RULES OF PROCEDURE FOR THE TOOL CITY COUNCIL, OF THE CITY OF TOOL, TEXAS

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Table of Contents

ARTICLE 1. AUTHORITY, APPLICABILITY, AMENDMENT, AND ANNUAL REVIEW 5

1.1 City of Tool, Texas. 5

1.2 Authority. 5

1.3 Applicability. 5

1.4 Amendment. 5

1.5 Annual Review. 5

ARTICLE 2. GENERAL RULES OF PROCEDURE AND POLICIES 5

2.1 Construction of Authority. 5

2.2 Council Authority 5

2.3 Meetings Shall Be Public. 6

2.4 Conduct of Meetings. 6

2.5 Staff Directives 6

2.6 Regular Meetings. 6

2.7 Special Meetings. 6

2.8 Emergency Meetings. 6

2.9 Work Sessions. 6

2.10 Public Information Requests 7

2.11 Social Media Policy 7

2.12 Scheduled Budgetary Sessions. 7

2.13 Executive Sessions. 7

2.14 Recessed Meetings. 7

2.15 Quorum. 8

2.16 Conflict of Interest. 8

2.17 Presiding Officer. 8

2.18 Minutes of Meetings. 8

2.19 Suspension and Amendment of Rules. 8

ARTICLE 3. PARLIAMENTARY PROCEDURE 9

3.1 Purpose. 9

3.2 Model Format for an Agenda Item Discussion. 9

3.3 The Basic Motions. 10

3.4 The Motion to Amend.....10
3.5 Discussion and Debate.....11
3.6 Other Motions.....11
3.7 Motions Requiring a Two-Thirds or Supermajority Vote to Pass. 11
3.8 Various Inclusive Motions 12
3.9 Motion to Reconsider 12
3.10 Courtesy, Decorum and Order.....13
3.11 Enforcement of Rules and Procedures. 14
3.12 Council May Discipline its Own Members. 15
ARTICLE 4. AGENDA ORDER.....16
4.1 Call to Order, Announcement of a Quorum, and Approval of Agenda. 16
4.2 Pledges of Allegiance to the United States. 16
4.3 Appointments, Presentations, Proclamations and Recognitions. 16
4.4 Public Hearings.....17
4.5 Consent Agenda Items. 17
4.6 Statutory Agenda Items. 17
4.7 Citizen Comments on Non-Agenda Items. 18
4.8 Staff Comments. 18
4.9 Council Comments 18
4.10 Future Agenda Items. 18
4.11 Media Inquiries. 18
4.12 Executive Session Items. 18
4.13 Action on Executive Session Items. 18
4.14 Adjournment.....18
ARTICLE 5. WORK SESSION POLICIES AND PROCEDURES 19
5.1 Purpose. 19
5.2 Agenda. 19
5.3 Documents and Exhibits to be Presented. 19
5.4 Technical Questions. 19
5.5 Audience Comments or Questions.....19
ARTICLE 6. RULES GOVERNING CITIZEN COMMENTS 19
6.1 Purpose. 19
6.2 Rules for Audience Comments. 19

6.3 Rules Governing Citizen Comments. 19
6.4 Preservation of Order. 20
ARTICLE 7. BOARDS AND COMMISSIONS 20
7.1 General. 20
7.2 Meeting Times and Agenda Order. 21
7.3 Boards with Regulatory Authority. 21
7.4 Boards without Regulatory Authority. 21
7.5 Appointments. 21
7.6 Board Members' Service. 21
7.7 Open Government Training. 22
7.8 Council Liaisons. 22

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

1.1 City of Tool, Texas.

The City of Tool ("City") is a Type A general-law city located on the western shoreline of Cedar Creek Lake in Henderson County, Texas. The Tool City Council ("Council") consists of five (5) Council Members and a Mayor, elected at-large for two-year terms, in staggered annual elections held during November.

1.2 Authority.

The Local Government Code ("Law") of Texas grants the Council the right to determine its own Rules of Procedure ("Rules"); the following Rules are presented under and by authority of said provision. This resolution, In effect, repeals Resolution 2025-04R, Council Rules of Procedure, adopted by the City Council of Tool, Texas on September 18th, 2025.

1.3 Applicability.

The Rules adopted by the Tool City Council are applicable not only to the Council, but also to City Staff and Citizens, during ruling and administrative proceedings.

1.4 Amendment.

These Rules may be amended or new Rules adopted, by a majority vote of the members of the Council assembled, at a Regular Council meeting.

1.5 Annual Review.

Following the municipal elections each year, Council may review these Rules of Procedure, make changes as appropriate, and adopt their own Rules of Procedure in accordance with law. In the event no annual review occurs, the standing Rules continue in effect. This does not limit the Council's right and ability to amend the Rules at any other time during the fiscal year, in accordance with the Law.

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 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) City Policy;

(4) the Code of Ordinances of the City;

(5) these Rules; and,

(6) Robert's Rules of Order as amended and set forth herein.

2.2 Council Authority

The City Council is the sole governing and policy-making body of the City of Tool. All legislative authority, including the adoption of ordinances, resolutions, budgets, contracts, and appointments, resides exclusively with the Council. Neither the Mayor nor any employee shall possess independent policy-making or discretionary authority except as expressly delegated by ordinance or resolution.

The Mayor acts as Presiding Officer to facilitate meetings and may vote only to break a tie. The Mayor shall have no veto or unilateral administrative powers over any Council action.

2.3 Meetings Shall Be Public.

All meetings of the Tool City Council shall be public, and notices thereof shall be posted as required under the Texas Government Code, Chapter 551, Open Meetings Act. Except in the case of an emergency meeting, notice of all meetings shall be posted 72 hours before the time set for the meeting.

2.4 Conduct of Meetings.

Meetings of the Council shall be conducted according to the rules adopted by the 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 Staff Directives.

Direction of Council objectives, tasks and requests shall flow to and start with the City Administrator. Council members and the mayor shall not direct staff regarding a request that does not first start with the City Administrator.

The City Administrator serves at the pleasure of the City Council and shall carry out the directives, policies, and decisions of the City Council as a body. The City Administrator's role is to implement the policy direction of the City Council and manage day-to-day operations consistent with that direction.

The City Administrator shall not terminate an employee without utilizing a progressive discipline system that includes two written warnings, unless there is an egregious action that warrants immediate termination. The City Administrator shall not expend funds more than $7,500.00, without expressed Council approval or as otherwise authorized by ordinance or resolution.

2.6 Regular Meetings.

Regular meetings of the Council shall be held on the third Thursday of each month, starting at 6:00 p.m. The Council may, by Council action and these Rules of Procedure, change the days or times of meetings as circumstances may necessitate.

2.7 Special Meetings.

Special meetings of the Council may be called upon request of the Mayor, or two members of the Council that are currently seated. A request for a special meeting shall be filed with the City Secretary in written/electronic format or requested during a regular Council meeting at which a quorum of Council is assembled.

2.8 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 two (2) hours before the meeting is convened. Notice shall also be provided to the media in accordance with the Texas Government Code, Section 551.047.

2.9 Work Sessions.

Work sessions are special meetings called for the purpose of conducting detailed and thorough explorations of matters that may properly come before the Council. These work session matters

include budgetary, projects or general workshop ideas.

2.10 Public Information Requests

Council Members who may be subject, or privy to, Public Information Requests, per Chapter 552 of the Texas Government Code, are to follow all procedures, as outlined by Chapter 552 of the Government Code.

As a courtesy, the city's municipal clerk (ordinarily the City Secretary), is here to help administer and gather Information on devices held by Council Members or the Mayor.

2.11 Social Media Policy

All Council members, sitting on the Tool City Council, shall refrain from making or posting any disparaging or defamatory remarks about the City of Tool, its elected officials, city staff, or constituents on social media or in any public forum.

I. Media inquiries generated on social media sites should follow the protocols generally accepted by the city regarding media inquiries.

II. The city website will remain the official location for content regarding city business, services and events. When possible, links from social media sites will be used to direct users back to the city's website for more information.

2.12 Scheduled Budgetary Sessions.

Scheduled budgetary sessions shall be held twice annually, to administer and review the budget, as presented by the City Administrator. These meetings shall take place during the preceding months before a budget is presented to the City Council for adoption.

2.13 Executive Sessions.

The 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, seconded and then 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 Mayor, or in the absence of the Mayor, by the Mayor Pro Tem. A recording 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 Council during an executive session. No other subjects but those posted on the agenda shall be considered. Adjournment of the executive session shall be announced by the Presiding Officer upon return of the Council from the executive session, and any action to be taken shall be made during the open public meeting.

Items discussed in executive session shall remain private. Except for actions taken during open session, no Council Member, staff member or legal counsel may discuss or reveal the proceedings of an executive session. Section 551.146 of the Texas Government Code makes such an act opens the person who reveals such information personally liable for any damages resulting from such action for knowingly discussing the certified agenda or recording of a closed meeting.

2.14 Recessed Meetings.

No meeting shall be recessed for a longer period of time than until the next scheduled 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.

2.15 Quorum.

Any three (3) members of the Council assembled in person, phone or digitally shall constitute a quorum for the transaction of any City business. Should more than two (2) Council Members assemble to discuss a scheduled agenda item or items, that assembling shall be considered to be a Walking Quorum and a violation of the Texas Open Meetings Act.

2.16 Conflict of Interest.

A Council Member that is prevented from voting by a conflict of interest shall file a conflict-of-interest affidavit with the City Secretary as soon as possible after the posting of the agenda which contains the conflict(s), unless an applicable conflict of interest affidavit has previously been filed on that item(s).

A Council Member that is 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 of the Local Government Code.

2.17 Presiding Officer.

The Mayor shall serve as the Presiding Officer for all meetings of the Tool City Council. In the absence of the Mayor, the Mayor Pro Tem shall serve as the Presiding Officer, in those instances. 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 Council meetings. All decisions of the Presiding Officer are final unless overruled by the Council through a motion to appeal as described in Article 3.9 – Courtesy, Decorum and Order of these rules.

The Presiding Officer is entitled to participate in the discussion and debate of scheduled agenda items but is not entitled to vote on agenda items before the Council unless to break a tie. Because the Presiding Officer conducts the meeting, it is common courtesy for the Presiding Officer to take a less active role than other members of the Council in debates and discussions. This practice in no way precludes the Presiding Officer from participating in the meeting fully and freely.

2.18 Minutes of Meetings.

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

2.19 Suspension and Amendment of Rules.

Any provisions of these rules not governed by federal, state law or the City Code of Ordinances may be temporarily suspended by a majority vote (see Article 3.7 of these rules) of the Council and may be amended in a similar fashion if such amendment was introduced at the previous regular meeting of the Council and shall have received preliminary approval of the Council at that meeting. For the purpose of this section, preliminary approval shall mean a motion, a second followed by a

majority vote to preliminary approve the amendment.

* 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.

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 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 (10) steps is a model or guidebook for the Presiding Officer and Council. The Council meeting is governed by the agenda and the agenda constitutes the only items to be discussed. Each agenda item can be managed or presented by the Presiding Officer (Mayor) as follows:

1. *Announce the Item*. The Mayor, or Presiding Officer, should clearly announce the agenda item number and should clearly state what the subject matter of the agenda item by reading the caption for the item being considered.
2. *Receive a Report*. The Presiding Officer should invite the appropriate people to report on the item, including any recommendation they might have or may present as a consent agenda item.
3. *Ask Clarifying Questions*. The Presiding Officer should ask the Council Members if they have any technical questions for clarification. At this point, members of the Council may ask clarifying questions to the people who reported on the item, and they should be given time to respond.
4. *Seek Citizen Input*. The Presiding Officer should invite citizen comments – or if a public hearing, open the public hearing. Upon conclusion, the Presiding Officer should announce that public input is closed, or if a public hearing, close the public hearing and announce the time.
5. *Motion First*. The Presiding Officer should invite a motion from the Council before debate is given on the merits of the item. The Presiding Officer should announce the name of the member who makes the motion.
6. *Motion Second*. The Presiding Officer should determine if any member of the Council wishes to second the motion. The Presiding Officer should announce the name of the member who

seconds the motion. If no member of the Council wishes to second the motion, then the motion fails, and should be so stated by the Presiding Officer.

7. *Repeat Motion*. If the motion is made and seconded, the Presiding Officer should make certain that everyone (including the audience) understands the motion. This is done in three ways:
    a. The Presiding Officer can ask the maker of the motion to repeat it;
    b. The Presiding Officer can repeat the motion; or
    c. The Presiding Officer can ask the City Secretary to repeat the motion.
8. *Discuss the Motion*. The Presiding Officer should now invite the members of the Council to discuss the motion. If there is no desired discussion, the Presiding Officer 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.
9. *Vote*. The Presiding Officer calls for the vote. Unless a super-majority is required for passage, by state law or statute, 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, and that recusal is consented to by a majority of the remainder of the Council, all members of the Council, excluding the Presiding Officer except in the case of breaking a tie vote, 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. (Art. VII § 15 – Legislative Procedure of the City Charter). Action items require a vote.
10. *Announce the Outcome*. The Presiding Officer announces the results of the vote and should also state what action (if any) the Council has taken. The Presiding Officer should announce the name of any Council Member who voted in the minority on the motion.

3.3 The Basic Motions.

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

All votes of the City Council shall be determined by a simple majority of the members present and voting, unless expressly specified in this resolution. No motion, ordinance, resolution, or other action shall require a two-thirds or supermajority vote unless specifically required by state law. A simple majority vote shall be sufficient for all Council actions under these Rules. Certain limited actions under Texas law may require a greater number, such as the two-thirds vote required under Texas Local Government Code § 52.002 or as otherwise expressly provided by statute.

3.4 The Motion to Amend.

If a Council Member wants to change a basic motion, he or she would 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.

A motion to amend requires 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.

3.5 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 Council. Discussion and debate can continue as long as the Council Members wish to discuss it, or until the Presiding Officer decides that it is time to move on and call for a vote on the motion.

3.6 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 Presiding Officer must immediately call for a vote on the motion, if seconded by another Council Member.

- *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.
- *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 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.

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

Normally a super majority vote consists of four votes (three to pass as a simple majority, plus one more). For the purposes of these rules and as defined in the Charter, a three-fourths vote shall also be considered a supermajority vote and shall require a like number of votes as a two-thirds vote. In exceptional circumstances where the number of Council Members is diminished to less than four due to vacancy, the following shall constitute a two-thirds or super majority vote:

NUMBER OF COUNCIL MEMBERS	NUMBER OF VOTES FOR SUPER MAJORITY
5	4 or more
4	4
3	3
2	2
1	1

3.8 Various Inclusive Motions

- *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 Presiding Officer should ask for a second, stop the discussion and vote on the motion to limit debate. The motion requires a simple 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 Council from even considering the item on the agenda. It does not preclude the item from appearing on a future agenda. The motion requires a simple majority (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 simple majority 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.
- *Motion to Hire/Fire the City Administrator, City Secretary or Chief of Police*. The City Administrator, *City Secretary and the Chief of Police,* shall be appointed and removed by a simple majority vote.

3.9 Motion to Reconsider

The purpose of a motion to reconsider is to allow the City Council to revisit a matter previously decided, in order to correct an error, address new information, or ensure the Council's decision reflects its current intent.

A. Who May Make the Motion

Any Council Member, whether voting with the prevailing or losing side, may move to reconsider a vote taken on any motion, ordinance, or resolution—provided the motion is made within the time limits established in this section.

B. Time Limits

1. A motion to reconsider may be made:
    a) At the same meeting at which the original action was taken, or
    b) At the next regularly scheduled City Council meeting, provided the item is properly posted on the agenda in compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).
2. After that time, any change to a prior action shall be made only through a motion to rescind or amend the prior action.

C. How the Motion Is Made and Considered

1. The motion to reconsider must be made during the Council's open session and must identify the specific action to be reconsidered.
2. The motion requires a second.
3. Debate on a motion to reconsider shall be limited to the reasons for and against

reconsideration, not the merits of the original action.

4. If the motion to reconsider is approved by a majority vote of the Council, the original matter shall immediately be before the Council as though it had not been previously decided, and may then be debated, amended, or voted upon again.

D. Limitations

1. A motion to reconsider shall not be in order if the original action has been fully executed, rights have vested, or contracts or obligations have been signed based on that action.
2. A motion to reconsider shall not be used to delay or obstruct proceedings once an action has been effectively carried out.
3. No item may be reconsidered more than once unless new material facts are presented.

E. Relation to Other Rules

In all cases not covered by these procedures, the Council may consult Robert's Rules of Order Newly Revised for guidance; however, the Council's locally adopted procedures shall control if there is any conflict.

F. Record of Reconsideration

All motions to reconsider, whether adopted or rejected, shall be recorded in the minutes, including the name of the member making the motion, the date, and the outcome.

3.10 Courtesy, Decorum and Order.

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for efficient discussions before City business. It is the responsibility of the Presiding Officer (and the members of the Council) to maintain that atmosphere of courtesy and decorum. The Presiding Officer 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: to speak, an audience member shall fill out the "Request to Speak Form" with the City Secretary. The Presiding Officer has the right to cut a speaker off if the discussion becomes too personal, too loud, too crude, irrelevant, impertinent, redundant, or slanderous.

1. *Request to Speak*. Before the public Council meeting starts, an audience member shall write in the "Request to Speak Form" managed by the City Secretary stating their name, address and the agenda item(s) they would like to speak on before the Council. Time for each speaker is limited to three (3) minutes maximum.

   Before a Council Member, staff member or an audience member may speak, they must first be recognized by the Presiding Officer. Upon recognition, the person requesting to speak shall hold the floor and shall make their point clearly and succinctly. Public comments must be kept relevant to the subject before the Council. The Presiding Officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, overly redundant or slanderous remarks may be barred by the Presiding Officer from further comment before the Council during the Council meeting.

2. *Order*. If a person fails to request to speak before speaking, the Presiding Officer 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 Presiding Officer.

3. *Improper References Prohibited*. Every person desiring to speak shall address the entire Council and shall not single out a Council Member, 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 Presiding Officer 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 Members ability to hear.

    b. *Point of Order*. The proper interruption would be: "Point of Order." The Presiding Officer 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 Presiding Officer called for a vote on a motion that permits debate without allowing any discussion.

    c. *Motion to Appeal*. If the Presiding Officer makes a ruling that a Council Member disagrees with, that Council Member may appeal the ruling of the Presiding Officer by stating, "motion to appeal." If the motion is seconded by another Council Member and after debate it passes by a simple majority vote, the ruling of the Presiding Officer 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 Presiding Officer 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 before the Council, the original maker of the motion, 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 again 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 Presiding Officer under his or her own action, or upon a motion to enforce by any Council Member.

1. *Warning*. The Presiding Officer 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 Presiding Officer, the person continues to disturb the meeting or breech the peace and good order of the meeting, the Presiding Officer may order the person to leave the meeting. If the person does not leave the room, the Presiding Officer may order the Officer-at-Arms to remove the person.
3. *Officer-at-Arms*. The Officer-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 Presiding Officer, it shall be the duty of the Officer-at-Arms to remove from the meeting any person who intentionally disturbs the proceedings of the 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 Officer-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 Presiding Officer to enforce these rules and the affirmative vote of a simple majority of the Council shall require the Presiding Officer 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 these Rules or any other City Ordinance, or acts in a manner that causes embarrassment or disgrace to the City, the Council may discipline the offending Council Member.

Such action may only take place after Council votes to adjourn to a closed executive session to discuss the offense. The offending Council Member shall be present at the executive session to answer any questions asked by the other Council Members assembled or make other statements as he or she may desire to make in his or her defense. If the offending Council Member refuses to attend the executive session, the remaining Council Members 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 Council chooses to take no action.
2. *Private Censure*. The Council may choose to privately censure the offending Council Member, leaving their comments to the offending Council Member left in the privacy of the executive session.
3. *Public Censure*. The Council may choose to publicly censure the offending Council Member after opening the public meeting through a motion to censure, seconded and passed by a simple majority vote of the Council Members. The results of the censure vote shall be entered into the public record.

ARTICLE 4. AGENDA ORDER

The Mayor and the City Secretary, or an appropriate designee, shall prepare an agenda and cause the same to be publicly posted a minimum of 72 business hours prior to the meeting date on the City website and at City Hall, as required by law. The Mayor may place items on the agenda, but shall not have unilateral authority to remove or reorder agenda Items. Agendas and Council packets shall be delivered to the Council, in digital format to each Council Member, on or before 6:00 PM of the day of the posting, or within such other times as established by the Council from time to time. In the event of an emergency meeting of the Council, this provision shall be suspended when not inconsistent with the provisions of federal or state law. The agenda, as posted by the City Secretary, may be adopted or reordered by majority vote of the Council at the beginning of the meeting.

In order to facilitate the agenda process, the Mayor, the City Administrator or the City Secretary may place an item on the agenda. Staff assistance, if required, should be requested through the City Administrator or Secretary.

Other sources of agenda preparation include:

- Items approved by majority vote of the Council during the "Future Agenda Items" portion of a prior meeting; or

- Written requests submitted by any one Council Member prior to the posting deadline; and

- Items required by state law or previously scheduled by City Council

Agenda items must be provided to the City Secretary's office at City Hall by close of business on the first (1st) day of the month of the scheduled regular Council meeting. If the agenda topic does not allow for staff to adequately prepare information for Council's consideration, the item may be postponed until the next regular Council meeting or special called Council meeting. The City Secretary is responsible for ensuring compliance with all posting requirements of the Texas Open Meetings Act (Texas Government Code, Chapter 551).

4.1 Call to Order, Announcement of a Quorum, and Approval of Agenda.

The Mayor, or Presiding Officer, shall call the Council meeting to order. The Council Members will state their presence for the record. The Presiding Officer shall announce that a quorum of the Council is established or not and shall state for the record the names of all Council members that are absent.

Should a quorum of the Council not be established, the Presiding Officer shall adjourn and reschedule the Council meeting.

The Presiding Officer or a Council Member, by motion, may request agenda items to be considered in a different sequence than presented on the published agenda for the Council meeting. The Presiding Officer, or a Council member, may request for change in the agenda order followed with a motion by a Council Member, followed by a second, discussion and a simple majority vote will be required.

4.2 Pledges of Allegiance to the United States.

The Council will lead with the Pledge of Allegiance to the United States. The Council invites individuals and organizations, young and old, to request and lead the Pledge.

4.3 Appointments, Presentations, Proclamations and Recognitions.

The Presiding Officer, or their appointees, shall make any appointment to a City committee, or

deliver any presentation, proclamation or recognition as may be required from time to time. Third party entities and organizations may request and be granted permission to make presentations in this section on the agenda.

4.4 Public Hearings.

This section is only used when a statutorily required public hearing is part of the order of business. The Presiding Officer shall first open the public hearing, announce the time and conduct the public hearing to receive comments in alternating sequence of proponents, then opponents, if possible. The Presiding Officer shall first request staff comments. While the public hearing is open, Council may ask questions of the speakers but may not deliberate or argue with the public on the matter at hand.

The Council shall open relevant public hearings to receive citizen comment regarding the items as published in the meeting agenda. The public comment period begins on the first date notice is published and extends to the close of the public hearing. Public comments may be submitted either in person, in writing to the Office of the City Secretary, 701 N. Tool Dr., Tool, TX 75143, or electronically via email at contact@tooltexas.org. Any contact information provided by a person wanting to provide testimony, including your name, phone number, email address and physical address will become part of the city's public record.

Those speaking at a public hearing are required to follow the rules established herein for citizen comments. Upon conclusion of citizen comments, the Presiding Officer shall close the public hearing and announce the time. Council may deliberate or take action on the public hearing item(s) after the closing of the public hearing.

4.5 Consent Agenda Items.

There is hereby established, as a part of every agenda for regular and/or special called meetings of the 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 Council including approval of the minutes of previous meetings.

Approval of Consent Agenda items authorize each to be implemented in accordance with staff recommendations provided. An item may be removed from the consent agenda and added to the Statutory Agenda for full discussion upon request by a member of the Council present at this meeting.

Consent agenda items shall include but not limited to the following:

- Approval of the Minutes;
- Monthly Activity Reports by City Department(s);
- Special City Reports.

The Council shall take action to discuss, amend and approve the minutes of any Council meetings, monthly activity reports, and special reports presented for their review since the last regular Council meeting.

4.6 Statutory Agenda Items.

Items for individual consideration shall be considered by the Council individually and approved by a simple majority vote.

The purpose of this section is to have full discussion upon request by the Council. Ideas, thoughts and decisions are formulated by Council and staff of City plans, operations, policies, and/or future projects. Agenda items may include but not limited to the following:

- Zoning variances
- Request for Proposals (RFP)
- 3rd party service agreements
- City Ordinances
- City Resolutions

4.7 Citizen Comments on Non-Agenda Items.

All persons desiring to speak to the Council on a non-agenda item must sign the 'Request to Speak Form' managed by the City Secretary at least five (5) minutes before meeting starts providing their name, address and non-agenda item they would like to comment on. Time for each speaker is limited to three (3) minutes maximum.

4.8 Staff Comments.

This section is used for staff comments or concerns to the Council.

4.9 Council Comments

This section is used for Council comments or concerns to the public and staff.

4.10 Future Agenda Items.

The Council may request items to be placed on a future agenda at this time. No discussion or deliberation of the items may take place at this time, other than a determination of Council consensus to direct staff to place the item on a future agenda.

4.11 Media Inquiries.

The recognized local media sources may direct questions to members of the Council through the City Secretary. The recognized local media sources will generally be provided an opportunity to ask questions of the Council toward the end of regular session agendas. As a general rule, each media source will be provided two questions and one follow-up question, limited to five (5) minutes per media source.

4.12 Executive Session Items.

This section is only used when it is necessary for the Council to convene in executive session. Executive 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 called at any time during the regular session.

4.13 Action on Executive Session Items.

This section is only used if Council conducts an executive session. 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.

4.14 Adjournment.

The Presiding Officer shall adjourn the Council meeting after motion to adjourn by a Council Member, seconded and approved by majority vote.

ARTICLE 5. WORK SESSION POLICIES AND PROCEDURES

5.1 Purpose.

Council may call and hold public work sessions for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the Council. The following rules shall prevail for the call and conduct of work session meetings.

5.2 Agenda.

The Council shall only consider a limited number of matters during a work session. Sufficient time for consideration of such matters shall be provided.

5.3 Documents and Exhibits to be Presented.

When possible, staff shall make available to the Council all documents, exhibits, maps, plats, architectural drawings, specifications or other similar documents at least 48 hours before the beginning of the work session.

5.4 Technical Questions.

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

5.5 Audience Comments or Questions.

Formal actions by Council, such as approving or going out for a Request for Qualifications (RFQ), may be taken during a work session, if a Council quorum is assembled. Council may provide staff direction on the matter being considered and request that the item be placed on a regular or special called Council meeting agenda for formal action.

ARTICLE 6. RULES GOVERNING CITIZEN COMMENTS

6.1 Purpose.

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

6.2 Rules for Audience Comments.

Immediately preceding the opening of a called public meeting or hearing the Presiding Officer may direct the City Secretary to read the rules governing citizen comments.

6.3 Rules Governing Citizen Comments.

1. Each speaker is required to use the microphone for speaking limited to one presentation per meeting and a maximum timed limit of three (3) minutes on any item except for a public hearing item which may be extended if a motion to suspend the rules is made and passed.
2. No individual may address the Council without signing up to speak in the "Request to Speak Ledger" managed by the City Secretary at least five (5) minutes prior to the beginning of the meeting. The card must clearly state the subject or issue on which the citizen wishes to speak.

If the subject matter does not pertain to City business the Presiding Officer shall advise the individual and/or make recommendations as to how they may get the issue addressed.

3. Citizens speaking on agenda items shall restrict their comments to the subject matter listed.
4. Citizens 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 by Council shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.
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 "offensive or political" 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 Tool; therefore, any conduct that could constitute harassment in the workplace is prohibited.
11. In all cases, the Presiding Officer shall preside over the Council meeting and ensure that proper conduct and decorum is adhered to.

6.4 Preservation of Order.

The Presiding Officer 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.

The City of Tool does not manage a Municipal Utility Board (M.U.D.) or Emergency Service District (ESD). The West Cedar Creek M.U.D. and Henderson County ESD #4 both operate within and outside the City limits and Extraterritorial Jurisdictional (ETJ) boundaries of the City.

Ad hoc City boards, commissions and committees 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 Council. No ad hoc City board, commission or committee shall have powers other than advisory to the Council.

7.2 Meeting Times and Agenda Order.

City Boards, commissions, and committees shall set their own meeting times. Each City board and commission 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 following City boards, commissions, and committees may have regulatory authority as approved by Council, at the time they are created:

- Tool Zoning Board of Adjustment,
- Tool Tax Increment Reinvestment Zone Board,
- Tool Building and Standards Committee, and
- Tool Planning and Zoning Commission

7.4 Boards without Regulatory Authority.

The following City boards, commissions, and committees shall not have regulatory authority:

- Tool Animal Shelter Advisory Committee,
- Tool Historic Preservation Commission,
- Tool Parks and Recreation Advisory Board,
- Tool Transportation Advisory Board,
- Tool Economic Development Board,
- Tool Public Library Board, and
- Tool Youth Advisory Council

7.5 Appointments.

The Recommendation Committee consists of two (2) elected Council Members. The Recommendation Committee will review applications and or interview eligible applicants for open positions on City boards, commissions and committees. Between October 1 through March 31, two (2) Council Members and the Mayor will be appointed by the Council to the Recommendation Committee. Between April 1 through September 30, the three (3) other Council Members will be appointed by the Council to the Recommendation Committee.

Any Council Member of the Recommendation Committee may make appointments to City boards, commissions and committees by direct motion during the Appointments section of a Council meeting. The Council Member shall state the name(s) of the person(s) and the board, commission or committee to which they are being appointed to and, if necessary, the name(s) of the person(s) whom the appointed person(s) is replacing. The motion for appointment(s) shall require a second, and a majority vote of the Council.

7.6 Board Members' Service.

Members appointed to City boards, commissions and committees that do not have regulatory authority 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, commissions or committees shall follow the Rules set forth for the Council.

7.7 Open Government Training.

Upon initial appointment, within 90 days of taking the oath of office or assuming duties, all City board, commission, and or committee members shall be required to watch the Texas Public Information Act and the Texas Open Meetings Act training videos as provided by the Office of the Attorney General. This training Is required to be completed during each calendar year for all city officials. A Certification of Completion shall be submitted to City Secretary in a timely manner.

7.8 Council Liaisons.

One (1) Council Member will be appointed as the council liaison to each of the City's boards, commissions and committees. Council liaisons will be appointed by Council with consideration given to applicable expertise. Council liaisons should attend, but are not required to attend, the meetings of the boards, commissions or committees to which they have been appointed as liaison. Board, commission and committee members may contact their Council liaison concerning items of concern or interest with regard to their appointed board, commission or committee. A Council Member can be the council liaison or a member of one (1) or more boards, commissions or committees.