

RESOLUTION NO. R-2016 -03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP,
TEXAS, RELATED TO PREPARATION OF CITY COUNCIL MEETING
AGENDAS IN COMPLIANCE WITH THE STATE'S OPEN GOVERNMENT
STATUTES AND LAWS; PROVIDING A SEVERABILITY CLAUSE; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City Council of Bastrop is fully and unconditionally committed to transparency in its governance and operations; and

WHEREAS, the City Council of Bastrop is committed to full compliance with the State's Open Government Statute, including the Open Meetings Act ("OMA"), as interpreted by the State's Attorney General, and as adopted by the State's Courts in judicial opinions; and

WHEREAS, in order to ensure that the City Council's public meetings legally, adequately and fairly inform all persons who read the City's agendas of the topics and individuals that are anticipated for presentation to the Council at meetings, under agenda topics such as "Announcements" and "Citizen's Comments," the City will, henceforth, include on such posted items information known to the City at the time of preparation and posting the agenda for an upcoming City Council meeting, to the extent required by the OMA.

WHEREAS, nothing in this Resolution is intended to limit or otherwise inhibit the ability or right of citizens to address the Council at its meetings, *impromptu*, in accord with the City's formally adopted 'Rules of Decorum,' as has been the Council's practice in the past. Rather, it is the purpose of this Resolution merely to ensure that the City comply to the fullest extent possible with the State's Open Government laws and regulations.

WHEREAS, the Council members agree and fully commit themselves to assisting the City Manager, City Secretary/Staff, and Mayor in timely obtaining and conveying all information in their possession, related to these agenda items, so that the agendas may be prepared in compliance with the OMA.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF BASTROP, TEXAS, THAT:**

Part 1: The City shall prepare and post its meeting agendas in a manner that provides a reader with both the identity and the general topic of the subject(s) that will be presented to the Council, under agenda items posted as "Announcements" and "Citizen Comments"

and/or any similar general postings if, at or before the time the agendas are prepared by the City, the identity of the speaker and the general subject matter upon which the speaker desires to address the Council is known to the City.

Part 2: This Resolution is not to be interpreted or used to prohibit or limit any individual from the right to address or make ‘citizens comments’ to the City Council at its public meetings, on an *impromptu* basis, and/or when the Council is not made aware of the identity of the speaker or the topic before the time that the agenda for the meeting is being prepared. Under those circumstances, a person may make a ‘citizen’s comment’ by following the City’s adopted Rules of Decorum for same; however, as per State law, such ‘citizen’s comments’ are limited in nature and not the subject of an exchange with the Council, at that time.

Part 3: Council members and City staff agree and fully commit themselves to assisting the City Manager, City Secretary/Staff, and Mayor in timely obtaining and conveying all information in their possession, related to these agenda items, so that the agendas may be prepared in compliance with the OMA

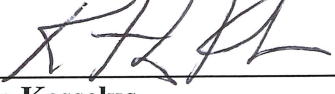
Part 4: If any section or part of this Resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, that holding shall not invalidate or impair the validity, force or effect of any other section or part of this Resolution or Code of Ordinances, City of Bastrop, Texas.

Part 5: This Resolution supersedes and repeals all Resolutions or parts of Resolution, if any, in conflict herewith; however, such present Resolutions shall remain in full force and effect until the effective date of this Resolution.

Part 6: This Resolution shall take effect upon the date of passage noted below.

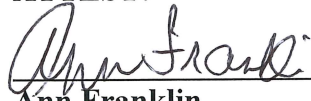
READ and ADOPTED on the 9th day of February, 2016.

APPROVED:



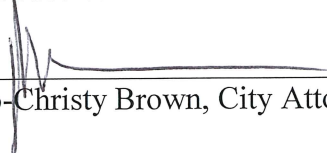
Ken Kesselus
Mayor

ATTEST:



Ann Franklin
City Secretary

APPROVED AS TO FORM:



Jo-Christy Brown, City Attorney