

ORDINANCE NO. 21-08

AN ORDINANCE OF THE CITY OF KENEDY, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 2 ADMINISTRATION; ARTICLE II CITY COUNCIL; DIVISION 2 RULES OF MEETINGS AND ORDER OF BUSINESS; SUBDIVISION III ORDER OF BUSINESS; SECTION 2-62 GENERAL ORDER; AND SECTION 2-63 PLACEMENT OF AN ITEM ON AN AGENDA, SUBSECTION (C); PROVIDING A REPEALING CLAUSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kenedy, as a general law city, has the authority as provided under the state constitution and statutes to adopt ordinances providing for the operation of its government and the conduct of its governing body; and,

WHEREAS, the City of Kenedy has established Chapter 2 Administration; Article II City Council; Division 2 Rules of Meetings and Order of Business; Subdivision III Order of Business; Section 2-62 General Order; and Section 2-63 Placement of an Item on an Agenda, Subsection (c); in the City of Kenedy Code of Ordinances; and

WHEREAS, §51.001 of the Texas Local Government Code states that the governing body of a municipality may adopt or amend an ordinance that is for the good government, peace, or order of the municipality and is necessary or proper for carrying out a power granted by law to the municipality; and

WHEREAS, the City Council desires to amend and this ordinance as provided by and consistent with Texas law.

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

Section 1. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 2. The City of Kenedy Code of Ordinances Chapter 2 Administration; Article II City Council; Division 2 Rules of Meetings and Order of Business; Subdivision III Order of Business; Section 2-62 General Order; and Section 2-63 Placement of an Item on an Agenda, Subsection (c); is hereby amended and updated as set forth in Attachment "A".

[Note – additions to the current code of ordinances are shown as underlined and deletions are shown as ~~strikethrough~~]:

Section 3. Repealer. This ordinance shall be cumulative of all other ordinances of the City of Kenedy, and this ordinance shall not operate to repeal or affect any other ordinances of the City

except Ordinance of 19-4 (§ 1), or insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, are hereby repealed. The repeal or amendment of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue or as affecting any rights of the City of Kenedy under any section or provisions of any ordinances in effect at the time of passage of this ordinance.

Section 4. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance be severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid by judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance and the remainder of this ordinance shall be enforced as written.

Section 5. That it is officially found, determined and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 6. Effective Date. This Ordinance will take effect upon its adoption by the City Council and publications requirements as required by law.


PASSED AND APPROVED this 8th day of June, 2021.

CITY OF KENEDY, TEXAS

By: _____


Joe Baker, Mayor

ATTEST:



Ruby Beaven, City Secretary

ATTACHMENT "A"

CHAPTER 2 ADMINISTRATION

ARTICLE II. - CITY COUNCIL

DIVISION 2. - RULES OF MEETINGS AND ORDER OF BUSINESS

Subdivision III. - Order of Business

- **Sec. 2-62. - General order.**

City council meetings will be generally conducted in the following order, unless otherwise necessary as determined by the mayor, city manager or city secretary. A closed session may be held at any time during a meeting consistent with applicable state law.

(1) *Workshop agenda.*

- a. Call to order.
- b. Roll call.
- c. Announcements.
- d. Public recognition.
- e. ~~Workshop items.~~ Public comment.
- f. ~~Public comment.~~ Workshop items.
- g. Adjourn.

(2) *Regular meeting agenda.*

- a. Call to order.
- b. Invocation and pledge of allegiance.
- c. Roll call.

- d. Citizen's forum.
- e. Consent agenda.
- f. Public hearings/action.
- g. Action items.
- h. Reports from staff, outside entities, advisory committees and boards.
- i. Items for future agendas.
- j. Announcements.
- k. Closed session.
- l. Reconvene into open session for possible action resulting from any items posted and legally discussed in closed session.
- m. Adjourn.

(Ord. No. [19-4](#), pt. 1, 7-2-2019)

- **Sec. 2-63. - Placement of an item on an agenda.**

- (a) All items for placement on an agenda shall be coordinated through the mayor and city manager. The city manager shall be responsible for coordinating items and supporting documentation for the agenda for timely submission to the city secretary.
- (b) Members of city council wishing to place any item on an agenda may do so at the end of a council meeting during the section provided for "items for future agendas."
- (c) ~~Should a city council member need an item placed on the agenda before council convenes in a council meeting and the item has already been removed from the agenda by the mayor, the council member shall obtain a signed statement from one additional city council member explaining the item they wish to appear on the next agenda, prepare an agenda item request form and submit the completed agenda item request form prior to the deadline for agenda items. The city secretary will provide the necessary statement form. This form may be submitted to the city manager or the city secretary.~~

The mayor and any city councilmember may submit agenda items which shall be included on the agenda. Items must reach the city secretary by 5:00 p.m. Friday one (1) week prior to the posting of the agenda.

(d) The mayor, city manager or appropriate city council member shall be listed as the sponsor for each agenda item that has been individually requested.

(Ord. No. [19-4](#), pt. 1, 7-2-2019)