

CITY OF FARMERS BRANCH, TEXAS

COUNCIL TRAINING/ORIENTATION 2026

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The Open Meetings Act

- Open Meetings
- Meeting Defined
- Quorum Defined
- Walking Quorum/Daisy-Chain
- The Agenda
- Public Attendance
- Closed/Executive Sessions
- Penalties for Violations

The Public Information Act

- Any Form of Medium
- Public Records
- Personal Devices/Social Media
- Exceptions/Privileges/Confidentiality
- Procedure for Disclosure
- The Requestor
- Claiming an Exception

Conflicts of Interest (Chapter 171, Tex. Local Gov't Code)

- Abstention
 - Affidavit
 - Abstain from participation
- Substantial interest in Business Entity
 - 10% or more of voting stock/shares
 - 10% or more, or \$15,000 or more of fair market value of entity
 - 10% or more of gross income in previous year
- Substantial Interest in Real Estate
 - Ownership interest with fair market value of at least \$2,500
- Public official or anyone related to him/her within 1 degree of affinity or consanguinity

Conflicts of Interest (Chapter 171, Tex. Local Gov't Code)

- **One Degree of Consanguinity or Affinity:**

1st Degree of Consanguinity

Parents

Children

Brothers & Sisters

1st Degree of Affinity

Spouse

Spouse's Parents

Spouse's Children

Spouses' Brothers & Sisters

Stepparents

Stepchildren

Roberts Rules of Order

- 1) The Chair. The chair is the presiding officer, he/she enforces the rules of decorum, controls the order of proceeding, controls debate and ensures full discussion of main motions, and rules on points of order.

- 2) Prevention of Disruption. Unruly guests may be ejected from the meeting but proper process involves 1) admonishment, 2) second warning with caution that further disruption may result in ejection, 3) ejection from the meeting. Disruption of public meeting is a misdemeanor offense.
 - a) On the Chair's own volition, or
 - b) At the request of a member on a point of order.

- 3) Essential order of proceeding: One agenda item is addressed at a time. Chair should ensure full opportunity of all members to participate in debate. Chair may limit time of each member to speak, may limit overall time of debate, and may recognize points, counterpoints/rebuttals.
 - a) Order of vote:
 - i. Introduction/presentation – debate – motion – second – vote.
 - ii. Introduction/presentation – motion – second – debate – vote.
 - iii. Chair may call the question and call for a vote, chair may call for a second, chair may call for a vote. Before calling for the vote, Chair should restate the motion.
 - b) Shuffling agenda items, typically at chair's instance with informal consent of members, or subject to point of order.
 - c) No negative approvals: The approval of an item may not be by a failed motion to deny. If motion to deny fails for lack of a second or fails to receive majority vote, the item is not approved. Chair must then call for another motion. If motion to approve fails, . . . further debate or move on to next agenda item.

Roberts Rules of Order

- 4) Main Motions vs. Subsidiary Motions. The main motion addresses the agenda item. Subsidiary motions deal with the process. Three examples:
- a. Motion to Table: Technically, under Robert's Rules, to place an item "on the table" means to set the item aside temporarily in order to address another issue. Once the issue is resolved, the item is removed from the table for further deliberation and action. Informally, a motion to table is a motion to postpone – not deny. Motion may state a date certain for reconsideration or may be indefinite.
 - b. Motion to Amend: After second but before vote, a motion to amend the main motion may be made. If so, the movant of the main motion must accept the offer as a friendly amendment and the member who seconded the main motion must also accept. If either refuses, the motion to amend must be seconded and voted on before the assembly can return to the main motion.
 - c. Motion to Reconsider: Must be made during the same meeting or at next meeting. The motion must be seconded and voted on. If at next meeting, agenda must identify two items: the reconsideration and then the item. *Cf.*, vested rights, open meetings, transparency.
- 5) Nominations and Appointments. Robert's Rules are confusing on the process, but basic process is:
- a. Chair opens the floor for nominations.
 - b. Each member may nominate one person in sequence.
 - c. Chair should ask nominee for consent.
 - d. Chair declares nominations closed.
 - e. Chair should then call for vote on each nomination in the order in which each was nominated until the position is filled.

Robert's Rules comparison

1. **Proper Order:** Presentation – motion – second – deliberation – vote.
2. **Clarity:** Motions should be clear and specific on the approval/denial/action. Ideally, the chair will restate the motion. A motion to “approve the item as presented” will usually suffice but if a change to the proposal is desired (e.g., the inclusion of additional conditions to a proposed ordinance), the motion must so state. (e.g., “I move that the ordinance be approved but with the addition of the following conditions. . .”)
3. **Motion to Amend the Main Motion vs. Offering Friendly Amendment:**
 1. Friendly amendment is simpler: if a friendly amendment to main motion is proposed, and if the movant and seconder approves, then the main motion is voted on as amended.
 2. If either movant or seconder refuses, the offer of a friendly amendment is a “motion to amend the main motion,” which needs a second and majority vote. The assembly then returns to the main motion.
4. To **Call the Question** is a motion to end debate/deliberations.
 1. Robert's Rules suggest that calling the question requires a motion that must receive a second and a 2/3 majority vote.
5. Law only requires a majority vote. Official minutes must show the majority vote (clear motion and majority vote).
6. Majority of all members vs. Majority of members present.

Other Sources of Information

- <http://www.texas.gov> [*Official website of the State of Texas*]
- <https://www.tml.org> [*Texas Municipal League*]
- <http://www.legis.state.tx.us/Home.aspx> [*Texas Legislature online*]
- <http://www.statutes.legis.state.tx.us/> [*Access to all Texas laws*]
- <http://www.oag.state.tx.us/> [*The Texas Attorney General's website*]
- <http://www.sos.state.tx.us/> [*The Texas Secretary of State; elections*]
- <http://comptroller.texas.gov/> [*Texas Comptroller's Office; taxes*]
- <http://www.municode.com/Library/TX> [*Library of numerous cities' ordinances/codes*]
- <http://codes.franklinlegal.net/codes-flp/> [*Library of numerous cities' ordinances/codes*]
- <http://www.nctcog.org/> [*North Central Texas Council of Gov'ts*]

Other Sources of Information

 Dual Office Holding Incompatibility Made Easy 2023		6/9/2024 12:30 PM	Adobe Acrobat D...	659 KB
 Texas Attorney General Pubic Information Act Handbook 2022		6/9/2024 11:12 AM	Adobe Acrobat D...	3,718 KB
 Texas Nepotism Laws Made Easy (PDF)		6/9/2024 12:30 PM	Adobe Acrobat D...	623 KB
 Texas Open Meetings Act Handbook		6/9/2024 11:12 AM	Adobe Acrobat D...	2,717 KB
 TML 2024 A Guide to Becoming a City Official		6/9/2024 11:11 AM	Adobe Acrobat D...	338 KB
 TML 2024 Key Legal Requirements for Texas City Officials		6/9/2024 11:11 AM	Adobe Acrobat D...	229 KB
 TML Economic Development Handbook 2022		6/9/2024 11:13 AM	Adobe Acrobat D...	1,587 KB
 TML Handbook for Mayors and Councilmember 2022		6/9/2024 11:11 AM	Adobe Acrobat D...	923 KB
 TML procurement_easy 2021 FINAL.1.31.2022.shV3_202202010806507570		6/9/2024 12:22 PM	Adobe Acrobat D...	493 KB
 TML Understanding Your Personal Liability as a City Official A Primer (PDF)		6/9/2024 11:12 AM	Adobe Acrobat D...	679 KB
 Website Index		6/9/2024 12:25 PM	Adobe Acrobat D...	53 KB