



# City of Temple

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## **GOVERNING STANDARDS AND EXPECTATIONS**

**ADOPTED VIA RESOLUTION 2022-0410-R**

**12/15/2022**

# PREFACE

The following is a single source reference document enumerating the Temple City Council's Protocols, Rules of Order and Procedure, and Policies. The protocols and guidelines included in this reference document have been formally adopted by the City of Temple City Council.

The Temple City Council believes that effective municipal governance requires that individual Councilmembers adhere to a general set of principles when dealing with each other and the public. Furthermore, the City Council desires to conduct its meetings in a manner that is respectful, effective, and efficient, while fostering an environment that is fair, open, and responsive to the needs of the community.

As an elected official and representative of the City of Temple, it is expected that you will:

- Respect the opinions of fellow Councilmembers, be well-informed on issues and participate in the deliberations of the Council.
- Accept responsibility to attend all Council meetings and work sessions.
- Provide appropriate notification to the Mayor and City Manager of an absence as soon as possible prior to the meeting time.
- Not disclose information that is confidential and, when asked by the public for information that is still confidential, will state that the information is confidential.
- Make every attempt to resolve any conflict with a fellow Councilmember prior to bringing the conflict to the attention of the Council.
- Assist in preserving order and decorum.
- Neither by conversation or otherwise delay or interrupt the proceeding or refuse to obey the orders of the Mayor or presiding officer or the rules of the City Council.
- Expect to be informed of all issues and data in a timely manner.

## COUNCIL MEETING EXPECTATIONS:

Each Councilmember will:

- Endeavor to make the citizens comfortable and part of the process at the meetings.
- Make visitors comfortable by being courteous and respecting their opinions.
- Do their best to communicate in clear, concise and audible language and written communications.
- Strive to maintain a tone of voice that is courteous and sincere.
- Honor and act on all requests for action and/or information in a timely and courteous manner.
- Discuss issues, but not personalities, with non-Councilmembers. After an issue has been voted on, a Councilmember will speak in a manner that does not undermine the integrity or motives of the Council.

**COUNCIL FINAL AUTHORITY ON GUIDELINES:** All questions regarding these guidelines shall be resolved by a majority vote of the City Council, present and voting.

For purposes of these guidelines, the collective membership of the Mayor and City Councilmembers will be known as the City Council. Individually, each will be referred to as Mayor, Councilmember, or Member.

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# GOVERNING STANDARDS AND EXPECTATIONS

## DIVISION 1. MEETINGS

### **Sec. 1-10. Authority**

Pursuant to Article 4, Section 4.13 of the Charter of the City of Temple, Texas (the “Charter”), the City Council may enact rules of procedure for all meetings of the City Council of the City of Temple, Texas. In order to provide the framework for the execution of these powers and authority, the following set of rules will be in effect upon their adoption by the City Council and until such times as they are amended, or new rules adopted in the manner provided for by these rules.

### **Sec. 1-20. City Council Agenda**

- (a) The City Secretary, under general direction from the City Manager and after approval as to form by the City Attorney, is responsible for creating, processing, distributing, and posting the agenda and agenda materials for City Council meetings.
- (b) The Mayor or a Councilmember may direct the City Manager in writing, substantially in the form attached (Attachment “A”), to place an item on the next available work session agenda to introduce the topic to the City Council. Items must be submitted to the City Manager no later than noon on the Monday preceding the week of the City Council work session meeting, and must contain adequate detail of the request to allow for proper posting under the Open Meetings Act. The City Council may discuss the item when presented, and if a majority of Council agrees that further discussion of the item is warranted, the item will be placed on a future agenda for more detailed discussion and staff work, if necessary. If Council does not agree that further discussion is warranted, the item may not be introduced again within six months unless either directed by a majority of the City Council to the City Manager during any scheduled regular or special meeting or work session, or directed by the Mayor and one Councilmember in writing to the City Manager. In all cases, at least one member of the City Council who is requesting that the item be renewed on an agenda shall have been on the prevailing side of the previous vote on the item. The Mayor or City Manager may also place an item on the agenda if they believe it is of general interest or necessary to carry out business.
- (c) A majority of the City Council, during any scheduled regular or special meeting or work session, may direct the City Manager to place an item on a future agenda.
- (d) Agenda items previously considered by the City Council that were placed on the agenda by the Mayor or members of the City Council may not be placed on a future agenda within six months of such consideration unless either directed by a majority of the City Council to the City Manager during any scheduled regular or special meeting or work session, or directed by the Mayor and one Councilmember in writing to the City Manager. In all cases, at least one member of the City Council who is requesting that the item be renewed on an agenda shall have been on the prevailing side of the previous vote on the item.

### **Sec. 1-30. Types of Meetings**

- (a) *Regular Meetings:* A regular meeting is one during which the City Council takes official action. Regular meetings of the City Council will be held on the first and third Thursdays of each month and will generally commence at 5:00 p.m., except as specifically modified by the City Council, and may be held at such other times as may be necessary or beneficial. As provided in Article 4, Section 4.28 of the Charter, the City Secretary must “give notice of all official public meetings of the City Council in a manner consistent with State law”.

- (b) *Work Session Meetings:* A work session is a meeting to discuss or explore matters of interest to the City, review and discuss agenda items, and/or meet with City boards, commissions or committee members, City Staff, or neighboring governmental bodies or agencies. These meetings are informational and no formal action shall be taken unless the posted agenda indicates otherwise, although Council may provide direction to the City Manager via Motions of Direction. The Mayor may allow any citizen to participate in the discussion at a work session, but only as recognized by the Mayor. The Mayor may end citizen participation in a work session in order to allow the City Council to proceed with discussion. In conjunction with the regularly scheduled City Council meeting, a City Council work session will be held immediately prior to the regular City Council meeting, unless otherwise specified.
- (c) *Special Meetings:* Special meetings of the City Council will be those meetings which are not regular meetings. Special meetings may be called by the Mayor, or any two (2) Councilmembers, or the City Manager. A request for a special meeting by the Mayor or any two (2) Councilmembers must be in written form (including e-mail) and filed with the City Manager, with copies to the City Secretary and the City Attorney. A request for a special meeting must list the subject or subjects to be considered. The City Secretary must give notice of the special meetings of the City Council in a manner consistent with State law.
- (d) *Emergency Meeting:* In case of emergency or urgent public necessity, as defined by State law and confirmed by the City Attorney, which shall be expressed in the notice of the meeting, an emergency meeting may be called by the Mayor or City Manager, and it shall be sufficient if the notice is posted at least two hours before the meeting is convened.
- (e) *Closed Meeting:* The City Council may meet in a closed meeting under conditions allowed by applicable law. Details discussed in closed meetings shall be considered confidential and shall not be discussed or disclosed outside the meeting.
- (f) *Recessed Meetings.* Any meeting of the City Council may be recessed to a later time provided that no recess shall be for a period longer than twenty-four hours from the time the meeting is recessed.

**Sec. 1-40. Quorum**

As provided in Article 4, Section 4.14 of the Charter, three (3) members of the City Council will constitute a quorum to do business. The affirmative vote of three (3) members is necessary to adopt any ordinance or resolution, except where a greater number is required by State law, the Charter, or City ordinance.

**Sec. 1-50. Order of Business**

Regular City Council meetings will be generally conducted in the following order, unless otherwise specified. The Chair may reorder agenda items. An executive session may be held at any time during a meeting pursuant to applicable State law.

- (a) *Agenda Format:* The Agenda may contain any of the following categories:
  1. CALL TO ORDER: This section shall note the opening prayer (see sec. 1-70 for invocation policy) and the observance of our national pledge.
  2. PUBLIC COMMENTS: This section allows comments from residents of Temple or business/property owners who have signed up to speak prior to the meeting and are not currently in civil or criminal litigation with, the City of Temple or any of its officers or officials. However, residents who are currently involved in litigation against the City may still address the Council on issues wholly unrelated to the subject matter of the litigation. Any member of the public, regardless of residency, may address the City Council regarding an item on the agenda. Individuals should address their comments to the City Council and refrain from personally addressing individual members of the Council. Councilmembers cannot discuss items presented

under this agenda item or take any action other than consideration of whether to place the item on a future agenda as a discussion item or refer to staff for research and possible future action. Comments may cover only one topic and shall be limited to three (3) minutes. The Chair may, but is not obligated to, approve a single, one (1) minute time extension. The giving or transferring of a person's speaking time to another is prohibited. However, in order to expedite matters and to avoid repetitious comments, whenever a group of people wish to address the City Council on the same subject matter, those persons are encouraged to designate a spokesperson to address the City Council. If the persons for whom he or she speaks agree to yield their time to the spokesperson the Chair may, but is not obligated to, extend the time allocation for a designated spokesperson. For the sake of clarity, the Chair may use their discretion to determine the appropriate time extension, if any, based on the topic and number of persons the spokesperson is representing. The Chair may deny or shorten any comments if they are repetitive of comments previously made, disruptive, or disrespectful. City employees may participate only on items not related to their employment. Residents desiring to present audio-visual materials requiring the use of City equipment must schedule a public appearance as provided for in sec. 1-50 (a) 3.

3. **PUBLIC APPEARANCES:** This section allows presentations by residents of Temple or business/property owners who have requested to be placed on the agenda in writing, using the attached form (Attachment "B"). The request must be submitted through the City Secretary's office by noon on Monday the week prior to the Council Meeting. Individuals must not be currently in civil or criminal litigation with, the City of Temple or any of its officers or officials. However, individuals who are currently involved in litigation against the City may still address the Council on issues wholly unrelated to the subject matter of the litigation. Individuals should address their presentations to the City Council and refrain from personally addressing individual members of the Council. Presentations may cover only one topic, must be related to City business, and shall be limited to five (5) minutes. The Chair may deny or shorten any presentation if it is repetitive of a presentation previously made, disruptive, or disrespectful. Individuals desiring to present audio-visual materials requiring the use of City equipment must submit all audio-visual materials through the City Secretary's office by noon on the Monday of the week of the Council meeting. Materials should be submitted in a single consolidated file in either portable document format (PDF) or PowerPoint format (PPT). Individuals may only make one presentation per meeting. City employees may participate only on items not related to their employment. A maximum of six (6) public appearances will be allowed on any one agenda and will be placed on a first-come, first-served basis. Once an individual has been granted a public appearance for a certain topic, that individual may not be scheduled for a subsequent public appearance on that same topic until six (6) months have passed.
4. **SPECIAL RECOGNITIONS, ANNUAL REPORTS, AND PRESENTATIONS.** This section shall provide for any items to be submitted to the Council which are: proclamations; items not requiring extensive discussion; items providing information or items requesting future action by the Council. No item requiring action by the Council shall be placed under this section.
5. **BOND ITEMS:** This section shall provide for Council consideration of any bond related action items by the Council not provided for elsewhere on the agenda.
6. **BUDGET ITEMS:** This section shall provide for Council consideration of any budget related items by the Council not provided for elsewhere on the agenda.
7. **PUBLIC HEARINGS:** This section shall provide for Council consideration of any public hearings and associated action items by the Council not provided for elsewhere on the agenda.
8. **CONSENT AGENDA:** This section shall provide for items that require action by the Council, but where no discussion is anticipated. All items listed under this section are considered to be routine by the City Council. By a single motion, second, and affirmative majority vote, items under this section are approved without further discussion or action. If discussion is desired by the Council, any item may be removed from the Consent Agenda at the request of any Councilmember and

will be considered separately. Items such as, but not limited to, the approval of minutes, awarding of bids, contracts, and leases, and second readings of ordinances are eligible for consideration under this section.

9. **ORDINANCES:** This section shall provide for all ordinance action items to be considered by the Council not provided for elsewhere on the agenda.

10. **RESOLUTIONS:** This section shall provide for all resolution action items to be considered by the Council not provided for elsewhere on the agenda.

(b) *Public Participation:* Whenever a member of the public is recognized to address the Council on a public hearing item, the individual will be given five (5) minutes to make comments. The giving or transferring of a person's speaking time to another is prohibited. However, in order to expedite matters and to avoid repetitious comments, whenever a group of people wish to address the City Council on the same subject matter, those persons are encouraged to designate a spokesperson to address the City Council. If the persons for whom he or she speaks agree to yield their time to the spokesperson the Chair may, but is not obligated to, extend the time allocation for a designated spokesperson. For the sake of clarity, the Chair may use their discretion to determine the appropriate time extension, if any, based on the topic and number of persons the spokesperson is representing. Individuals desiring to present audio-visual materials requiring the use of City equipment must submit all audio-visual materials through the City Secretary's office by noon on the Monday of the week of the Council meeting. Materials should be submitted in a single consolidated file in either portable document format (PDF) or PowerPoint format (PPT).

### **Sec. 1-60. Consideration of Ordinances, Resolutions and Motions**

(a) *Written Form:* All ordinances and resolutions shall be presented to the Council only in written form.

(b) *City Attorney to Approve:* All ordinances and resolutions shall be approved as to form and legality by the City Attorney.

(c) *Recording of Votes:* The ayes and noes shall be taken upon the passage of all ordinances and resolutions and entered upon the official record of the City Council.

(d) *Majority Vote Required:* Unless otherwise required by law, approval of every ordinance, resolution, or motion shall require the affirmative vote of a majority.

### **Sec. 1-70. General Procedures**

(a) *General Procedure:* General rules of parliamentary procedure as defined in this document and consistent with the City Charter and any applicable City ordinance, statute or other legal requirement, shall govern the proceedings of the City Council. To the extent not inconsistent with these rules, the City Council shall use Robert's Rules of Order as a general guideline for additional rules of parliamentary procedure without being a procedural requirement. However, failure to abide by, or adhere to, these rules shall not nullify or negate any action by the City Council. These rules of parliamentary procedure are intended solely as a guideline and tool, and are not intended to limit the inherent power and general legal authority of the City Council, or of its presiding officer, to govern the conduct of City Council meetings.

(b) *Chair of Meeting:* The Mayor shall preside over all meetings of the City Council as the Chair and enforce these rules and procedures during a meeting. In the absence of the Mayor, the Mayor Pro Tem shall assume the Chair responsibility at the meeting. In the absence of the Pro Tem, the City Council will choose a Chair for the meeting.

(c) *Authority of the Chair:* The Chair shall make decisions on questions of procedure, subject to review by the City Council as a whole as provided in Section 1-90(c)(4).

(d) *City Council Deliberations:* The Chair has the responsibility to control the discussion and the order of

speakers. Councilmembers will generally be called upon in the order of the request to speak. Generally, a Councilmember may not be recognized to speak subsequently until each Councilmember has had an opportunity to obtain the floor. A Councilmember holding the floor may address a question to another Councilmember and that Councilmember may, should they so choose, respond to the question while the floor is still held by the Councilmember asking the question.

- (e) *Limits to Deliberations:* After an agenda item is announced by the Chair, the City Council may discuss the item without the need for a motion on the item. Councilmembers will limit their comments to the subject matter or motion currently being considered. The intent of this policy is not to limit debate, but rather to assist Councilmembers in their efforts to communicate effectively and concisely.
- (f) *Repetitious Comments Prohibited:* A speaker or Councilmember shall not present the same or substantially the same items or arguments to the City Council repeatedly or be repetitious in presenting oral comments. A speaker or Councilmember shall not present an argument on a matter previously considered by the City Council at the same session.
- (g) *Obtaining the Floor:* Any member of the City Council wishing to speak shall first obtain the floor by making a request for the floor to the Chair. The Chair shall recognize any Councilmember who appropriately seeks the floor.
- (h) *Motions:* Motions submitted for a vote shall contain only one question. If two or more points are involved, any member may require a division, if the question reasonably admits of a division. Motions may be made and seconded by any member of the City Council except the Chair. The most common motions are as follows:
  - 1. Amending a motion. Any Councilmember may move to amend a pending motion. No more than two amendments may be made to a pending motion. The last amendment shall be voted on first.
  - 2. Postpone to a Certain Date. This motion is used to delay consideration of an item until a specified date, i.e., the next City Council meeting, etc.
  - 3. Postpone Indefinitely. This motion is used to delay consideration of an item until an unspecified date.
  - 4. Point of Order. Any Councilmember may raise a point of order at any time. A point of order means that the Councilmember is asking for a ruling on whether the rules of procedure are being followed. A point of order shall immediately be acknowledged by the Chair, and all debate must stop. The point of order shall first be made to the Chair for a ruling, stating the alleged violation with specificity. A point of order directed to the Chair does not require a second and is not subject to amendment. The Chair rules on the point of order. The member may appeal the Chair's ruling to the Council. The appeal requires a second and the person making the appeal may make a brief statement and the Chair may respond. An appeal may generally be debated by the Council, but each Councilmember may speak only once. The Council may affirm or overrule the Chair's ruling by a majority vote of the Councilmembers present.
  - 5. Reconsideration. A councilmember who voted in the majority may move to reconsider an item that City Council has voted on. The motion and any action must be made immediately after the vote on the matter, and before the City Council has begun discussing or considering any other business.
- (i) *Procedures for Motions:* The following is the general procedure for making motions:
  - 1. The item is presented by Staff or others, followed by questions and discussion by Councilmembers.
  - 2. A Councilmember who wishes to make a motion shall first obtain the floor.
  - 3. A Councilmember who wishes to second a motion shall do so through a request to the Chair.



4. Before a motion can be discussed, it shall be seconded. If a motion does not receive a second after a reasonable time, a Councilmember may call for a "point of order," which mandates that the motion receives an immediate second, or it dies.
  5. Once the motion has been properly made and seconded, the Chair shall open the matter for further discussion offering the first opportunity to the moving party and, thereafter, to any Councilmember properly recognized by the Chair. The Chair may participate in discussion.
- (j) *Continuance of Discussion or Hearings:* Any item being discussed or any public hearing at a City Council meeting may by motion be continued or tabled to any subsequent meeting.
  - (k) *Communications with Applicants or Petitioners:* Any Councilmember's communication with an applicant or petitioner outside of a public meeting regarding a matter that will come to City Council for a decision must be disclosed prior to or during the City Council discussion or deliberation of the action. Examples include but are not limited to discussion with a property owner regarding his or her rezoning request, or discussion with a vendor prior to bid award.
  - (l) *Call for Recess:* The Chair shall poll the City Council regarding the need for a recess at least every two (2) hours. A recess of ten (10) minutes will also be called at any time if requested by any two (2) Councilmembers.
  - (m) *Call for the Vote:* A Councilmember may call for the vote, in essence to end discussion and debate, only when the Councilmember has obtained the floor. A Councilmember may make a motion calling for the vote, but not before each Councilmember that wishes to speak has had at least one opportunity, and the motion must receive a second. The motion is not debatable and a vote on the motion shall take place immediately after a second is received. The motion is approved only if two-thirds (2/3) of the Councilmembers in attendance approve. If the motion fails, debate shall continue. A subsequent motion to call for the vote may be made after additional discussion.
  - (n) *No further discussion following a vote.* After a vote has been taken on an item, there shall be no further discussion of that item by the Mayor or a Councilmember during the meeting.
  - (o) *Votes not to be taken twice.* It is the responsibility of each Councilmember to ask for clarification before a vote on any motion properly made and seconded. Once a vote has been taken, a second vote will not be held because of Councilmember error unless a Motion for Reconsideration is properly made.
  - (p) *Amendment to the Minutes.* Amendments to the Minutes are made by a motion during the item to consider approval of the minutes. The Minutes are action minutes and provide the action taken by City Council and a summary of subjects discussed. If a Councilmember desires that certain information be included in the minutes, the Councilmember will state prior to the information, "For the record." If it is a lengthy statement, a written copy must be provided to the City Secretary.
  - (q) *Concluding Meetings.* In order to achieve effective decision making and sound judgment, and in consideration of residents, guest and staff expectations, meetings shall not extend beyond 10:00 pm except as provided herein. The Mayor or presiding officer shall not conclude a meeting when discussion of the item on the table is in progress. The Mayor or presiding officer shall allow discussion to continue until complete or a time when ending is appropriate. Meetings shall not end if a time sensitive matter that requires action by the City Council has not yet been considered.
  - (r) *Video Conferencing.* A member of the City Council may not attend a meeting of the City Council or a Council Committee by videoconference call under Section 551.127, Texas Government Code, unless such attendance is specifically approved for a specific date in advance by the Chair. If a Councilmember attends a meeting via videoconference call without the approval of the Chair, that Member is not counted as present for quorum or attendance purposes and is not eligible to vote or participate in the meeting as a Councilmember.

- (s) *Written Correspondence.* The City Council is not obligated to provide for a reading of correspondence into the public record on behalf of an absent individual as part of a City Council public hearing. The correspondence is provided to City Council and is included in the City Council agenda packet.

**Sec. 1-80. Prayers and Invocations**

- (a) *Background:* The Temple City Council, which is an elected legislative and deliberative public body, has a long-standing practice of opening its meetings with an invocation or prayer. Prayer before deliberative public bodies has been consistently upheld as constitutional by American courts including the United States Supreme Court, most recently in the 2014 case of *Town of Greece v. Galloway*, as it tends to lend gravity to public business, remind lawmakers to transcend petty differences in pursuit of a higher purpose, and express a common aspiration to a just and peaceful society.

The City Council intends, and has intended in past practice, to adopt a policy that upholds an individual's "free exercise" rights under the First Amendment. Furthermore, the City Council intends, and has intended in past practice, to adopt a policy that does not proselytize or advance any faith or belief or show any purposeful preference of one religious view to the exclusion of others.

- (b) *No Requirement to Participate:* No member of the City Council, city employee, or any other person in attendance at a meeting shall be required to participate in any prayer or invocation that is offered. Everyone will be treated equally in all respects whether they choose to participate, or not participate, in the prayer or invocation.
- (c) *Prayer or Invocation:* The prayer or invocation shall be voluntarily delivered by a minister of an established congregation located within the City of Temple or a layperson who resides within the City of Temple ("speaker"). This opportunity is voluntary, and speakers are free to offer the invocation according to the dictates of his or her own conscience. To maintain a spirit of respect, the City Council requests only that the prayer or invocation opportunity not be exploited as an effort to convert others to the particular faith or belief of the speaker, nor to disparage any faith or belief different from that of the speaker. Speakers are asked to limit their prayers or invocations to two (2) minutes.
- (d) *Scheduling:* Individuals who wish to deliver a prayer or invocation at a Council Meeting are invited to contact the City Secretary for inclusion on the "Prayer or Invocation List." Prayer and invocation-givers will be scheduled on a rotating basis from the "Prayer or Invocation List". If the selected speaker does not appear at the scheduled meeting, the Mayor may ask for a volunteer from among the audience to deliver the invocation or prayer. If no member of the audience is available, the Mayor may ask a Councilmember to give the invocation or prayer.
- (e) *General Provisions:* No speaker shall receive compensation for his or her service. The City Secretary shall make a reasonable effort to ensure that a variety of eligible speakers are scheduled for the City Council meetings. Neither the City Council, nor any staff member, may engage in any prior inquiry, review of, or involvement in the content of any prayer or invocation to be offered by any speaker. This policy is not intended and shall not be implemented or construed in any way, to affiliate the City Council with, nor express the City Council's preference for, any faith, belief, or religious denomination. Rather, this policy is intended to acknowledge and express the City Council's respect for the diversity of denominations, faiths, and beliefs represented and practiced among the citizens of Temple.

**Sec. 1-90. Decorum**

- (a) *General:* During City Council meetings, Councilmembers shall preserve order and decorum, shall not interrupt or delay proceedings, and shall obey the rules of the City Council. Councilmembers shall demonstrate respect and courtesy to one another, to City Staff and to members of the public appearing before the Council. Councilmembers shall seek to phrase and communicate all writings, publications and speeches in a professional and constructive manner.

Members of the City Council will not condone any unethical or illegal activity from any Councilmember or members of the Staff. All members of the Council shall uphold the intent of this policy and govern their actions accordingly.

(b) *Mayoral Responsibilities:*

1. *Participation and Voting.* The Mayor shall participate in the discussion of all matters before the City Council. The Mayor must vote on all matters before the City Council, but has no veto power.
2. *Chair.* The Mayor shall serve as the Chair of all meetings. The Mayor Pro Tem shall preside in the absence of the Mayor.
3. *Preserve Order and Decorum.* The Chair is responsible for preserving order and decorum and shall keep the meetings orderly by recognizing each Member for discussion, encouraging civil debate among Members, and keeping discussion limited to the agenda item being considered.
4. *Encourage Participation.* The Chair will encourage all Councilmembers to participate in Council discussion and give each Member an opportunity to speak before any Member can speak again on the same subject.

(c) Council Responsibilities

1. *Be Prepared.* Each Councilmember is responsible for being prepared to discuss the agenda.
2. *Attendance.* Attendance at work sessions and meetings is essential to the effective execution of a Councilmember's duties. It is the responsibility of Councilmembers to be informed about action taken by the City Council in their absence. In the case of an absence from a work session, the Councilmember is responsible for obtaining this information by viewing the recording of the work session prior to the City Council meeting during which the items are to be voted upon. The City Secretary is responsible for maintaining an attendance log for the Mayor and each Councilmember, which is a public document.
3. *Decorum.* When addressing an agenda item, the Councilmember shall first be recognized by the Chair, shall confine comments to the question under debate, shall avoid reference to personalities, shall refrain from impugning the integrity or motives of any other Councilmember or Staff Member during debate or vote, and shall refrain from publicly implying or insinuating wrong-doing by another Councilmember or Staff Member without clear evidence of such behavior.
4. *Appeal.* Any Councilmember may appeal a ruling by the Chair to the Council as a whole. If the appeal is seconded, the person making the appeal may make a brief statement and the Chair may respond. An appeal may generally be debated by the Members, but each Member may speak only once. The affirmative vote of a majority of the Councilmembers present and voting shall be necessary to approve the motion to appeal.
5. *Enforcement of Policy.* Any Councilmember may ask the Chair to enforce the policy established by the Council. Should the Chair fail to do so, a majority vote of the Councilmembers present shall require the Chair to enforce the policy.
6. *Wait to be Recognized.* A member of the Council who wishes to be recognized shall request to speak and shall not proceed with remarks until recognized and named by the Chair of the meeting. Remarks shall be confined to the question before the Council.
7. *No Private Discussions.* While any other person who has been recognized by the Chair is speaking, other members shall not hold private discourse or in any manner interrupt the speaker.

In all discussions, disrespectful language and behavior shall be avoided.

8. *Duty to Vote.* All Councilmembers must vote either in the affirmative or in the negative on each item presented, unless he or she has disclosed a legal or perceived conflict of interest and filed the required affidavit in advance. A present member who does not vote and who has not filed the required affidavit will be officially recorded as a negative vote. When a Councilmember recuses oneself due to an actual or perceived conflict of interest and files the required affidavit, that Councilmember is not counted as present for quorum purposes and is not deemed to be “voting” for purposes of determining whether there has been a “majority vote of those voting and present” for that item. If a Council member abstains from a matter for an actual or perceived conflict of interest, the member must physically leave the dais, room, or virtual meeting platform for the entire discussion and vote on that item.
9. *Third Party Representation.* A Councilmember may not represent any third party before any City board or commission.
10. *Personal Communication Devices.* All personal communication devices should be placed in a silent mode during any City Council meetings. If an individual is using his or her personal communication device during a meeting and a member finds it disruptive, he or she should inform the Mayor.
11. *Dress Code.* It is the policy of City Council to create a dignified and professional environment for City Council meetings. Therefore, all Councilmembers shall dress in a professional manner while attending a City Council meeting or work session, or while representing the City in an official capacity as a member of the City Council.

(d) Council Appointee’s Responsibilities

1. *City Manager.* The City Manager, or designee, will attend all City Council meetings unless expressly excused. The City Manager may make recommendations to the City Council and as provided in Article 7, Section 7.3 of the Charter may “take part in discussion, but the City Manager may not vote on any matter before the City Council”.
2. *City Attorney.* The City Attorney, or designee, will attend all regular meetings of the City Council unless expressly excused and, will upon request give an opinion, either written or oral, on questions of law during the meeting. 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 will act as the City Council's Parliamentarian.
3. *City Secretary.* The City Secretary, or designee, as provided in Article 4, Section 4.28 of the Charter will “attend all public meetings and hearings of the City Council” and “keep the minutes of the proceedings of all public official meetings and hearings of the City Council”.
4. *Director of Finance.* The Director of Finance, or designee, will attend all regular meetings of the City Council unless expressly excused. The Director of Finance may make recommendations to the City Council and take part in all discussions of the City Council but shall have no vote.

(e) *Public’s participation:* The following rules shall be in force for all persons in attendance at all meetings of Council:

1. *Rules of Decorum.* Persons attending City Council meetings should observe the same rules of propriety, decorum, and good conduct as they would show in a courtroom, a place of worship, or at any other serious or solemn occasion during which matters of importance are being considered. Visitors will refrain from engaging in chatter, private conversations, and from making other distracting noises while the City Council is in session. Phones and other electronic devices should be set to off or silent mode. Visitors should not applaud, boo, or otherwise audibly express approval or disapproval of the speech of another person in a manner likely to disturb the meeting.

2. *Addressing City Council.* Persons wishing to address the City Council may do so (i) during the Public Comments section of the agenda (see sec. 1-50 (a) 2 for additional information and requirements to participate in public comments), (ii) through a public appearance (see sec. 1-50 (a) 3 for additional information and requirements to request a public appearance), or (iii) during a public hearing (see sec. 1-50 (b) for additional information and requirements to participate in a public hearing). When called upon by the Chair, speakers shall approach the podium and give his/her name for the record before speaking. Speakers shall address the Mayor and City Council with civility that is conducive to appropriate public discussion. All public comments should be addressed through the Chair.
3. *Address Chair.* Persons may not engage in discussions with the City Council or staff during Council deliberations unless specifically asked a question by a Councilmember. Persons who have been asked a question by a Councilmember must be recognized by the Chair before being allowed to speak. The Chair may end any question and answer session between Councilmembers and a member of the public in order to facilitate the order of business.
4. *Printed Materials.* Persons may present printed material to the City Secretary to distribute to the City Council during a meeting.
5. *No Disruptions.* Persons attending City Council meetings shall remain seated or may stand in the back of the room and come and go so long as it does not disrupt the meeting. Persons in attendance carrying signs or placards shall not block the view of other attendees. No person attending any City Council meeting shall delay the proceedings or refuse to obey the orders of the Chair.
6. *Removal.* Disturbances, transgressions of the rules, or disorderly conduct in the City Council Chamber or other City Council meeting room may cause the transgressor to be removed from the meeting. The Chair of the meeting shall exercise control over persons who disrupt the meeting in the following order of action:
  - a. Call the person to order, advising that person of the infraction;
  - b. Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting;
  - c. Order the person to leave the meeting. A police officer may remove an individual or individuals for disrupting a meeting as authorized by Texas Penal Code Section 42.05.
7. *Room Limitations.* Persons are encouraged to attend Council meetings; however, the number admitted shall be limited to the fire safety capacity of the Council Chamber as determined by the Fire Chief or designee. If the capacity is surpassed, the City Council may recess the meeting and move its proceedings to a location that will accommodate a larger number of participants, or may make a live broadcast of the proceedings available in a nearby room.

### **Sec. 1-100. Staff Relations**

- (a) *Presentations.* Staff presentations will be concise and will provide factual background information on the item as well as a recommendation for the City Council.
- (b) *Ask Questions in Advance.* To ensure proper presentation of agenda items by Staff, questions arising from Councilmembers after receiving their information packet should be, whenever possible, presented to the City Manager for Staff consideration prior to the City Council meeting. This allows Staff the time to address Councilmembers' concerns and provide all Councilmembers with additional information as necessary. When questions are posed by Councilmembers in advance of a meeting, the questions and Staff responses shall be included in the staff presentation at the meeting.
- (c) *Presentation Requirements.* The City Manager shall designate the appropriate Staff Member to address

each agenda item and shall see that each presentation is prepared and presented to inform and educate the City Council on the issues that require City Council action. The presentation should be professional, timely, and allow for discussion of options for resolving the issue. As a summary, the Staff Member making the presentation shall make it clear if no City Council action is required, or shall present the Staff recommendation as a part of the presentation, and/or present the specific options for City Council consideration. Other than asking clarification questions, City Councilmembers should allow the Staff Member to complete his or her presentation before discussing or debating the topic.

- (d) *Motions of Direction to City Manager.* During a work session or regular meeting, discussion may lead to a point where the council wishes to direct the City Manager in a particular manner. The appropriate way to accomplish this is for a Councilmember to make a motion in which the City Manager is directed towards, or away from, a particular course of action. There must be a second and a vote on the Motion. If approved by a majority of the Councilmembers in attendance, the Motion of Direction becomes the official direction of the Council and will be transcribed and maintained for the record.
- (e) *Use of Staff Time.* The City Manager is directly responsible for providing information to the City Council concerning any inquiry by a specific Councilmember that is significant in nature and would be beneficial to all Councilmembers. If the City Manager or the Staff's time is being dominated or misdirected by a Councilmember, it is the City Manager's responsibility to inform the Mayor.
- (f) *Ethical Behavior Required.* The City Manager will exhibit the highest professional and ethical behavior. The City Manager is responsible for the professional and ethical behavior and discipline of his/her Staff. The City Manager is also responsible for ensuring that the Staff receives the training and information necessary to address the issues facing municipal government.
- (g) *Respect and Courtesy.* All Staff Members shall show one another, each Councilmember, and the public respect and courtesy at all times. They are also responsible for making objective, professional presentations to ensure public understanding and confidence in the process.
- (h) *Conflicts.* Any conflicts arising between the City Staff and the City Council will not be allowed to affect the normal course of business, but will be addressed by the Mayor and the City Manager outside of a public meeting.
- (i) *Council Orientation.* The City Manager, after an election, will ensure that the Staff has prepared information needed for the orientation of new Councilmembers and will inform the City Council of any available Texas Municipal League conferences and seminars.

### **Sec. 1-110. Statements by Public Officials Regarding Litigation**

When the City of Temple is involved in litigation or a legal dispute, Councilmembers shall refrain from commenting on settlements, appeals, or other issues related to the subject until the matter is resolved. The Mayor, City Manager, City Attorney or Communications Officer shall be authorized to provide any public responses or comments as needed on matters involving litigation.

### **Sec. 1-120. Statements by Public Officials Regarding Executive (Closed) Sessions**

It will be the policy of the City Council that the Mayor, individual Councilmembers, the City Manager, City Attorney, City Secretary, Director of Finance and others who are authorized to attend executive (closed) sessions will not make selective disclosure of confidential matters discussed in executive (closed) session 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.

### **Sec. 1-130. Disbursement of City Council Requested Information**

As a general courtesy and to maintain equality in the disbursement of information, documentation or data requested by a Councilmember from Staff that is significant in nature and/or would be beneficial to all

Councilmembers shall be provided to all members of the City Council.

## **DIVISION 2. CITY COUNCIL POLICIES AND OPERATING PROCEDURES**

### **Sec. 2-10. State and Federal Legislation and Rule-Making Proceedings**

- (a) The City Manager shall notify the City Council of pending matters of legislation or rule-making that may affect the interests of the City. The Mayor or any Councilmember may request that a legislative or rule-making initiative be presented to the City Council for a formal determination by the City Council of endorsement or opposition. The City Manager may, in the exercise of her professional judgment, determine to take action on or intervene in support of or opposition to a legislative or rule-making matter consistent with the City Council's adopted state and federal legislative agendas.
- (b) This policy is not intended to prohibit or restrict a member of the City Council acting as a private citizen, and not on behalf of the City, from participating in legislative or rule-making matters provided the Councilmember does not in any way imply that the position of the Councilmember is the official position of the City unless the City Council has so decided. A member of the City Council may accurately represent himself or herself as an elected official and as a member of the City Council, but may not use City resources, staff, letterhead, official email, or any City-approved logo in doing so.

### **Sec. 2-20. City Council Travel and Business Expenses**

- (a) *Training Encouraged.* Subject to available funding, the City Council is encouraged to attend training relevant to the City Council's duties, such as:
  - 1. Annual meeting of the Texas Municipal League and affiliates;
  - 2. Texas Municipal League newly-elected officials orientation (for newly-elected members of the City Council);
  - 3. Other meetings as designated and approved by the Mayor or the City Council;
  - 4. Attendance to committee or association functions related to the Texas Municipal League or other organizations as approved by the Mayor or the City Council.

For purposes of this policy, "attendance" includes the payment of applicable membership fees for the Councilmember and the allowable expenses as described below. A member of the City Council may not commit to membership or participation in or attendance at meetings of organizations not listed in subsection (A) without the approval of the Mayor or the City Council except in the Councilmember's individual capacity and at the Councilmember's sole expense.

- (b) *Reimbursement Process.* A Councilmember who seeks to incur or obtain reimbursement for expenses allowed under this policy shall file with the City Manager an approval request or reimbursement request, as the case may be, in accordance with current City policy.

### **Sec. 2-30. Process for Filling Unexpired City Council Term**

If a vacancy on the City Council is allowed by Article 4, Section 4.7 of the Charter to be filled by City Council appointment and the Council elects to make an appointment to fill the vacancy, the following process will be used:

- (a) The vacancy will be advertised in the manner that is determined to reach the largest audience advising Temple residents of the vacancy and giving interested residents two weeks to complete and return a fully-executed and notarized Application for a Place on the General Election Ballot. This form can be obtained from the City Secretary's office and must be received by the City Secretary's office by the specified date for the applicant to be considered for appointment to the vacant seat.

- (b) All completed applications received by the deadline will be forwarded to the City Council for review. The full City Council will conduct interviews with selected applicants. Interviews will be private unless prohibited by the Texas Open Meetings Act.
- (c) City Council will conduct deliberations in private unless prohibited by the Texas Open Meetings Act. The appointment will occur in an open and properly posted public meeting.

**Sec. 2-40. Use of City Facilities, Staff or Resources by the Mayor or City Councilmembers for Mayor or City Councilmember-Sponsored Meetings.**

Recognizing that occasions arise where the Mayor or Councilmembers wish to engage with the residents of Temple outside of a formal City Council meeting, and also recognizing that City resources and staff time have limits, this policy sets forth the guidelines under which City facilities and resources may be used to support such meetings.

Each calendar year, the Mayor and each Councilmember may hold up to two non-political Mayor- or Councilmember-sponsored meetings that are supported by city resources in the following manner:

- (a) The complimentary use of a meeting space at the Frank W. Mayborn Civic and Convention Center, Gober Party House, Sammons Community Center, Temple Railroad and Heritage Museum, Wilson Park Recreation Center, Temple Library McLane Room, Temple Library Board Room, Police Department Headquarters Community Room, Historic Post Office, a Municipal Building conference room, Municipal Building Council Chambers, or Fire Training Center if the desired space is available and not otherwise scheduled. The meeting space should be reserved in advance, but no more than two months in advance.
- (b) Technical support, to the extent it is available at the chosen space, and not otherwise in use.
- (c) Staff presentations, scheduled in advance through the City Manager.
- (d) The meeting will not occur between January 1<sup>st</sup> and election day on which the Mayor or a Councilmember position is to be elected, so that there can be no allegation that tax-payer dollars are being illegally spent in support of the Mayor or a Councilmember’s reelection effort. This restriction does not apply to a candidate who is running unopposed.

In order to take advantage of the services listed above, the requesting Mayor or City Councilmember shall complete and return the Support for Mayor or Councilmember-Sponsored Meeting form to the City Manager. (See Attachment C) The City Manager or designee will manage scheduling for events described above to alleviate the overbooking of City staff and resources.

These guidelines are not intended to stop the Mayor or a City Councilmember from having a Mayor or City Council-sponsored meeting that is not supported by city resources.

These restrictions do not apply to an Annual State of the City address.

City facilities, staff time, or other City resources may not be used for political campaign events or announcements.

**DIVISION 3. COMMUNICATIONS**

**Sec. 3-10. Purpose**



Since government is only successful when the residents are kept informed and educated about the issues facing their municipality, it is necessary that the media play a role in the governmental process. It is through an informed public that progress is ensured and good government remains sensitive to its constituents. These guidelines are designed to help ensure fair relationships with all media reporters. The City Council and the City Manager recognize that the media provides an important link between the City Council and the public. It is desired to establish a professional working relationship to help maintain a well-informed and educated citizenry.

Furthermore, although traditional media continues to play an important role in distributing information, social media and other City managed web-based technologies make information increasingly available to the public in real time and in its entirety. All avenues of communicating information are important and have a meaningful impact on city government.

### **Sec. 3-20. General Provisions**

- (a) City staff will make all meeting notices, agendas, minutes, and supporting documentation available to the City Council and to the public via the City's official website. If supporting documentation is not available to the City Council in advance of a workshop meeting, at City Council's discretion the Council will be given two workshop sessions to discuss the item before it moves to a business meeting for action.
- (b) City Council meetings will be live streamed and archived in their entirety and made available to the public via the City's official website.

### **Sec. 3-30. Media**

- (a) Media is welcomed and encouraged to attend all public meetings of the City Council.
- (b) Media may be asked to occupy a designated area in some circumstances but may generally locate in places open to the public.
- (c) Media may not disturb the decorum or professionalism of City Council meetings or work sessions.
- (d) Media may contact the Mayor and City Councilmembers directly but are encouraged to work through the Marketing & Communications Department as stated in the City's Media Policy.
- (e) The Mayor is the primary spokesperson for the City Council and may speak to the media or public on behalf of the body.
- (f) City Councilmembers may not speak to media or the public on behalf of the body; they may speak only as an individual member.
- (g) To preserve the decorum and professionalism of City Council meetings, the media are requested to refrain from talking with other people in the audience and to conduct any interview with the public outside the meeting room while the City Council is in session. Media interviews will not take place in City Council Chambers.
- (h) Media wishing to speak to City staff will comply with the Media Policy.

### **Sec. 3-40. Social Media**

- (a) City Councilmembers participating in social media relating to City business shall use their real names.
- (b) City Councilmembers will maintain any posts to social media sites relating to City business in accordance with records retention law.
- (c) City Councilmembers will not participate in online discussions, groups or forums that contain or have

the potential to contain a quorum of City Council (walking quorum).

- (d) City Councilmembers are encouraged to share information from City social media sites on their own sites.

**Sec. 3-50. Email**

- (a) To ensure compliance with the Texas Public Information Act and required retention schedules and to further transparency in the communication and discussion of City business, City Councilmembers are strongly encouraged to use their official City of Temple email addresses to conduct City business. If circumstances require a City Councilmember to conduct City business on a non-City email account, he or she shall promptly forward the associated electronic communications to a City email account.
- (b) City Councilmembers will not “email all,” “copy all,” “blind copy all” or “reply all” to emails discussing City business that contain or have the potential to contain a quorum of members.

**Sec. 3-60. Other**

- (a) The City of Temple logo is copyrighted. It may only be used for official City business and may not be used on campaign materials or for personal business.
- (b) The Mayor, as the ceremonial head of the City, is the issuer of proclamations, certificates, awards, City coins, etc. on behalf of the City Council. City Councilmembers wishing to bestow such honors shall make a request to the Mayor.
- (c) The Mayor may sign letters and petitions making requests or stating positions on behalf of the City so long as they do not conflict with a City Council decision or directive.
- (d) Dedication plaques placed on City buildings shall include the names of the Mayors and City Councilmembers who served from the time funding was budgeted for the project through completion.

**DIVISION 4. ENFORCEMENT AND ADMINISTRATION**

**Sec. 4-10. Policy Enforcement**

If a Councilmember believes this policy has been violated, the topic shall be placed on a meeting agenda following the procedure established in section 1-20(b). If it is a Staff Member who is in violation of this policy, the City Manager will handle the matter in accordance with City policy as she deems appropriate in accordance with the employee policy.

**Sec. 4-20. Annual Review and Re-adoption of These Governing Standards and Expectations**

Each June, after the new City Council is elected and seated, the new City Council shall begin review of these Governing Standards and Expectations and should work towards re-adoption of an updated version by a supermajority vote of all Councilmembers present and voting by the end of July each year. The current version of these Governing Standards and Expectations will remain in effect until superseded by an updated version.

**Sec. 4-30. City Manager and City Attorney Roles Regarding Protocol.**

The City Attorney assists the Mayor as a resource to confer with, and acts as an advisor for interpreting the City Council’s adopted Governing Standards and Expectations. The City Manager, the City Attorney, nor any other Staff member is responsible for enforcing these protocols and guidelines.



**COUNCIL REQUEST TO PLACE ITEM ON THE AGENDA**

(Per Section 1-20 of Governing Standards and Expectations)

Requestor(s): \_\_\_\_\_

Problem/Issue/Idea Name for Agenda:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Note - Your description must identify the subject matter of your appearance in sufficient detail to alert the public what topic you will discuss.)*

Additional Information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Councilmember Signature

\_\_\_\_\_  
Date



**REQUEST FOR PUBLIC APPEARANCE**  
(Per Section 1-50 of Governing Standards and Expectations)

Requestor(s): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Date requested to Appear before the City Council: \_\_\_\_\_  
(Note – The City Council meets the first and third Thursdays of each month.)

Subject to be presented: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Note - Your description must identify the subject matter of your appearance in sufficient detail to alert the public what topic you will discuss and what action you are requesting by the Council.)*

**Procedures for Public Appearances:**

- A request for a public appearance must be submitted through the City Secretary’s office by noon on the Monday the week prior to the Council Meeting.
- Individuals must not be currently in, or threatening civil or criminal litigation with, the City of Temple or any of its officers or officials, or with whom litigation is reasonably anticipated. However, residents who are currently involved or threatening litigation against the City may still address the Council on issues wholly unrelated to the subject matter of the litigation.
- Individuals should address their presentations to the City Council and refrain from personally addressing individual members of the Council.
- Presentations may cover only one topic, must be related to City business, and shall be limited to five (5) minutes. The Chair may deny or shorten any presentation it is repetitive of a presentation previously made, disruptive, or disrespectful.
- Residents desiring to present audio-visual materials requiring the use of City equipment must submit all audio-visual materials through the City Secretary’s office by noon on the Monday of the week of the Council meeting.
- Residents may only make one presentation per meeting.
- City employees may participate only on items not related to their employment.
- A maximum of six (6) public appearances will be allowed on any one agenda and will be placed on a first-come, first-served basis.
- Once an individual has been granted a public appearance for a certain topic, that individual may not be scheduled for a subsequent public appearance on that same topic until six (6) months have passed.

\_\_\_\_\_  
Resident Signature

\_\_\_\_\_  
Date



### SUPPORT FOR MAYOR OR COUNCILMEMBER-SPONSORED MEETING

(Per Section 2-40 of Governing Standards and Expectations)

Requestor: \_\_\_\_\_

Date of Event: \_\_\_\_\_ Event Start Time: \_\_\_\_\_ Event End Time: \_\_\_\_\_

Name of Event: \_\_\_\_\_

Number of Attendees expected: \_\_\_\_\_ Is your event open to the public:  Yes  No

- Preferred City Facility:
- Frank W. Mayborn Civic and Convention Center
  - Temple Police Headquarters Community Room
  - Gober Party House
  - Sammons Community Center
  - Temple Railroad and Heritage Museum
  - Wilson Park Recreation Center
  - Temple Library McLane Room
  - Temple Library Board Room
  - Fire Training Center
  - Historic Post Office
  - Municipal Building Conference Room
  - Municipal Building Council Chambers
  - Other: \_\_\_\_\_

Will you require any audio-visual equipment or technical support (please explain)?:  
\_\_\_\_\_  
\_\_\_\_\_

Will you require attendance of city staff for presentations or other purpose (please explain)?:  
\_\_\_\_\_  
\_\_\_\_\_

Will you require additional set up and/or clean up time? If so, state move in and move out times:  
In: \_\_\_\_\_ Out: \_\_\_\_\_

Per calendar year, the Mayor and each Councilmember may hold up to three (3) Mayor or Councilmember-sponsored meetings that are supported by city resources in the following manner:

1. The complimentary use of an above listed meeting space if space is available and not otherwise scheduled.
2. The meeting space should be reserved in advance, but no more than two months in advance.
3. Technical support, to the extent it is available at the chosen space, and not otherwise in use.
4. City Staff presentations, scheduled in advance through the City Manager.
5. The meeting will not occur within the six months preceding an election in which the Mayor or a Councilmember is a candidate for re-election so that there can be no allegation that tax-payer dollars are being illegally spent in support of the Mayor or a Councilmember's reelection effort.

\_\_\_\_\_  
Councilmember Signature

\_\_\_\_\_  
Date