

CITY COUNCIL

By Texas Civil Rights Project



What is it?

A city council is the **legislative body** of a city or municipality. In some cities in Texas, the lawmaking body is called a “commission” or “board of directors,” but these entities function similarly to a traditional city council.

Who are they?

City councils are made up of a **mayor** and **council members**, all of whom are elected on a **nonpartisan basis** for a term of 1 to 4 years. The number of council members varies depending on the size of a city and generally ranges from 5-16 in Texas, excluding the mayor.

Cities can decide whether their council members are elected **at-large** (citywide), by **single-member** districts, or a combination of the two. Single-member and mixed systems tend to increase racial and ethnic representation in local government, particularly for Black and Latino communities, and have become much more common since the passage of the Voting Rights Act in 1965.

The power and authority of a mayor depends on the type of government the city has adopted. In a **mayor-council** (“strong mayor”) system, as in Houston, the mayor acts as the CEO and chief administrator of the city. In a **council-manager** (“weak mayor”) system, a city manager is appointed to carry out the administrative duties of city government, significantly reducing the mayor’s executive authority. Council-manager systems are the most common form of government and have been adopted by most major cities in Texas, including San Antonio, Dallas, Austin, and El Paso.

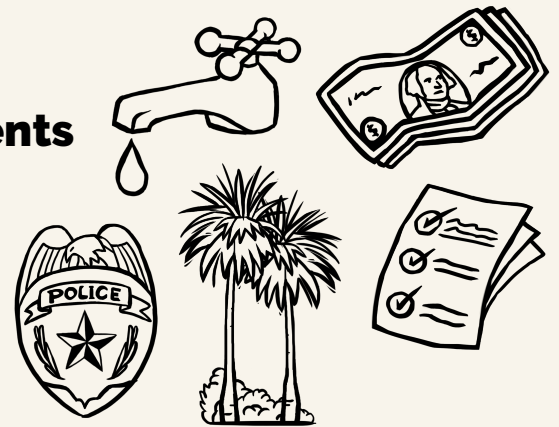
What do they do?

City council is responsible for lots of things, including:

- **Setting policy by passing **ordinances** (local laws)**
- **Approving the annual **budget****
- **Determining **tax rates****
- **Appointing a city **manager****
- **Establishing city **departments****

These departments manage various services provided by the city, including:

- **Infrastructure**
- **Law enforcement and fire departments**
- **Utilities (e.g. water and electricity)**
- **Parks, recreation, and libraries**
- **Local business development**
- **Municipal courts**



* In smaller cities, some of these services may be provided by the county.

While some functions of city and county government may overlap, especially in larger municipalities, cities generally have more power than counties in what they can do because of the broader ordinance-making authority granted to them by their charters.

When do they meet?

When the council meets varies by city, but typically city councils meet **weekly** or **every other week**, usually at city hall or a nearby annex building. They may also hold special meetings or public hearings as needed. The Texas Open Meetings Act (OMA) requires meetings of governmental bodies to be open to the public, except in very specific situations where closed sessions are allowed. City councils may hold part of their regular meeting in private, which is called going into **executive session**. Specific information about when and where the council meets can typically be found on the city's website, and meeting agendas are often posted online at least three days in advance. Texas law makes no requirement for citizenship or residence status to attend or testify at these meetings.

How do they pass laws?

Typically, councils go through the following process to pass ordinances:

- 1. Council members, mayor and/or city manager place items on the meeting agenda**
- 2. Each item is presented during a council meeting**
- 3. Public comment on that item is heard**
- 4. Items are discussed by the council**
- 5. A vote is taken**

**Usually a simple majority is needed for a law to pass*

Per the OMA, all votes must be taken publicly, meaning that even if something is deliberated in an executive session, any further action taken on that item must occur in an open meeting.

It usually takes a while for an idea to become law, but once the ordinance has passed, it can be implemented pretty quickly. It may be set to take effect immediately or within a couple of weeks, but this varies depending on the issue and the city.

How to get involved

Testify at meetings and public hearings

- Members of the public, regardless of citizenship status or city of residence, have the **right to comment** on agenda items at open meetings of the council. This is a great way to let the council know where you stand on an issue before they vote on it.
- Many cities designate a separate general public comment period where members of the public can speak about any topic they wish, regardless of whether or not it relates to an item on the agenda. This can be a great time to bring an issue to the council's attention and encourage future discussion on the matter.
- City councils can also schedule separate public hearings or town halls to present information and solicit comments on any given issue, and some public hearings are required by state law, for example on the annual city budget.
- Each city has their own rules for **how to sign up, how long** you can speak, and whether you may be able to testify **remotely**, so it's a good idea to call or check your city's website ahead of time.
- Remember, your elected officials work for you and it's their job to take their constituents' views and opinions into account when forming public policy. Speaking before the council is a great way to let them know what's important to you and what issues the city should address.

How to get involved



Contact your mayor and council members directly

- You can usually call, email, and/or request a meeting with members to discuss an issue in depth, provide your expertise, and share why it's important to you and your community. During official council meetings, members can only discuss and take action on topics that are on the agenda, so this is likely the best way to get your cause on a future agenda!

Participate at meetings in other ways

- Organize a group to attend when important issues are being discussed or voted on. Whether you testify or not, wearing matching attire and attending as a group can demonstrate that there's popular support for your position. Signs and posters may or may not be allowed in council chambers, depending on the city.
- Each municipality has rules regarding permissible actions and behavior at council meetings and on city property. These can be found on their website or by calling the city clerk or secretary's office. Generally, threatening or offensive language, loud booing, yelling, or applause, and any type of physical interruption of meetings are

prohibited and may be grounds for removal or, in some cases, even arrest and prosecution. Familiarizing yourself with these policies and potential consequences can be helpful as you plan your advocacy efforts.

Organize a protest, rally, or other action

- Most city facilities are public buildings and members of the public have the right to peacefully assemble in public spaces. Blocking pedestrian or vehicular traffic and access to doorways may be prohibited, so it's a good idea to check your city's permitting procedures, understand potential risks and consequences, and to **know your rights** ahead of any action you plan to organize or participate in.

Other ideas

- Start a petition, create email or social media campaigns, reach out to local press, write a letter to the editor or an op-ed, etc. Be creative!

Additional Resources

Local Government in Texas - <https://oertx.highered.texas.gov/courseware/unit/37>

City Officials Directory - <https://directory.tml.org/>

Municipalities of Texas - <https://texapedia.info/local-government/municipalities/>

Other Types of Local Government - <https://texapedia.info/local-government/>

Contact Us

We're here to help! Send us an email at info@texascivilrightsproject.org if you have more questions about navigating state and local government or making change in your community.