

Rules of Procedure for the City Council and the Boards, Commissions and Committees of the City of Forney, Texas



Sources Include: Robert's Rules of Order, Robert's Rules of Order, National Association of Parliamentarians, and Cities of Bellaire, Huntsville, Kerrville, Killeen, Leander, Murphy, Weatherford and West University Place

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ARTICLE 1. AUTHORITY, APPLICABILITY, AMENDMENT, AND ANNUAL REVIEW

1.1 Authority.

Article III, Section 3.10 of the City Charter of the City of Forney, Texas grants the City Council the right to determine its own rules of procedure; the following rules are enumerated under and by authority of said provision.

1.2 Applicability.

The rules of procedure adopted by the City Council are applicable not only to the City Council, but shall apply to all other boards, commissions, and committees of the City of Forney.

1.3 Amendment.

These rules may be amended or new rules adopted, by a majority vote of the members of the City Council present.

ARTICLE 2. GENERAL RULES OF PROCEDURE AND POLICIES

2.1 Construction of Authority.

The construction of authority in all matters associated with the meetings and activities of the City Council, including the Agenda, shall be: (1) the U.S. Constitution and statutes of the United States of America; (2) The Texas Constitution and statutes of the State of Texas; (3) the City Charter; (4) the Code of Ordinances of the City of Forney, Texas; (5) these rules; and, (6) Robert's Rules as amended and set forth herein.

2.2 Council/Staff Relationships and Communications.

The Council should contact City employees through the City Manager. Council Members should refrain from giving orders or direction to any subordinate of the City Manager, either publicly or privately. Work assignments and policy direction should come from the elected body as a whole and not from individual members.

2.3 Meetings Shall Be Public.

All meetings of the City Council shall be public, and notices thereof shall be posted as provided under the Texas Government Code, Chapter 551, Open Meetings Act. Except in the case of an emergency meeting, notice of all meetings shall be given 72 hours before the time set for any meeting. The Forney City Hall is wheelchair accessible and special parking is available on the south side of the building. If special accommodations are required please contact the City Secretary a minimum of 24 hours in advance.

2.4 Conduct of Meetings.

Meetings of the City Council shall be conducted according to the rules adopted by the City Council, as well as the terms and provisions of Robert's Rules of Order as amended herein and when not inconsistent with these rules.

2.5 Regular Meetings.

Regular meetings of the City Council shall be on the first and third Tuesday of each month at 6:30 PM. The Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate.

2.6 Special/Town Hall Meetings.

Special meetings of the City Council may be called, upon the request of the Mayor or two Council Members. A request for a special meeting shall be filed with the City Manager in written/electronic format unless made at a regular meeting at which a quorum of Council Members is present. The City Manager and all Council Members shall be notified of all special meetings.

2.7 Emergency Meetings.

In case of an emergency or urgent public necessity, which shall be expressed in the meeting notice, it shall be sufficient if members receive, and notice is posted one (1) hour before the meeting is convened. Notice shall be provided also to the media in accordance with the Texas Government Code, Section 551.047.

2.8 Work Sessions.

Work Sessions are called for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the City Council. Work Session Policies and Procedures are set forth in Article 5 of these Rules and Procedures.

2.9 Executive Sessions.

Executive Sessions are sessions closed to the public. They are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act.

The City Council can retire into an Executive Session as stated on a posted agenda during a regular or special meeting, if a motion is duly made and seconded and affirmed by a majority of the Council. However, before said session begins, the presiding officer shall announce that the Executive Session is commencing. The order in which an Executive Session may appear on the agenda is subject to the discretion of the City Council. A certified record of the meeting will be created by the presiding officer or his or her designee, sealed and permanently kept, subject to opening by Court order. No voting or action shall be taken by the City Council during an Executive Session. No other subject except for what is posted on the agenda is to be considered. Adjournment of the Executive Session and any vote needed shall be made during the open public meeting.

A member of the governmental body who, without lawful authority, knowingly discloses to a member of the public the certified agenda for a meeting that was lawfully closed to the public under the Open Meetings Act is liable for: (a) actual damages; (b) reasonable attorney fees and court costs; and possibly (c) exemplary damages. An offense is a Class B misdemeanor. The governmental body will make and keep a certified agenda of each closed executive session, except for an executive session held by the governmental body to consult with attorney in accordance with section 551.071 of the Government Code. The presiding officer must certify that the agenda is a true and correct record of the Executive Session.

The certified agenda must include (1) a statement of the subject matter of each deliberation, (2) a record of any further action taken, and (3) an announcement by the presiding officer at the beginning and the end of the closed meeting indicating the time and date. The presiding officer, will certify all agendas in accordance with state law.

2.10 Recessed Meetings.

No meeting shall be recessed for a longer period of time than until the next regular meeting except when required information has not been received, or, in the case of work sessions or special meetings, to a date certain by motion duly passed.

2.11 Quorum.

The Open Meetings Act defines a "quorum" as majority of the governing body unless otherwise defined by applicable law, rule or charter. A quorum of a governmental body's members must be present in order for the governmental body to exercise the authority delegated to it. A quorum of any governmental body must be present to convene an open meeting of that body under the Act. This requirement applies even if the governmental body plans to go into an executive session immediately after convening. (Charter – Art. III, Section 3.09)

2.12 Conflict of Interest.

A Council Member prevented from voting by a conflict of interest shall step down from the dais and take a seat in the audience, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend Executive Sessions regarding the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest including Chapter 171 and 176, Texas Local Government Code and the City of Forney Code of Ethics.

Section 176.003 of the Local Government Code requires certain local government officers to file a Conflicts Disclosure Statement. A "local government officer" is defined as a member of the governing body of a local government entity, a director, superintendent, administrator, president, or other person designated as the executive director of the local government entity; or an employee of a local government entity with respect to whom the local government has, in accordance with Section 176.005, extended the requirements of Section 176.003 and 176.004. The CIS form is required to be filled with the City Secretary no later 5 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of this statement. Additionally, a local government officer is required to file an "Affidavit Providing Notice of Potential Conflict of Interest" should the office have a "substantial interest" in a business or property, as defined in Chapter 171 of the Local Government Code, if the Council is contemplating taking action that may have a special economic effect on the business property. That affidavit must be filed if you or a person related to you in the first degree by consanguinity (blood) or affinity (marriage) has the interest. Please contact the City Secretary for a form prior to the meeting for which you need to file an affidavit.

2.13 Presiding Officer.

The Mayor shall serve as the presiding officer for all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tem shall serve as the presiding officer. In the absence of the Mayor Pro Tem, the City Secretary shall call the meeting to order if a quorum of the Council is present and the first order of

business shall be for Council to elect by majority vote, a temporary presiding officer from the members then seated and in attendance. The temporary presiding officer shall serve in such capacity until the meeting is adjourned.

The Presiding Officer shall serve as the chair of all meetings and shall make final rulings on all questions pertaining to these rules. All decisions of the Presiding Officer are final unless overruled by the City Council through a Motion to Appeal as described in the City Charter.

The Presiding Officer is entitled to participate in the discussion and debate, and is entitled to vote on all business before the City Council. The Presiding Officer of boards and commissions shall be the person selected by the board or commission as the chair, co-chair, or vice chair. If these persons are not in attendance, the board or commission shall choose a temporary presiding officer from among the members in attendance.

2.14 Minutes of Meetings.

The City Secretary shall keep an account of all proceedings of the City Council and they shall be open to public inspection in accordance with the laws of the State of Texas.

2.15 Suspension and Amendment of Rules.

Any provisions of these rules not governed by federal, state law or the City Charter may be temporarily suspended by a super majority vote of the City Council and may be amended in a similar fashion if such amendment was introduced at the previous regular meeting of the City Council and shall have received preliminary approval of the City Council at such meeting. For the purpose of this section, preliminary approval shall mean a motion and a second with a majority vote to preliminary approve the amendment.

ARTICLE 3. PARLIAMENTARY PROCEDURE

3.1 Purpose.

The purpose of these rules of parliamentary procedure is to establish orderly conduct of the meetings. Simple rules lead to a wider understanding and participation. Complex rules create two classes: (1) those who understand the rules, and (2) those who do not fully understand and those who do not fully participate. The ultimate purpose of these rules of parliamentary procedure is to encourage and facilitate decision-making by the City Council. In a democracy, the majority opinion carries the day.

These rules enable the majority to express their opinion and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

3.2 Model Format for an Agenda Item Discussion.

The following ten steps may be used as a model or guidebook by the presiding officer. The meeting is governed by the agenda and the agenda constitutes the only items to be discussed. Each agenda item can be handled by the presiding officer (Mayor) in the following basic format:

1. *Announce the Item.* The Mayor should clearly announce the agenda item number and should clearly state what the subject matter of the agenda item is by reading the caption for the item

being considered.

2. *Receive a Report.* The Mayor should invite the appropriate people to report on the item, including any recommendation they might have.
3. *Ask Clarifying Questions.* The Mayor should ask the Council Members if they have any technical questions for clarification. At this point, members of the City Council may ask clarifying questions to the people who reported on the item, and they should be given time to respond.
4. *Seek Resident Input.* The Mayor should invite resident comments – or if a public hearing, open the public hearing after a motion, a second and a vote. Upon conclusion, the Mayor should announce that public input is closed, or if a public hearing, make a motion to close the public hearing after close the public hearing.
5. *Motion First.* The Mayor should invite a motion from the City Council before debate is given on the merits of the item. The Mayor should announce the name of the member who makes the motion.
6. *Motion Second.* The Mayor should determine if any member of the City Council wishes to second the motion. The Mayor should announce the name of the member who seconds the motion. If no member of the City Council wishes to second the motion, then the motion fails, and should be so stated by the Mayor.
7. *Repeat Motion.* If the motion is made and seconded, the Mayor should make certain that everyone (including the audience) understands the motion. This is done in three ways:
 - a. The Mayor can ask the maker of the motion to repeat it;
 - b. The Mayor can repeat the motion; or
 - c. The Mayor can ask the City Secretary to repeat the motion.
8. *Ordinance Caption Read.* When a motion on an ordinance has made and seconded, the City Secretary shall read the caption of the ordinance.
9. *Discuss the Motion.* The Mayor should now invite the members of the City Council to discuss the motion. If there is no desired discussion, the Mayor may call for a vote. If there has been no discussion or a brief discussion, then there is no need to repeat the motion before taking a vote. If the discussion has been lengthy, it is a good idea to repeat the motion before calling for the vote.
10. *Vote.* The Mayor calls for the vote. Unless a super-majority is required for passage of the motion, a simple majority vote determines whether the motion passes or fails. Unless a member of the Council seeks recusal from voting on any question where the vote would constitute a conflict of interest, all members of the Council, including the Mayor, shall vote upon every question, ordinance or resolution. Any Council Member refusing to vote unless so excused shall be entered upon the minutes as voting in the affirmative. Action items require a vote.
11. *Announce the Outcome.* The Mayor announces the results of the vote and should also state what action, if any, the Council has taken. The Mayor should announce the name of any member who voted in the minority on the motion.

3.3 Types of Council Actions

The Council adopts standing policy for the City primarily in three forms: (1) Ordinances; (2) Resolutions; and (3) Voted Council Actions.

1. Ordinances

An ordinance adopted by the Council is a law of the City that may be enforced through the court system. The City Manager or any member of the Council may offer an ordinance for consideration by the Council. Copies of proposed ordinances are furnished to members of the Council in their agenda packets. Copies of proposed ordinances are made available at City offices and will be furnished to residents upon request to the City Secretary.

A proposed ordinance may be amended, but any ordinance amended in substance must be reconsidered at the next regular meeting, except for ordinances authorizing the issue of bonds or other obligations. The Charter requires that the City codify all general obligations. General ordinances are those ordinances of a permanent or continuing nature that affect the residents of the City at large. The Council may legislate by ordinance only.

2. Resolutions

Resolutions do not have the force of law. A resolution is adopted to state a policy or to define in writing the intent of the Council when a law is not necessary. Examples would include a resolution to define the scope and purpose of a Council committee, or a resolution to define the Council's policy on an issue. Resolutions are also used to document Council actions for reference. A list of resolutions is also maintained by the City Secretary.

3. Council Actions

In addition to ordinances and resolutions, Council policy may also be set by Council action. Those actions are documented in the minutes of the meeting. Council policy is also supplemented by administrative orders issued by the City Manager and other duly authorized offices of the City, such as clarifications to the personnel manual, or general orders of the police department. All administrative orders must be in conformance with any policies set by the Council.

3.4 The Basic Motions.

The basic motion is the one that puts forward a decision for consideration. A basic motion might be: "I move approval of the Ordinance as submitted," or "I make a motion that we deny the Resolution."

3.5 The Motion to Amend.

If a member wants to change a basic motion, he or she would have to motion to amend the original or previously amended motion. A motion to amend might be: "I move that we amend the motion to include the changes we discussed to the Ordinance." A motion to amend seeks to retain the basic motion on the floor (a motion made and seconded), but to modify it in some way. The motion to amend requires a second and a separate vote, unless the motion to amend has the agreement of the person making the original motion. If the basic motion has already been seconded, the motion to amend must be acknowledged and accepted by the member who seconded the basic motion.

3.6 Discussion and Debate.

The basic rule of motions is that they are subject to discussion and debate. Accordingly, the basic motion and the motion to amend are all eligible, each in their turn for full discussion by and before the City Council. Discussion and debate can continue as long as the members wish to discuss it, or until the Mayor decides that it is time to move on and call a vote on the motion.

3.7 Other Motions.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Council to move on. The following motions are NOT debatable, and the Mayor must immediately call a vote on the motion, if seconded by another member.

- *Motion to Adjourn.* This motion, if passed, requires the Council to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.
- *Motion to Recess.* This motion, if passed, requires the Council to immediately take a recess. Normally the Mayor will determine the length of the recess which could last for a few minutes to several hours. It requires a simple majority vote.
- *Motion to Fix the Time to Adjourn.* This motion, if passed, requires the Council to adjourn the meeting at the specific time set in the motion. For example, “I move we adjourn this meeting at Midnight.” It requires a simple majority vote.
- *Motion to Table.* This motion, if passed, requires discussion of the agenda item to be halted immediately, and the agenda to be placed on hold. The motion may contain a specific time to bring the item up again, or it may not specify a time. If no time is specified, the item shall be placed on the agenda at the following Council meeting.
- *Motion to Remove from Table.* This motion, if passed, allows the Council to remove an item previously placed on hold. A vote in favor of removing an item from the table must be made before the Council can take action on an item that was tabled.

3.8 Motions Requiring a Two-Thirds or Supermajority Vote to Pass.

Normally a super majority vote requires a larger number of affirmative votes than a simple majority. For purposes of these rules, and where applicable state law does not dictate a contrary result, a super majority vote shall require a minimum of five votes for a two-thirds majority vote. The number of affirmative votes required for a super majority is not reduced by the sickness or absence of one or more Council Members. In circumstances where the number of Council Members available to vote on a particular matter is reduced by death, resignation or legal disqualification of one or more of said Members, the total number of Members voting shall be reduced by a like number and the number of affirmative votes required for adoption re-calculated accordingly. The following table provides an example of the calculation for a super majority vote in instances where the number of Council Members is reduced by death, resignation or legal disqualification:

Number of Council Members After Reducing by Death, Resignation, etc.	Minimum Number of Votes For Two-Thirds Super Majority
7	5
6	4
5	4
4	3

- *Motion to Limit Debate.* This motion is sometimes referred to as, “moving the question” or, “calling the question.” When a member of the Council makes such a motion, the member is saying, “I have had enough discussion, let’s vote on the issue.” When such a motion is made, the Mayor should ask for a second, stop the discussion and vote on the motion to limit debate. The

motion requires two-thirds, or super majority vote to pass. Meaning, the number of Council Members voting for the motion must equal four or more.

- *Motion to Object to the Consideration of an Item.* This motion, if passed, precludes the City Council from even considering the item on the agenda. It does not preclude the item from appearing on a future agenda. The motion requires two-thirds, or super majority vote to pass. (Normally, this motion is unnecessary, because the objectionable item can be defeated outright or tabled.)
- *Motion to Suspend the Rules.* This motion IS debatable, but requires a two-thirds or super majority vote to pass. This motion allows the Council to suspend its own rules for a particular purpose. For example, the Council may desire to give a particular speaker more time than normally allowed. A “motion to suspend the rules and give the speaker ten additional minutes,” accomplishes this desire.

3.9 Motion to Reconsider.

There is a special motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. As such, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to reconsider is made.

A motion to reconsider requires a simple majority vote to pass, but there are two special rules that apply only to the motion to reconsider.

The first issue involves timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting (if properly noticed and on the posted agenda). A motion to reconsider made at a later time is considered untimely and it may not be considered unless the Council suspends the rules to consider it.

Secondly, the motion to reconsider can only be made by a member of the Council who voted in the majority on the original motion. The motion to reconsider may be seconded by any member of the City Council regardless of how they voted on the original motion. If a member of the Council who voted in the minority on the original motion seeks to make a motion to reconsider, it MUST be ruled out of order by the Mayor. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back again and again, which would defeat the purpose of finality.

If a motion to reconsider passes, then the original matter is back before the Council, and a new original motion is in order. The matter may be discussed as if it were on the floor for the first time.

3.10 Courtesy, Decorum and Order.

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of business. It is the responsibility of the Mayor (and the members of the City Council) to maintain that atmosphere of courtesy and decorum. The Mayor should always ensure that debate and discussion focus on the item and the policy in question, not on the personalities of the participants of the discussion. Debate on policy is healthy; debate on personalities is not. In order to assist in the creation and maintenance of that atmosphere the following rules shall govern all meetings:

1. *Request to Speak.* Before a Council Member, staff member or an audience member may speak, they must first be recognized by the Mayor. Upon recognition the person requesting to speak shall

hold the floor and shall make their point clearly and succinctly. Comments must be kept relevant to the subject before the Council. The Mayor shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, overly redundant or slanderous remarks may be barred by the Mayor from further comment before the Council during the meeting. Audience members who wish to speak during an agenda must first complete a Citizen Comment Request Form and submit it to the City Secretary. The Mayor has the right to cut a speaker off if the discussion becomes too personal, too loud, too crude, irrelevant, impertinent, redundant, or slanderous.

2. *Order.* If a person fails to request to speak before speaking, the Mayor shall rule them Out of Order and remind them that they do not have the floor. While the Council is in session, all Council Members must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting, nor disturb any other person while speaking or refuse to obey the orders of the Mayor. Members of the City Council should not leave their seats during a meeting without first obtaining permission of the Mayor, or making a Motion to Recess.
3. *Improper References Prohibited.* Every person desiring to speak shall address the entire Council and shall not single out a member of the Council, the audience or a staff member. Speakers shall confine themselves to the question under debate, avoiding all personal attacks and indecorous language.
4. *Interruptions.* A Council Member, once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or other such interruption expressed below. If the Council Member, while speaking, is called to order, he or she shall cease speaking until the question of order is determined, and if the Council Member is found to be in order, he or she shall be permitted to proceed speaking. Allowable interruptions or, points of order are as follows:
 - a. *Point of Privilege.* The proper interruption would be: "Point of Privilege." The Mayor would then ask the interrupter to, "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room might be too hot or cold, or a fan motor might interfere with a Council Member's ability to hear.
 - b. *Point of Order.* The proper interruption would be: "Point of Order." The Mayor would then ask the interrupter to, "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Mayor called for a vote on a motion that permits debate without allowing any discussion. The Mayor shall determine whether the point is "well" or "not well" taken.
 - c. *Motion to Appeal.* If the Mayor makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the Mayor by stating, "motion to appeal." If the motion is seconded and after debate if it passes by a simple majority vote, the ruling of the Mayor is reversed.
 - d. *Call for orders of the day.* This is simply another way of saying, "let's return to the agenda." If a Council Member believes the discussion has strayed from the agenda. The motion does not require a vote. If the Mayor discovers that the discussion has strayed from the agenda, he or she simply returns to the business of the day.
 - e. *Withdraw a Motion.* During the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Council Members are free to make the same motion or another motion.

3.11 Enforcement of Rules and Procedures.

The following provisions may be used to enforce the good order and decorum of the meeting. The action may be taken by the Mayor under his or her own action, or upon a Motion to Enforce by any Council Member.

1. *Warning.* The Mayor may order any person (Council Member, staff member or audience member) in violation of these rules to be silent.
2. *Removal.* If, after receiving a warning from the Mayor, the person continues to disturb the meeting or breach the peace and good order of the meeting, the Mayor may order the person to leave the meeting. If the person does not leave the room, the Mayor may order the Sergeant-at-Arms to remove the person.
3. *Sergeant-at-Arms.* The Sergeant-at-Arms shall be the highest ranking police officer in attendance at the Council Meeting, or such other officer designated by the Chief of Police for that purpose. Upon instruction of the Mayor, it shall be the duty of the Sergeant-at-Arms to remove from the meeting any person who intentionally disturbs the proceedings of the City Council. A violation of these rules may be deemed an attempt to disrupt, obstruct, and/or interfere with a lawful meeting and subject the violator to prosecution under state law for disrupting a lawful meeting. (Section 42.05, Texas Penal Code)
4. *Resisting Removal.* Any person who resists removal by the Sergeant-at-Arms may be charged with violating Section 42.05 of the Texas Penal Code.
5. *Motion to Enforce.* Any Council Member may move to require the Mayor to enforce these rules and the affirmative vote of a simple majority of the Council shall require the Mayor to do so. A motion to enforce is an allowable interruption and is not debatable.

3.12 Council May Discipline its Own Members.

In the event a Council Member violates the Charter, these rules or any other Ordinance of the City, or acts in a manner that causes embarrassment or disgrace to the City of Forney, the City Council on supermajority vote may discipline the offending member.

Such action may only take place after an Executive Session is held to discuss the offense. The offending member shall be present at the Executive Session to answer any questions asked by members of the City Council or make other statements as he or she may desire to make in his or her defense. If the offending member refuses to attend the Executive Session, the remaining members of the City Council may proceed in his or her absence.

The outcome of the Executive Session may be as follows and shall be made publicly in Open Session in Accordance with the Texas Open Meetings Act:

1. *No Action.* The City Council chooses to take no action.
2. *Private Censure.* The City Council may choose to privately censure the offending member, leaving their comments to the offending member left in the confines of the Executive Session.
3. *Public Censure.* The City Council may choose to publicly censure the offending member through a resolution passed by supermajority vote and entered into the public record.

ARTICLE 4. AGENDA ORDER

The City Manager shall prepare an agenda and cause the same to be posted a minimum of 72 hours prior

to the meeting. Agendas shall be delivered to the City Council, in the format requested by each Council Member, on or before 6:00 PM of the day of the posting, or within such other times as established by the City Council from time to time. In the event of an emergency meeting of the City Council, this provision shall be suspended when not inconsistent with the provisions of federal or state law or the City Charter.

Council Members may request an item to be included on a future agenda. For an item to be included, requests must be made by at least two members of Council and submitted to the City Manager's Office at City Hall by 12:00 p.m. on the seventh (7th) calendar day preceding the date of the regular meeting.

4.1 Call to Order.

The Mayor shall call the meeting to order.

4.2 Invocation/Pledge of Allegiance

All meetings of the City Council shall begin with an invocation and the Pledge of Allegiance to the United States flag.

4.3 Presentations and Proclamations.

The Mayor shall make any presentation or deliver any proclamation as may be required from time to time. Outside entities and organizations granted permission to make a presentation shall be placed in this section.

4.4 Open Forum/Citizen Comments.

All persons desiring to speak to the City Council on a non-agenda item must submit a Citizen Comment Request Form to the City Secretary at least five (5) minutes before meeting starts.

4.5 Approval of the Minutes.

The Council shall consider the Minutes of any meeting presented for their review since the last Regular Meeting.

4.6 Consent Agenda Items.

There is hereby established, as a part of every agenda for Regular and/or Special Called Meetings of the City Council, a portion of said agenda that shall be labeled "Consent Agenda." Said Consent Agenda may consist of any and all business regularly coming before the City Council.

All items set out in the Consent Agenda shall be deemed passed upon passage of an affirmative motion, by a vote of the majority of the members of the City Council then seated, that the Consent Agenda be adopted. No further action shall be deemed necessary, and all such items appearing on the Consent Agenda, upon passage of such motion, shall be deemed adopted as if voted upon separately and as if the caption and/or body of any ordinance therein set out shall have been read in full.

Any member of the City Council may request during the *Consider Approval of the Agenda* segment, that an item be removed from the Consent Agenda and considered separately. Such request shall be honored as if it had been passed by majority vote. If any item was removed from the Consent Agenda, it will be

considered immediately following approval of the remainder of the Consent Agenda.

4.7 Public Hearings/Action on Public Hearings.

This section is only used when a statutorily required public hearing is part of the order of business. The Mayor shall first request staff comments. The Mayor shall open the public hearing and receive citizen input. While the public hearing is open, the City Council may ask questions of the speakers, but may not deliberate or argue with the public on the matter at hand. Those speaking at a public hearing are required to follow the rules established herein for resident comments. Upon conclusion of resident comments, the Mayor shall close the public hearing. The City Council may deliberate or take action on the matter at hand upon the closing of the public hearing. The authority of the Mayor to open and close public hearings shall not be without limitation and may be subject to other Council Actions as set forth in these Rules.

4.8 Regular Agenda Items or “Action Items”.

Items for individual consideration shall be considered by the City Council individually and approved by either a simple majority vote or a super majority vote as the case may be.

4.9 City Manager’s Report.

This section is used for routine reports and announcements provided by the City Manager to the Council. It also is an opportunity for Council to ask questions of the City Manager related to project status and clarifications.

4.10 Announcement of Community Events.

This section is used to communicate items of community interest, specifically, reminders about upcoming events organized or sponsored by the governing body or other information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that may be of interest to the citizens of Forney. Council Members shall submit notice of such community events to the Mayor in advance of the meeting. The Mayor may choose to make the announcement or request that individual Council Members or members of City staff provide the information or any necessary clarification for the benefit of the public.

4.11 Executive Session Items.

This section is only used, when it is necessary for the Council to convene in Executive Session. Executive Sessions are sessions closed to the public. They are only permitted for the purpose of discussing matters enumerated in Chapter 551, Open Meetings Act of the Texas Government Code. Disclosure of topics to be discussed shall be made to the public in accordance with the requirements of the Open Meetings Act. If the subject of the Executive Session warrants, the Executive Session may be held prior to the Regular Session.

4.12 Action on Executive Session Items.

This section is only used if section 4.11 is used. Action on Executive Session Items must be taken during public/open session of the Council. Action may include the taking of no action at all.

4.13 Adjournment.

The Mayor shall adjourn the meeting upon passage of the appropriate motion.

ARTICLE 5. WORK SESSION POLICIES AND PROCEDURES

5.1 Purpose.

City Council may call and hold Work Sessions for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the City Council. The following rules shall prevail for the call and conduct of Work Session meetings.

5.2 Agenda.

Only a limited number of matters shall be considered by the City Council during a Work Session, and sufficient time for consideration of such matters shall be provided. An abbreviated agenda order shall be used for all Work Session agendas.

5.3 Technical Questions.

All questions of a technical nature, which require a detailed explanation for understanding, may be considered in a Work Session. Council may, through the City Manager, request the attendance of such staff members or outside experts as may be required to answer such questions.

5.4 Prohibitions Against Formal Actions.

No formal actions may be taken at a Work Session. Council may provide staff direction on the matter being considered and ask that the item be placed on a Regular or Special Called Meeting agenda for formal action.

5.5 Audience Comments or Questions.

Audience comments or questions will not be considered at a Work Session.

ARTICLE 6. RULES GOVERNING RESIDENT COMMENTS

6.1 Purpose.

It is the desire of the City Council to hear from the residents of Forney and to stimulate discussion and offer a forum for a cordial and meaningful public debate on matters that are properly a concern of the City Council. The following rules shall control and govern audience comments.

6.2 Mayor to State Rules for Audience Comments.

Immediately preceding the opening of a public hearing, or resident input on an agenda item, or to receive comments on non-agenda items, the Mayor shall summarize the rules governing comments from the audience. The Mayor may direct the City Secretary to read the rules and publish the same in the Council Chambers.

6.3 Rules Governing Resident Comments.

1. A maximum of 30 minutes will be devoted to receiving comments from the public on each agenda item. Each speaker is limited to one presentation per meeting and a maximum timed limit of three minutes.
2. No individual may address the Council without submitting a Citizen Comment Request Form. The form must clearly state the subject or issue on which the resident wishes to speak. If the subject matter does not pertain to City business the Mayor shall advise the individual and/or make recommendations as to how they may get the issue addressed.
3. Residents speaking on agenda items shall restrict their comments to the subject matter listed.
4. Residents speaking on non-agenda items shall only speak on matters pertaining to City business or issues which the Council would have the authority to act upon if brought forth as an agenda item.
5. Council may not act upon or discuss any issue brought forth as a non-agenda item; except to:
 - a. Make a statement of specific factual information given in response to the inquiry, or
 - b. A recitation of existing policy in response to the inquiry.Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting, or direct staff to review.
6. Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, or personal attacks are strictly prohibited and violators may be removed from the Council Chambers.
7. No placards, banners or signs may be displayed in the Council Chambers or City Hall. Exhibits relating to a presentation are acceptable.
8. Arguing, intimidation or other disruptive behavior is prohibited. Discussion and/or debate are acceptable only on items specifically listed on the agenda.
9. Unauthorized remarks from the audience, stomping of feet, applauding, whistles, yells, or any type of disruptive behavior is prohibited. Applause of appreciation may be acceptable when recognizing a significant event or achievement.
10. Council meetings are the workplace to carry out the business of the City of Forney; therefore, any conduct that could constitute harassment in the workplace is prohibited.
11. In all cases, the Mayor shall preside over the Council meeting and ensure that proper conduct and decorum is adhered to.

6.4 Preservation of Order.

The Mayor shall preserve order and decorum and, if necessary, shall cause to be silenced or removed from the Council Chambers any person speaking out of order or disrupting the order of the meeting.

ARTICLE 7. BOARDS AND COMMISSIONS

7.1 General.

All boards and commissions are detailed under Article VIII, Commissions and Boards, of the City of Forney Charter. Ad hoc boards may be temporarily appointed and terminate upon completion of a specific task or special purpose for which it was created, or when abolished by a majority vote of the City Council. No ad hoc board shall have powers other than advisory to the City Council.

7.2 Meeting Times and Agenda Order.

Boards, commissions, and committees shall set their own meeting times. All boards, commissions, and committees shall be subject to these rules. Each board, commission, and committee shall set their own agenda, so long as it is in accordance with the Texas Open Meetings Act.

7.3 Boards with Regulatory Authority.

The Architectural Review Board, Board of Adjustments, Building Standards Commission, Capital Improvements Advisory Committee, Economic Development Corporation and Planning and Zoning Commission, all have regulatory authority.

7.4 Boards without Regulatory Authority.

The Animal Shelter Advisory Committee, Library Board and Parks and Recreation Board, do not have regulatory authority.

7.5 Appointments.

The City Council will review applications and or interview eligible applicants for open positions on boards and commissions.

7.6 Board Members.

Members appointed to boards or commissions serve at the will of the Council and may be removed, replaced, or not reappointed at the discretion of the Council, by majority vote, with or without cause. When conducting the business of the City, appointed members of all boards or commissions shall follow the rules of procedure set forth for the City Council.

7.7 Open Government Training.

Upon initial appointment, within 90 days of taking the oath of office or assuming duties, all board, commission, and or committee members shall be required to receive training on the Texas Public Information Act and the Texas Open Meetings Act.

7.8 Council Liaisons.

One Council Member will be appointed as the Council Liaison to the following City Boards and Commissions: Planning and Zoning Commission, Parks and Recreation Board, and the Forney Economic Development Cooperation board. Council liaisons will be appointed by Council with consideration given to applicable expertise. Council liaisons may, but are not required to attend, the meetings of the boards or commissions to which they have been appointed as liaison. Board and commission members may contact their Council liaison concerning items of concern or interest with regard to their appointed board.

TABLE OF MOTIONS AND POINTS OF ORDER

MOTION/ORDER	REQUIRES SECOND	DEBATABLE	AMENDABLE	VOTE TYPE
Basic Motion	Yes	Yes	Yes	Simple
Motion to Amend	*	No	Yes	N/A
Motion to Adjourn	Yes	No	No	Simple
Motion to Recess	Yes	No	Yes	Simple
Motion to Fix the Time to Adjourn	Yes	No	No	Simple
Motion to Table	Yes	No	No	Simple
Motion to Limit Debate	Yes	No	No	Super
Motion to Object to the Consideration of an Item	Yes	No	No	Super
Motion to Suspend Rules	Yes	No	No	Super
Motion to Reconsider	Yes	Yes	Yes	Simple
Point of Privilege	No	No	No	N/A
Point of Order	No	No	No	N/A
Motion to Appeal	Yes	Yes	No	Simple
Call for Orders of the Day	No	No	No	N/A
Withdraw a Motion	No	No	No	N/A
Motion to Enforce	Yes	No	No	Simple

* For the purposes of these rules, Amendments are not debatable and only require the approval of the member who made the original motion. An amendment to an amendment, requires first the approval of the member who made the original amendment and secondly the approval of the member who made the original motion.