



AGENDA MEMORANDUM

Action Item for the City Council Meeting April 27, 2021

DATE: April 20, 2021
TO: Mayor and Council
FROM: Rebecca Huerta, City Secretary
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Discussion with possible action to amend City Council Policies, Rules of Procedure, regarding the Motion to Reconsider

CAPTION:

Discussion with possible action to amend City Council Policies, Rules of Procedure, regarding the Motion to Reconsider.

SUMMARY:

The City Council asked staff for options to provide more public notice when a Council Member makes a motion to reconsider per City Council Policy 16.n.

BACKGROUND AND FINDINGS:

City Council Policy 16.n. currently states that “any member of the Council who voted with the prevailing side on any question may move its reconsideration no later than the next regular meeting; reconsideration shall require a two-thirds vote of the Council.”

Currently, a motion to reconsider is made under Section I, Explanation of Council Action, of the City Council agenda. The agenda language says “a motion to reconsider may be made at this meeting of a vote at the last regular, or a subsequent special meeting; **such agendas are incorporated herein for reconsideration and action on any reconsidered item.**” This wording allows for the motion to reconsider to be made and acted on without specifically posting it on an agenda. Past practice has been if the motion to reconsider was passed, then the reconsidered item was discussed and voted on at the very same meeting.

A few Council members asked staff to present options allowing for more public notice when a motion to reconsider is made. Staff looked at the city council meeting rules of procedure for the top 7 cities (by population) in the state. Three cities - Austin, San Antonio, and El Paso - followed Robert’s Rules of Order as follows: 1) the motion to reconsider had to be made on the same day the original vote was taken; 2) a member on the prevailing side had to make the motion; and 3) the motion required a majority vote to pass. Like Corpus Christi, three cities - Dallas, Fort Worth, and Arlington - allowed for a motion to reconsider to be made at the next regular Council meeting. Unlike Corpus Christi, however, said cities did not act on the reconsidered item at that meeting unless the item was posted on the agenda per the Open Meetings Act.

ALTERNATIVES:

Option 1 – Change Council Policies to follow Robert’s Rules of Order.

A motion to reconsider 1) would have to be made on the same day the original vote was taken; 2) a member on the prevailing side would have to make the motion; and 3) the motion requires a majority vote to pass.

Option 2 – Amend the existing process by requiring the motion to reconsider to be placed on the agenda per the Open Meetings Act.

A council member who voted on the prevailing side of an issue and who wished to make a motion to reconsider would notify the City Secretary in writing no later than one day before the 72-hour posting requirement for the next regular meeting agenda. A second Council member wishing to second the motion would also provide written notice. Once written notice from said two Council members was received, then the City Secretary would place the motion to reconsider on the agenda for the next regular Council meeting. A notice would be placed on the agenda advising the public that if the motion to reconsider was approved, then the item would be heard at the same meeting. The motion to reconsider would require two-thirds vote to pass.

Example:

Tues., June 8, 2021

Council passes an ordinance approving a zoning change.

Fri., June 11, 2021
(by 11:30 a.m.)

Two Council members wishing to reconsider, one on the prevailing side of the issue and one seconding the motion, would notify the City Secretary in writing by 11:30 a.m.

The motion to reconsider would be posted on the next regular Council meeting agenda (June 15th).

Tues., June 15, 2021

Motion to reconsider ordinance approving zoning change would be voted on. If the motion passed by two-thirds vote, then the ordinance would be voted on at the same meeting.

Option 3 – Make no changes.

FISCAL IMPACT: N/A

RECOMMENDATION:

Staff is recommending Option 1 – Change Council Policies to follow Robert’s Rules of Order.

SUPPORTING DOCUMENTS:

Resolution (Option 1) – Roberts Rules of Order
Resolution (Option 2) – Require Posting on an Agenda