

Pineapples & Procedure: A Luau Guide to Parliamentary Basics

Presented by:

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PARLIAMENTARY PROCEDURE

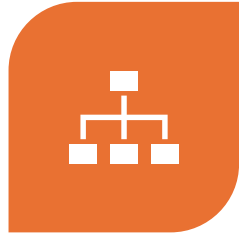
Parliamentary procedure serves as a guide for conducting City Council meetings. In home rule municipalities, city charter usually lays out the parliamentary procedures. In general law municipalities, those usually adopt Robert's Rules of Order, but Texas law always usurps Robert's Rules of Order. Robert's Rules of Order is simply a guide to follow.



POSTING

The agenda must be posted at least three (3) business days prior to the City Council meeting. The agenda serves as a script to follow, and we cannot deviate from that agenda during meetings.

FIVE MAIN GOALS OF PARLIAMENTARY PROCEDURE



PROVIDES STRUCTURE TO THE MEETING.



PROTECTS THE MINORITY, WHILE ALLOWING THE MAJORITY TO CARRY OUT ITS' WILL.



ALLOWS FOR FREE AND IMPARTIAL DEBATE IN A REASONABLE AMOUNT OF TIME.



EFFICIENT AS IT SAVES TIME, I.E., CONSENT AGENDA.



ALLOWS FOR CITIZENS TO SPEAK ON AGENDA ITEMS AND NON-AGENDA ITEMS. CITIZENS ARE ALLOWED OPPORTUNITIES TO SPEAK ON NON-AGENDA AND AGENDA ITEMS.

THE TEN COMMANDMENTS OF PARLIAMENTARY PROCEDURE

Organization is paramount to the individual.

All City Council Members are equal.

A quorum is required to discuss or act on the agenda.

Only one agenda item or proposition at a time.

Only one member can have the floor or speak after being recognized by the Mayor (Chair).

The issue (NOT THE PERSON) is under consideration.

Full debate on all questions.

A question, once decided, cannot come back except by motion to reconsider.

A majority vote decides unless a super majority vote is required by another rule such as a tax increase.

Silence give consent, unless record or roll call vote.



TYPICAL MEETING SEQUENCE



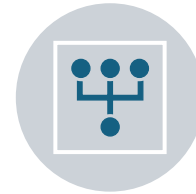
ABSOLUTE ESSENTIALS IN PARLIAMENTARY PROCEDURE



To become an act or choice of the City Council, a proposition/agenda item must be adopted by majority vote. In short, action must be taken on the agenda item.



Action can only be taken on a properly posted agenda, posted three (3) business days prior to the meeting with the notice stating the date, time, and place to conform with TOMA.



A quorum must be present, usually four members of the City Council, but this varies depending on the number of councilmembers as it may only be three for a quorum.



Mayor (Chair) reads the agenda item in full.



All remarks must be addressed to the Mayor.



Personal remarks should be avoided.

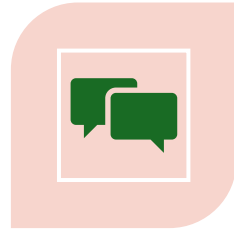


A Council Member may not speak against their own motion but may vote against their own motion.

COMMON PROBLEMS



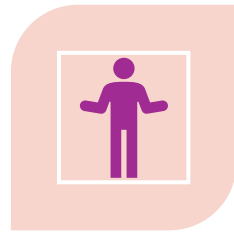
TOO MANY PEOPLE
SPEAKING AT ONCE.



CONVERSATION
STRAYS OFF
TOPIC/AGENDA ITEM.



FEELINGS GET HURT.



CONFUSION.



MOTION PRACTICE



1. Introduction of business, i.e., agenda item.
2. Motion is simply a proposal that action be taken by the Council.
3. Requirements:
 - a. Address the Mayor (Chair).
 - b. Be recognized by the Mayor.
 - c. Member makes a main motion to approve or disapprove an agenda item.
 - d. Another member must second that main motion. No second, nothing further happens with that main motion.
 - e. Mayor restates the main motion.
 - f. Call for discussion by the Mayor.
 - g. Any amendments to the main motion (if any):
 1. A member may amend their own main motion.
 2. A member's vote on the amendment does not obligate their vote on the main motion.
 3. Rejection of the motion to amend leaves pending the main motion as originally proposed.
 4. The adoption of the amended motion means that the main motion is not going forward because it has been amended, the motion that will be voted on is the amended motion.
 - h. Mayor calls for a vote.
 - i. Members may vote aye, nay, or abstain due to a conflict of interest.
 - j. Mayor announces result of the vote.

BEST PRACTICES FOR MAYOR (CHAIR)

Mayor must recognize the speakers prior to them speaking on any item or topic.

Focuses on the process and not the outcome.

Understand the resources and limits of the City Council.

Remembers meetings are for City Council Members.

Maintains a civil and respectful atmosphere.

Proceeds in an orderly fashion.

Consistently seeks agreement and builds consensus with the City Council Members and seeks citizen engagement.

Ensures that motions and actions are clear.

HIERARCHY OF RULES



Federal and Texas State Law, such as TOMA, and judicial precedent.



Home rule charter of home rule municipalities.



Ordinances and local laws of the city.



Special rules of City Council, such as the three-minute rule for citizens to speak.



Parliamentary procedures.

The Texas Open Meetings Act (TOMA) always takes precedence over parliamentary procedure or other procedural guidelines.

EFFECTIVE PARLIAMENTARIAN



A City Council meeting is no place to embarrass anyone. A parliamentarian's job is not to draw attention to any mistakes made by Council during a meeting.



A parliamentarian's job is to provide opinions, not rulings.



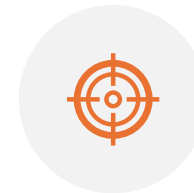
A parliamentarian participates in the agenda preparation.



It may be a good idea to review the agenda with the Mayor prior to the Council meeting.



A parliamentarian should anticipate trouble spots in the agenda.



A parliamentarian should stay objective on the issues.



A parliamentarian should only speak when spoken to unless a major breach is about to occur.



A parliamentarian's goal is to have the meeting run smoothly, and not create a cause of action under TOMA.

A SHORT OVERVIEW OF THE TEXAS OPEN MEETINGS ACT (TOMA)



The Texas Open Meetings Act (TOMA) requires the municipal government to keep official business accessible to the public. All final actions or votes must occur in public.



Notice of the meeting must be posted at least three (3) business days prior to the City Council meeting.



Texas cities must make audio or video recordings of the meeting available.



Record keeping of minutes or what occurred in the meeting must be made, and the public can inspect those minutes.

A SHORT OVERVIEW OF THE TEXAS OPEN MEETINGS ACT (TOMA)

- Executive sessions, TOMA allows for closed sessions, consultation with attorney, litigation, real estate, security measures, economic development, Homeland Security, or personnel matters.
- TOMA allows for emergency meetings to be called in two hours if the issues involve threats to public health and safety.
- TOMA does not apply if all the City Council Members are at social gatherings (parties, award ceremony, etc.), it is important to remember that no public business can be discussed at such social gatherings.
- TOMA does have criminal penalties for knowingly engaging in communications with Council Members where a quorum was created, participating in a closed session or illegal meeting, participating in an executive session without a certified agenda or tape recording, and disclosing a certified agenda or recording to a member of the public.

Questions

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