WHEREAS, the City Council has adopted such an ordinance; and

WHEREAS, the City Council desires to amend such method and rules to provide more clarity for its Procedures;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS:

SECTION 1. That Subsection 1-10-3.7. 'City Attorney' of Chapter 1 'Administration', Article 1-10 'Rules, Times and Procedures for Conducting City Council Meetings', Section 1-10-3 'General Rules' of the Code of Ordinances be repealed and the same is hereby replaced to read as follows:

“CHAPTER 1. ADMINISTRATION

**ARTICLE 1-10 – RULES, TIMES AND PROCEDURES FOR
CONDUCTING CITY COUNCIL MEETINGS**

SECTION 1-10-3 GENERAL RULES

.....

1-10-3.7. *City attorney.* The city attorney, or acting city attorney, shall attend all regular meetings of the council and shall give an opinion, either written or oral, on questions of law as requested by the mayor or a member of the council such as requests by the mayor or city council. The city attorney shall attend such other meetings or workshops as directed by the city manager or city council. The city attorney shall act as the council’s final authority concerning procedural and parliamentary questions under this Chapter/Article.

.....”

SECTION 2. That Subsection 1-10-6.1.2. ‘Citizen’s submission of agenda items’ of Chapter 1 ‘Administration’, Article 1-10 ‘Rules, Times and Procedures for Conducting City Council Meetings’, Section 1-10-6 ‘Order of business’ of the Code of Ordinances be repealed and the same is hereby replaced to read as follows:

“CHAPTER 1. ADMINISTRATION

**ARTICLE 1-10 – RULES, TIMES AND PROCEDURES FOR
CONDUCTING CITY COUNCIL MEETINGS**

SECTION 1-10-6 ORDER OF BUSINESS

.....

1-10-6.1.2. *Citizens' submission of agenda items.*

- A. Any resident of the City of Coppell shall have the right and opportunity to submit a request to place an agenda item for a subject for which the City Council can legally take action. A request by a citizen to place an item on an agenda must be submitted in writing to the office of the city manager no later than 10:00 a.m. ten (10) business days preceding the regular meeting at which the request is to be considered. The request must clearly state the nature and subject for which the Council has subject matter jurisdiction. Once an agenda item has been considered by the City Council,

that issue or subject may not be placed on a future agenda by a resident sooner than twelve months from Council Meeting where such subject was considered.

- B. In the opinion of the city manager the agenda's the requested meeting is lengthy, he or she may defer the item to the next regular meeting of the council. In the case of a delay, the city manager will notify the citizen of the delay no later than the Friday preceding the regular meeting requested by the citizen. In no case, may a citizen's request be delayed for more than one regular meeting.
- C. If the request does not state an actionable subject for which the council has jurisdiction, the citizen shall be advised in writing and the matter will not be placed on the agenda or may be referred to a future council workshop consideration. Once an item has been placed on an agenda or considered by council at a duly convened meeting, any further consideration of the subject shall be at the sole discretion of council.

.....”

SECTION 3. That Subsection 1-10-7.10. ‘Withdrawal of motions’ of Chapter 1 ‘Administration’, Article 1-10 ‘Rules, Times and Procedures for Conducting City Council Meetings’, Section 1-10-7 ‘Consideration of ordinances, resolutions and motions’ of the Code of Ordinances be repealed and the same is hereby replaced to read as follows:

“CHAPTER 1. ADMINISTRATION

ARTICLE 1-10 – RULES, TIMES AND PROCEDURES FOR CONDUCTING CITY COUNCIL MEETINGS

SECTION 1-10-7 CONSIDERATION OF ORDINANCES, RESOLUTIONS AND MOTIONS

.....

1-10-7.10 *Withdrawal of motions.* A motion may be withdrawn or modified by the movant at any time prior to passage without asking permission. If the Movant modified his or her motion, the second may be withdrawn.

.....”

SECTION 4. That all provisions of the Code of Ordinances of the City of Coppel, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and

effect.

SECTION 5. That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 5. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances, as amended hereby, shall be guilty of a misdemeanor and upon conviction in the Municipal Court of the City of Coppell, Texas, shall be subjected to a fine not to exceed the sum of Two Thousand Dollars (\$2000.00) for each offense; and each and every day such violation is continued shall be deemed to constitute a separate offense.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Coppell, Texas, this the _____ day of _____, 2017.

APPROVED:

KAREN SELBO HUNT, MAYOR

ATTEST:

CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

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