



# City Council Agenda Item Report

## APRIL 16, 2013

**Contact – Kenneth Williams, City Manager 512-312-0084**  
kwilliams@ci.buda.tx.us

---

**SUBJECT: Discuss and consider approval of a resolution amending the order of business of the City Council of the City of Buda, Texas to include an invocation.**

---

### 1. **Background/History**

Sec. 3.10(a) of the City Charter states that the City Council can establish or amend the order of business (agenda) for City Council meetings by adoption of a resolution. During the City Council meeting of April 2, 2013 a Councilmember requested a future agenda item on amending the order of business of the City Council to formally include an invocation at the beginning of City Council meetings. Staff has prepared this report and the attached resolution for Council consideration in accordance with that request.

### 2. **FINDINGS/CURRENT ACTIVITY**

#### Overview

Invocations, also known as prayers or blessings, are commonly utilized to commence the meetings of many governmental, business, and civic groups. In recent years the commencement of governmental meetings with an invocation has come under greater scrutiny and there have been many court cases with different results across the country, mostly related to in-school prayer. However, Supreme Court rulings have given meetings of legislative bodies (such as the City Council) greater latitude to participate in invocations than other government sponsored gatherings.

#### Area Practices

Staff Contacted several area Cities and Hays County and found that most do practice some kind of invocation at the beginning of their meetings. The results were as follows:

San Marcos – Invocations conducted by local clergy on a rotating basis.

New Braunfels – Invocation conducted by Councilmembers on a rotating basis.

Dripping Springs – No Invocation

Lockhart – Invocation conducted by Councilmembers on a rotating basis.

Wimberley – Invocation conducted by the Mayor.

Austin – Invocations conducted by local clergy on a rotating basis.

Kyle – No invocation

Hays County – Court appointed Chaplain conducts invocations or invites local clergy.

#### Options

If the City Council decides to add an invocation to the Council's order of business, Council will also have to give direction to staff on the manner in which invocations are to be conducted. Some of the options the Council could consider are:

1. Authorizing staff to establish a rotation of local clergy members who would conduct invocations. Any guidelines regarding the rotation would have to be non-sectarian (i.e. open to practitioners of all faiths & denominations).
2. Requesting Councilmembers, the City Manager, or staff to conduct invocations on an as needed basis. Several area Councils have adopted this method. However, no one would be required to participate in such a program.
3. Appointment of the local Ministerial Alliance, headed by Rear Admiral Don Muchow, to conduct invocations for the Council. As Chief Chaplain of the US Navy from 1994 to 1997, Chaplain Muchow is well versed in establishing programs of public prayer. In this scenario, the Council would delegate decisions about the content and individuals involved in Council invocations to someone experienced in invocations for governmental entities. He may choose to conduct the invocations in person or assign the invocations to local clergy on a rotating basis.

#### Additional Considerations

If the City Council chooses to incorporate invocations into the City Council meeting process, they should be aware that the City has limited discretion in determining the content of or manner in which invocations are offered.

#### **3. FINANCIAL IMPACT**

None

#### **4. RECOMMENDATION**

Staff has no recommendation regarding whether or not to incorporate invocations into the City Council's order of business.

**RESOLUTION NO. 2013-\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS,  
ESTABLISHING AN ORDER OF BUSINESS FOR THE CITY COUNCIL IN  
ACCORDANCE WITH SECTION 3.10 OF THE CITY CHARTER; CONTAINING A  
SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE**

WHEREAS, Section 3.10(a) of the City Charter authorizes the City Council to establish an order of business for City Council meetings; and

WHEREAS, the City Council wishes to amend their current order of business to incorporate an invocation;

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

Section 1. The order of business for all regular City Council meetings of the City Council of the City of Buda, Texas, shall be as follows, provided, however, that any item listed below may be excluded from the order of business for any individual City Council meeting where there is no business to be conducted under that item:

1. Call to order
2. Invocation
3. Pledge of Allegiance to the US and Texas Flags
4. Roll Call
5. Administration of oaths and election of officers
6. Public Comments
7. Consent Agenda
8. Workshops
9. Presentations
10. Public Hearings
11. Regular Agenda
12. Executive Sessions
13. Staff Reports
14. City Councilmember requests for future agenda items
15. Adjournment

Section 2. All other resolutions or parts of resolutions in conflict herewith are repealed to the extent that they are in conflict.

Section 3. This resolution shall be effective on and from the date of its adoption by the City Council.

Section. 4 That all provisions of this resolution are hereby declared to be severable and if any provisions hereof is declared to be invalid or unconstitutional, such shall not invalidate or affect the remaining provisions hereof which will be and remain in full force and effect.

PASSED AND APPROVED: this the 16<sup>th</sup> day of April, 2013.

**CITY OF BUDA, TEXAS**

\_\_\_\_\_  
Todd Ruge, Mayor

**ATTEST:**

\_\_\_\_\_  
Danny S. Batts II, City Secretary