

ORDINANCE NO. ~~2025-01~~ 2026-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANEY CITY, TEXAS, ESTABLISHING PROCEDURES FOR THE FORMATION, APPOINTMENT, AND OPERATION OF CITY COMMITTEES; DEFINING CITY COUNCIL AUTHORITY; PROVIDING FOR ADVISORY AND LIMITED DECISION-MAKING ROLES; SETTING QUALIFICATIONS, TERMS, MEETINGS, AND REPORTING REQUIREMENTS; ENSURING COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT AND OTHER STATE LAWS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Caney City, Texas, a Type B general-law municipality in Henderson County, operates under Chapters 23 and 51 of the Texas Local Government Code; and

WHEREAS, the City Council, consisting of five Council Members and a Mayor, serves as the governing body. A quorum of four members of the governing body is required for the meeting to proceed, consisting of at least three Council Members and the Mayor or four Council Members if the Mayor is absent.

WHEREAS, The City Council holds paramount authority over municipal affairs, including the creation and oversight of committees, pursuant to Texas Local Government Code § 23.021; and

WHEREAS, Texas Local Government Code § 51.032 authorizes the City Council to adopt ordinances for the good order, peace, and welfare of the municipality, and § 23.051 empowers the Council to appoint officers and prescribe their duties; and

WHEREAS, the City Council encourages participation by allowing any two Council Members to propose committees, with committee formation subject

to approval by majority vote in a Texas Open Meetings Act (TOMA)-compliant public meeting; and

WHEREAS, the City Council seeks to establish a uniform framework for forming and operating committees to promote efficient, transparent, and accountable governance, allowing committees to serve in advisory capacities, as defined in their creating ordinances; and

WHEREAS, the Texas Open Meetings Act (TOMA), (Texas Government Code Chapter 551) requires transparency in public deliberations; and

WHEREAS, less than four members of the City Council constitutes a sub quorum of the Council committees and is thereby exempt from full (TOMA) requirements; and

WHEREAS, public notice and hearing requirements have been met in accordance with applicable law;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CANEY CITY, TEXAS:

SECTION 1. Purpose and Authority.

a. Purpose. This ordinance establishes procedures for the formation, appointment, and operation of City committees to assist the City Council in managing municipal affairs, such as community planning or road maintenance. Unless otherwise specified in the creating ordinance, committees shall be advisory only, providing recommendations to the Council.

b. Authority. The City Council holds exclusive authority to create, appoint committee members, modify, or dissolve committees by ordinance or resolution, consistent with Texas Local Government Code §§ 23.051 and 51.032. Committees shall function within the scope of their assigned duties and must make informed, autonomous recommendations to the full City Council that contribute to the best decision for the City. No committee may

adopt or amend ordinances, impose penalties, authorize expenditures, or obligate the City financially without express City Council approval by vote in a TOMA-compliant open meeting.

c. Under Texas Local Government Code § 23.021, the City Council retains full control over all municipal affairs, and nothing in this ordinance shall be construed to diminish that authority.

SECTION 2. Formation of Committees.

a. Creation. Committees must be established by a majority vote of the City Council. No committee shall exist, operate, or meet unless created and authorized by ordinance or resolution in an open City Council meeting. Committees shall be advisory only. If the committee is to have limited decision-making authority, that authority must be stated in the founding resolution. Regardless of type, committees do not have supervisory or policy-making authority, both of which are functions of the City Council.

Any two Council Members may propose a committee by submitting a proposed resolution or ordinance to the City Secretary, who shall place the proposal on the agenda for the next regular Council meeting.

Each creating ordinance or resolution shall specify:

- The committee name, purpose, composition, and term of duration;
- The nature of the committee: Advisory or ad hoc;
 - o Advisory committees advise the City Council on operational matters, including but not limited to infrastructure, community development, and public safety. Information and recommendations are provided to the Council. The committee may be ongoing or of limited duration as determined by majority City Council vote;
 - o Ad hoc committees serve in an advisory capacity related to a specific subject/task; they terminate upon completion of their assigned task or by majority Council vote.

- Scope, background information, and a detailed description of specific duties and prescribed output by the committee;
- Reporting to the City Council, frequency and substance;
- Detailed description of limited decision-making authority, if applicable.

A limited decision-making committee provides in-depth fact-finding.

Assigned tasks and authority shall be defined in the creating ordinance or resolution. No committee shall be granted limited decision-making authority over personnel matters, financial obligations, ordinance amendments, or law enforcement actions. All such matters remain under exclusive City Council control.

SECTION 3. Composition and Appointments

a. Qualifications. Committee members must:

i. Be residents or property owner in Caney City for at least six months prior to appointment;

ii. Have no outstanding City debts;

iii. Not hold other City offices or employment, except as permitted by law.

b. Appointments and Term. By majority vote of the Council for two-year staggered terms. Members may continue to serve beyond their term upon majority vote of the Council, provided they continue to meet all qualifications and no new applicants have expressed interest in serving.

c. Officers. Each committee shall annually elect a chair by majority vote of its members to preside over meetings and coordinate with the City Secretary.

d. Removal. A member may be removed for cause (e.g., three unexcused absences, ethics violations, or debts in arrears) by a two-thirds vote of the City Council after a public hearing with at least seven days' notice.

- e. Police Officer or Legally Authorized Official. For committees addressing ordinance compliance, a Council-appointed Police Officer or other legally authorized official shall attend meetings as a nonvoting member, upon request of the Committee.

SECTION 4. Duties

Specific Duties. Each committee's creating ordinance or resolution shall set forth its scope, background information, duties, timelines (if applicable), outputs, and reporting requirements.

SECTION 5. Operations and Meetings.

- a. Sub-Quorum Compliance. All committees established by the Council must contain fewer members than a quorum of the City Council (sub-quorum). When sub-quorum status is maintained, committees are exempt from full TOMA requirements. Meetings shall be open to the public, except for confidential matters allowed under Texas Government Code § 552.101. The City Council shall encourage public participation.
- b. Meeting Requirements. Committees shall meet at least quarterly or as needed, with a quorum of appointed members, including at least one Council Member. The founding resolution or ordinance shall specify meeting frequency.
- c. Training. Members shall complete at least four hours annually of training on City ordinances, TOMA, ethics, and related topics. Training shall be recorded and facilitated by the City Secretary, using easily accessible and relevant published reference materials.

SECTION 6. Reporting to the City Council.

- a. All committees shall report to the City Council at least quarterly, either verbally or in writing, as defined in the founding resolution or ordinance.

SECTION 7. Mayoral Involvement.

- a. Committees are created by the City Council to assist in decision-making and function autonomously.
- b. The Mayor does not serve as a committee member or officer and may not unilaterally initiate appointments or removals.
- c. The Mayor may attend committee meetings as a non-voting observer or subject matter contributor, upon invitation by a majority of committee members.
- d. If the Mayor's attendance creates a Council quorum, the meeting must comply with TOMA requirements or adjourn.

SECTION 8. Administrative Support.

- a. The City Secretary shall provide administrative support, including posting notices and maintaining records.
- b. The City Attorney shall provide legal counsel as needed.

SECTION 9. Severability.

If any provision of this ordinance is held invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION 10. Effective Date.

This ordinance shall take effect immediately upon its passage and publication in the official newspaper within 10 days as required by Texas Local Government Code § 52.012.

PASSED AND APPROVED by the City Council of the City of Caney City, Texas, this 11 day of June, 2026.

APPROVED:


Mayor

ATTEST:


City Secretary

APPROVED AS TO FORM:

