



**NOTICE OF WORK SESSION AGENDA
LANCASTER CITY COUNCIL**



**James R. Williams Pump Station
Training Room, 1999 Jefferson**

Monday, February 18, 2013 – 7:00 PM

DEFINITIONS:

Written Briefing: Items that generally do not require a presentation or discussion by the staff or Council. On these items, the staff is seeking consent from the Council or providing information in a written format.

Verbal Briefing: These items do not require extensive written background information or are an update on items previously discussed by the Council.

Regular Item: These items generally require discussion between the Council and staff, boards, commissions, or consultants. These items may be accompanied by a formal presentation followed by discussion and direction to the staff.

**[Public comment will not be accepted during Work Session
unless Council determines otherwise.]**

Item	Key Person
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Regular Items:

- 1.** Discuss City Council’s annual strategic planning for 2013.
- 2.** Discuss the 2012 Racial Profiling Analysis Annual Report.
- 3.** Discuss amending City Council Rules and Procedures as adopted July 9, 2012.
- 4.** Discuss and receive a presentation on the first quarter financial's, investment update, and budget amendments for fiscal year 2012/2013.
- 5.** Discuss Quarterly Report of City Council Five Year Goals and Strategies established during the annual City Council Strategic Planning Session in June 2012.

EXECUTIVE SESSION: The Council reserves the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the TEXAS GOVERNMENT CODE to seek legal advice concerning such subject.

ACCESSIBILITY STATEMENT: The Municipal Center is wheelchair-accessible. For sign interpretive services, call the City Secretary’s office, 972-218-1311, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

Certificate

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on February 15, 2013 @ 8:30 a.m. and copies thereof were hand delivered to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.

A handwritten signature in blue ink that reads "Dolle K. Downe". The signature is written in a cursive style and is positioned above a horizontal line.

Dolle K. Downe, TRMC
City Secretary

LANCASTER CITY COUNCIL
Work Session Agenda Communication
February 18, 2013

Item 1

Discuss City Council's annual strategic planning for 2013.

This request supports the City Council 2012-2013 Policy Agenda.

Goal: Financially Sound City Government

Background

This agenda item provides an opportunity for Council to discuss and provide direction to staff regarding the 2013 strategic planning session. After review of the city-wide calendar, staff has identified possible dates for strategic planning.

- May 28, 29 & 30 Tuesday – Thursday (Tuesday after Memorial Day)
- May 21, 22 & 23 Tuesday – Thursday (Canvass scheduled May 20)

Considerations

- **Operational** - A Request for Qualifications and Proposals for facilitating Council's strategic planning was issued in November 2009. Council selected The Novak Consulting Group in March 2010. The proposal for services contains renewal options through 2014. Julia Novak has facilitated the planning sessions the past three years. It is important to schedule the annual strategic planning session well in advance to reserve time on a facilitator's schedule and to ensure timely completion of the planning for City budgeting purposes. Julia Novak is available for the above dates.
- **Legal** - Council may continue with The Novak Consulting Group or direct staff to issue a Request for Qualification and Proposals.
- **Financial** - \$12,000 is budgeted this year for strategic planning services.
- **Public Information** - There are no public information requirements.

Options/Alternatives

Staff seeks direction from Council as to whether Council desires staff to seek proposals from facilitators for 2013 strategic planning or contract with The Novak Consulting Group. Staff asks that Council select a date to conduct strategic planning.

Please bring your calendar to the work session.

Submitted by:
Dolle K. Downe, City Secretary

LANCASTER CITY COUNCIL

Work Session Agenda Communication

February 18, 2013

Item 2

Discuss the 2012 Racial Profiling Analysis Annual Report.

This request supports the City Council 2012-2013 Policy Agenda.

Goal: Professional and Committed Workforce

Background

Effective September 1, 2001, the Texas Legislature enacted the Texas Racial Profiling Law (S.B. No. 1074). The Texas Code of Criminal Procedure requires that law enforcement agencies collect information relating to traffic stops in which a citation is issued and to arrests resulting from those traffic stops. The Texas Code of Criminal Procedure further requires that law enforcement agencies compile and analyze this information and submit a report containing the information compiled during the previous calendar year to the governing body of each county or municipality served by the agency.

Attached is the 2012 Lancaster Police Department Racial Profiling Analysis as prepared by representative experts from the University of North Texas. The Police Department had no sustained racial profiling complaints in 2012.

Beginning January 2011, the Texas Commission on Law Enforcement Standards and Education (TCLEOSE) will post a copy of each police department's racial profiling report on its website.

Considerations

- **Operational** - The Lancaster Police Department has adopted a detailed, written policy on racial profiling and currently collects the required information on racial profiling as required by State law. The Lancaster Police Department contracted with the University of North Texas for the examination of contact data.
- **Legal** - The Texas Code of Criminal Procedure requires that the Lancaster Police Department 2012 Racial Profiling Analysis Report be submitted to the City of Lancaster governing body. The City Attorney has approved the resolution as to form.
- **Financial** - There is no financial impact in accepting this report.
- **Public Information** - There are no public information requirements.

Options/Alternatives

1. Council may approve this resolution.
2. Council may deny this resolution.

Recommendation

Staff recommends that the City Council adopt the Resolution accepting the 2012 Racial Profiling Analysis Annual Report that conforms to the requirements of the Racial Profiling Law (S.B. 1074) in presenting the report to the governing body.

Attachments

- Resolution
 - Lancaster Police Department 2012 Racial Profiling Analysis Report.
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Submitted by:

Larry W. Flatt, Chief of Police

RESOLUTION NO. 2013-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ACCEPTING THE 2012 RACIAL PROFILING ANALYSIS ANNUAL REPORT WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AS EXHIBIT "A"; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the Racial Profiling Law adopted September 1, 2001, the Lancaster Police Department contracted with the University of North Texas to prepare racial profiling data for the City Council; and

WHEREAS, the City Council has received said report; and

WHEREAS, the City Council desires to accept the 2012 Lancaster Police Department Racial Profiling Analysis Report;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:

SECTION 1. That the 2012 Lancaster Police Department Racial Profiling Analysis Annual Report, which is attached hereto and incorporated herein by reference as Exhibit "A", is hereby, in all things accepted by the City Council of the City of Lancaster, Texas.

SECTION 2. This resolution shall take effect immediately from and after its passage as the law in such cases provides, and it is accordingly so resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 25th day of February 2013.

ATTEST:

APPROVED:

Dolle K. Downe, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

LANCASTER POLICE DEPARTMENT

2012

RACIAL PROFILING ANALYSIS



PREPARED BY:

Eric J. Fritsch, Ph.D.
Chad R. Trulson, Ph.D.

Executive Summary

Article 2.132 (7) of the Texas Code of Criminal Procedure requires the annual reporting to the local governing body of data collected on the race or ethnicity of individuals stopped and issued citations or arrested for traffic violations and whether or not those individuals were searched. Since the law provides no clear instruction to a governing body on how to review such data, the Lancaster Police Department requested this analysis and review to assist the City Council in reviewing the data.

The analysis of material and data from the Lancaster Police Department revealed the following:

- **A COMPREHENSIVE REVIEW OF THE LANCASTER POLICE DEPARTMENT’S RACIAL PROFILING POLICY SHOWS THAT THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.**
- **A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.**
- **A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS.**
- **ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.**
- **THE ANALYSIS OF STATISTICAL INFORMATION FROM LANCASTER POLICE DEPARTMENT REVEALS THAT THERE ARE NO METHODOLOGICALLY CONCLUSIVE INDICATIONS OF SYSTEMIC RACIAL PROFILING BY THE DEPARTMENT.**
- **THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE PROHIBITION OF RACIAL PROFILING.**
- **THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW CONCERNING THE REPORTING OF INFORMATION TO TCLEOSE.**

Introduction

This report details an analysis of the Lancaster Police Department's policies, training, and statistical information on racial profiling for the year 2012. This report has been prepared to specifically comply with Article 2.132 of the Texas Code of Criminal Procedure (CCP) regarding the compilation and analysis of racial profiling data. Specifically, the analysis will address Articles 2.131 – 2.135 of the CCP and make a determination of the level of compliance with those articles by the Lancaster Police Department in 2012. The full copies of the applicable laws and regulations pertaining to this report are contained in Appendix A.

This report is divided into six analytical sections: Lancaster Police Department's policy on racial profiling; Lancaster Police Department's training and education on racial profiling; Lancaster Police Department's complaint process and public education on racial profiling; analysis of statistical data on racial profiling; an analysis of Lancaster Police Department's compliance with applicable laws on racial profiling; and a final section which includes new data reporting requirements to TCLEOSE as required beginning in 2011.

For the purposes of this report and analysis, the following definition of racial profiling is used: racial profiling means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity (Texas CCP Article 3.05).

Lancaster Police Department Policy on Racial Profiling

A review of Lancaster Police Department's "Racial Profiling Policy" contained in the Operations Directive 2002-2005 revealed that the department has adopted policies in compliance with Article 2.132 of the Texas CCP. There are seven specific requirements mandated by Article 2.132 that a law enforcement agency must address. All seven are clearly covered in Lancaster's racial profiling policy. Lancaster Police Department policies provide clear direction that any form of racial profiling is prohibited and that officers found engaging in inappropriate profiling may be disciplined up to and including termination. The policies also provide a very clear statement of the agency's philosophy regarding equal treatment of all persons regardless of race, ethnicity, or national origin. Appendix B lists the applicable statute and corresponding Lancaster Police Department regulation.

A COMPREHENSIVE REVIEW OF LANCASTER POLICE DEPARTMENT'S RACIAL PROFILING POLICY SHOWS THAT THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH ARTICLE 2.132 OF THE TEXAS CODE OF CRIMINAL PROCEDURE.

Lancaster Police Department Training and Education on Racial Profiling

Texas Occupation Code § 1701.253 and § 1701.402 require that curriculum be established and training certificates issued on racial profiling for all Texas peace officers. Documentation provided by Lancaster Police Department reveals that racial profiling training and certification is current for all officers in 2012. Racial profiling training is specifically covered in Lancaster's Racial Profiling Policy Part IV.

A REVIEW OF THE INFORMATION PRESENTED AND SUPPORTING DOCUMENTATION REVEALS THAT THE LANCASTER POLICE DEPARTMENT IS FULLY IN COMPLIANCE WITH TEXAS LAW ON TRAINING AND EDUCATION REGARDING RACIAL PROFILING.

Lancaster Police Department Complaint Process and Public Education on Racial Profiling

Article 2.132 §(b)3-4 of the Texas Code of Criminal Procedure requires that law enforcement agencies implement a complaint process on racial profiling and that the agency provide public education on the complaint process. Lancaster Police Department's Racial Profiling Policy Part V and VI cover this requirement.

A REVIEW OF THE DOCUMENTATION PRODUCED BY THE DEPARTMENT REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE RACIAL PROFILING COMPLAINT PROCESS.

Lancaster Police Department Statistical Data on Racial Profiling

Article 2.132(b) 6 requires that law enforcement agencies collect statistical information on traffic citations and detentions with specific information on the race of the person cited. In addition, information concerning searches of persons and whether or not the search was based on consent is also to be collected. Lancaster Police Department submitted statistical information on all citations in 2012 and accompanying information on the race of the person cited. Accompanying this data was the relevant information on searches.

ANALYSIS OF THE DATA REVEALS THAT THE DEPARTMENT IS FULLY IN COMPLIANCE WITH APPLICABLE TEXAS LAW ON THE COLLECTION OF RACIAL PROFILING DATA.

Analysis of the Data

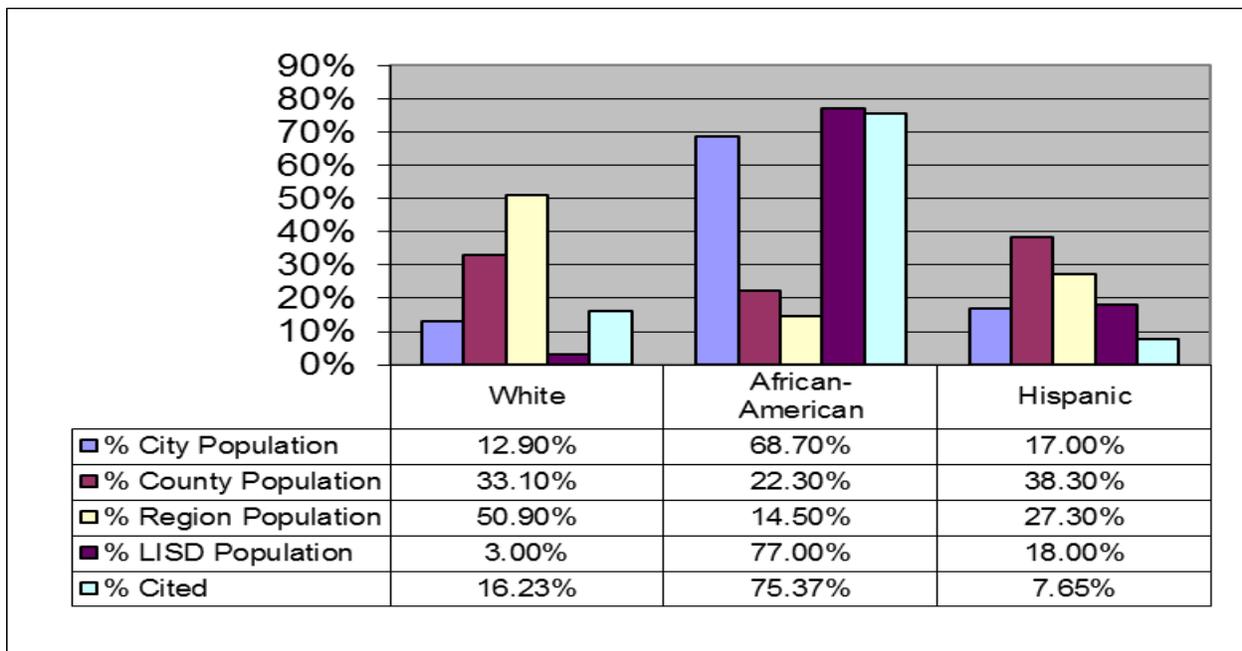
The first chart depicts the percentages of people stopped by race including Whites, African-Americans, and Hispanics.¹ White drivers constituted 16.23 percent of all drivers cited, whereas Whites constituted 12.90 percent of the city population, 33.10 percent of the county population, and 50.90 percent of the region population.² The chart shows that White drivers are cited at a rate that is higher than the percentage of Whites in the city, but lower than the county and regional population. White drivers were cited at a significantly higher rate than the percentage of White students in the Lancaster Independent School District (3.00%).³ African-American drivers constituted 75.37 percent of all drivers cited, whereas African-Americans constituted 68.70

¹ The total number of stops in 2012 equaled 4,418 and this number is utilized for calculations in this report. In addition, a total of 100 arrested occurred, for a final total of 4,518 actions as indicated on the TCLEOSE forms at the end of this report.

²City, County, and Regional population figures are derived from the 2010 Census of the U.S. Census Bureau. "Regional" population figures are defined as the 16 county North Central Texas Council of Governments Region and is comprised of the following counties: Collin, Dallas, Denton, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise.

³ Data on the racial make-up of LISD were obtained from Texas Education Association Snapshot 2011 located at <http://ritter.tea.state.tx.us/cgi/sas/broker>.

percent of the city population, 22.30 percent of the county population, and 14.50 percent of the region population. African-American drivers were cited at a rate that is higher than the percentage of African-Americans found in the city population. African-American citation rates were also higher than the percentage of African-Americans in both the county and regional populations. However, African-Americans were cited at a rate that is slightly lower than the percentage of African-American students in the LISD population (77.00%). Hispanic drivers constituted 7.65 percent of all drivers cited whereas Hispanics constituted 17 percent of the city population, 38.30 percent of the county population, and 27.30 percent of the regional population. Hispanic drivers were cited at a rate that is lower than the percentage of Hispanics in the city, county, regional, and LISD population.



As the chart shows, easy determinations regarding whether or not Lancaster police officers have “racially profiled” a given motorist are impossible given the nature of the data that has been collected and presented for this report. The law dictates that police agencies compile aggregate-level data regarding the *rates* at which agencies *collectively* stop motorists in terms of their race/ethnicity. These aggregated data are to be subsequently analyzed in order to determine whether or not *individual* officers are “racially profiling” motorists.

This methodological error, commonly referred to as the “ecological fallacy,” defines the dangers involved in making assertions about individual officer decisions based on the examination of aggregate incident level data. In short, one cannot “prove” that an *individual* officer has “racially profiled” any *individual* motorist based on the rate at which a department stops any given *group* of motorists.

Additional interpretation problems remain in regards to the specific measurement of “racial profiling” as defined by Texas state code. For example, officers are currently forced to make subjective determinations regarding an individual's race based on his or her personal observations because the Texas Department of Public Safety does not provide an objectively-based determination of an individual's race/ethnicity on the Texas driver's license. The absence

of any verifiable race/ethnicity data on the driver's license is especially troubling given the racial diversity within the city of Lancaster and the North Texas region as a whole, and the large numbers of citizens who are of Hispanic and/or mixed racial descent. The validity of any racial/ethnic disparities discovered in the aggregate level data becomes threatened in direct proportion to the number of subjective "guesses" officers are forced to make when trying to determine an individual's racial/ethnic background.

In addition, the data collected for the current report does not allow for an analysis that separates (or disaggregates) the discretionary decisions of officers to stop a motorist from those that are largely non-discretionary. For example, non-discretionary stops of motorists based on the discovery of outstanding warrants should not be analyzed in terms of whether or not "profiling" has occurred simply because the officer who has stopped a motorist as a result of the discovery of an outstanding warrant does not *independently* make the decision to stop, but rather, is required to stop that individual regardless of any determination of race. An officer cannot be determined to be "racially profiling" when organizational rules and state codes compel them to stop regardless of an individual's race/ethnicity. Straightforward aggregate comparisons of stop rates ignore these realities, and fail to distinguish between discretionary and non-discretionary law enforcement actions. In the future, this validity issue could be lessened by the collection of data indicating the initial reason for the traffic stop, whether it be an observed traffic violation, other criminal activity, the existence of an outstanding warrant, or some other reason.

Finally, there has been considerable debate as to what the most appropriate population "base-rate" is in determining whether or not racial/ethnic disparities exist. As the current analysis shows in regards to the use of city, county, and regional population base-rates, the outcome of analyses designed to determine whether or not disparities exist is obviously dependent on which base-rate is used. In addition, population growth and the changing demographic character of the North Texas region and particularly the city of Lancaster has exacerbated problems associated with determining appropriate base-rates because measures derived exclusively from the U.S. Census can become quickly outdated since they are compiled only once per decade. For example, Lancaster has experienced a rate of growth of more than 40 percent since the 2000 Census. In years following the 2000 Census, it was unclear as to how this growth impacted the overall demographic character of the city. However, the 2010 Census has revealed that Lancaster has not only experienced large-scale growth over the course of the last several years, but has also become much more diverse as indicated by the demographic statistics presented in this report. Related, the determination of valid stop base-rates becomes multiplied if analyses fail to distinguish between residents and non-residents who are stopped, because the existence of significant proportions of non-resident stops will lead to invalid conclusions if racial/ethnic comparisons are made exclusively to resident population figures.

In short, the methodological problems outlined above point to the limited utility of using aggregate level comparisons of the rates at which different racial/ethnic groups are cited in order to determine whether or not racial profiling exists within a given jurisdiction.

The table below reports the summaries for the total number of persons cited and searched subsequent to being stopped by the Lancaster Police Department for traffic offenses (4,418). In addition, the table shows the number of stopped individuals who granted consent to search and those stopped drivers who were arrested at the conclusion of the stop. The chart shows that roughly 11 percent of all drivers searched were White (64/581 total searches), roughly 11 percent

(66) were Hispanic, and 77 percent (450) were African-American. It is clear that the vast majority of the total number of drivers cited (including White, African-American, and Hispanic groups) were not searched, as roughly 87 percent of all drivers who were cited were not searched (581/4,418).

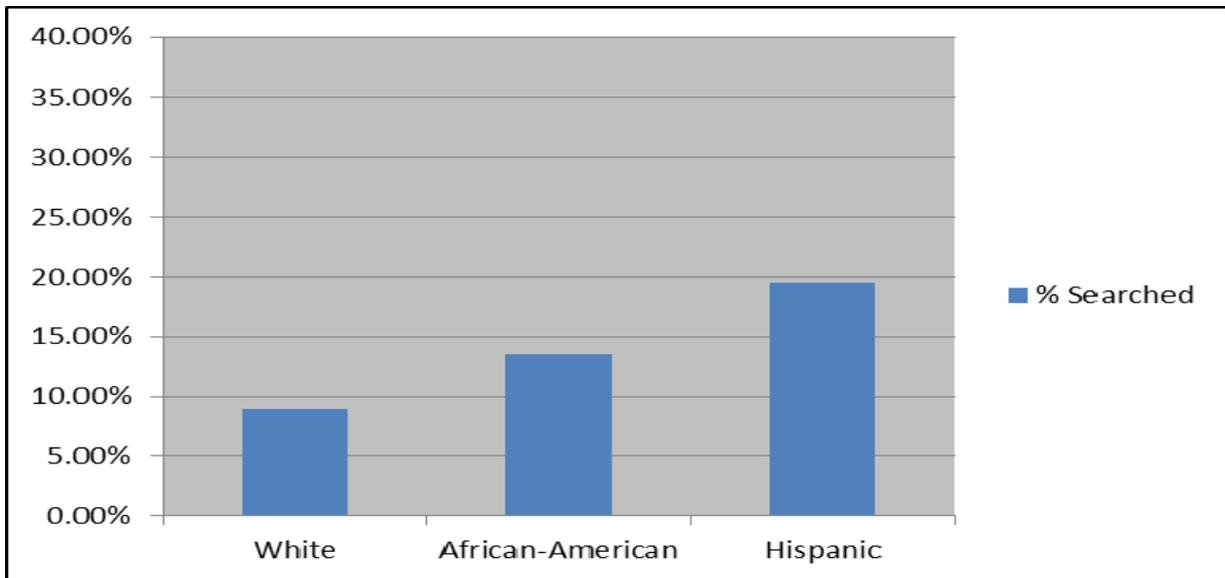
Action	White	Asian	Hispanic	African-American	Other	Total
Stops	717	25	338	3,330	8	4,418
Searches	64	0	66	450	1	581
Consent Searches	8	0	8	22	0	38
Arrests	13	0	5	82	0	100

Note: Stops include only motor vehicle stops. Searches include vehicle and driver searches only.

It should be noted that aggregate level comparisons regarding the rates at which drivers are searched by police are subject to some of the same methodological issues as those outlined above regarding analyses of aggregate level stop rates. Of particular concern is the absence of any analyses that separates discretionary searches from non-discretionary searches. For example, searches that are conducted incident to an arrest or as part of a vehicle tow inventory should not be included in analyses designed to examine whether or not racial profiling has occurred because these types of searches are non-discretionary in that the officer is compelled by law or departmental guidelines to conduct the search irrespective of the race of the stopped driver.

Less than 1 percent of the total number of citations resulted in a consensual search (38/4,418). So too, only 2.26 percent of drivers cited were subject to an arrest. Of those arrested, 13 percent (13/100 total arrests) were White, 82 percent (82) were African-American, and 5 percent (5) were Hispanic. Additional data regarding the reason for the arrest are necessary in order to further examine whether or not these data reflect individual officer decisions to arrest or non-discretionary actions based primarily on legal and/or organizational requirements (e.g., the existence of outstanding arrest warrants or on view criminal activity).

The bar chart below presents the percentage of drivers that were searched within each racial category. The chart indicates that drivers who were cited were rarely searched across the racial categories. For example, roughly 9 percent of all White drivers who were cited were also searched, roughly 14 percent of all African-American drivers who were cited were searched, and approximately 19 percent of all Hispanic drivers who were cited were also searched.



Analysis of Racial Profiling Compliance by Lancaster Police Department

The foregoing analysis shows that the Lancaster Police Department is fully in compliance with all relevant Texas laws concerning racial profiling, including the existence of a formal policy prohibiting racial profiling by its officers, officer training and educational programs, a formalized complaint process, and the collection of data in compliance with the law. Finally, internal records indicate that the department had no complaints in reference to racial profiling for the year 2012.

In addition to providing summary reports and analysis of the data collected by the Lancaster Police Department in 2012, this report also included an extensive presentation of some of the limitations involved in the level of data collection currently required by law and the methodological problems associated with analyzing such data for the Lancaster Police Department as well as police agencies across Texas. The Lancaster Police Department should continue its educational and training efforts within the department on racial profiling. Finally, the department should conduct periodic evaluations to assess patterns of officer decision-making on traffic stops. The final section of this report includes newly required TCLEOSE reporting information by Texas law enforcement organizations.

LPD TCLEOSE Reporting Forms



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Department Name LANCASTER Police Department
Agency Number TX 0571700
Chief Administrator Name LARRY W. FLATT
Reporting Name LARRY W. FLATT
Contact Number 972-218-2703
E-mail Address LFlatt@lancaster-tx.com

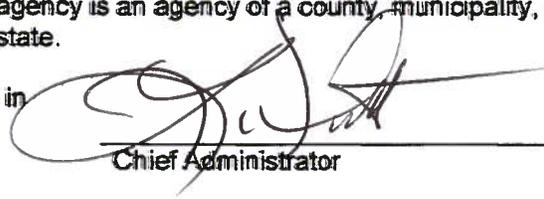
Certification to Report 2.132 (Tier 1) – Partial Exemption

Policy Requirements (2.132(b) CCP):

Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
- (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
- (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
- (4) provide public education relating to the agency's complaint process;
- (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the Commission on Law Enforcement Officer Standards and Education; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

These policies are in effect



 Chief Administrator Date 2-4-13



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Video and Audio Equipment Exemption

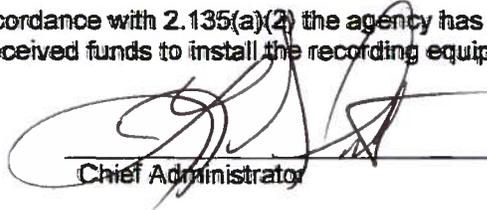
Partial Exemption Claimed by (2.135(a) CCP):

all cars regularly used for motor vehicle stops are equipped with video camera and transmitter-activated equipment and each motor stop is recorded and the recording of the stop is retained for at least 90 days after the stop.

OR

In accordance with 2.135(a)(2) the agency has requested and not received funds to install the recording equipment

I claim this exemption



Chief Administrator

2-4-13

Date

PARTIAL EXEMPTION RACIAL PROFILING REPORTING (TIER 1)

INSTRUCTIONS: Please fill out all boxes. If zero, use 0.

1. Total on lines 4, 11, 14, and 17 must be equal
2. Total on line 20 must equal line 15

AGENCY NAME:

Number of motor vehicle stops (mark only 1 category per vehicle stop):

1. 4,418 Citation only
2. 100 Arrest only
3. _____ Both

4. 4,518 (Total of 1-3)

Race or Ethnicity (mark only 1 category per vehicle stop):

5. 3,412 African
6. 25 Asian
7. 730 Caucasian
8. 343 Hispanic
9. 5 Middle Eastern
10. 1 Native American
- 2 "Other"

11. 4,518 (Total of 5-10, must be the same as #4)

Race or Ethnicity known prior to stop?

12. 0 Yes
13. 4,518 No

14. 4,518 (Total of 12-13, must be the same as #4 and #11)

Search conducted?

15. 581 Yes
16. 3,937 No

17. 4,518 (Total of 15-16, must be the same as #4, #11, and #14 above)

Was search consented?

18. 38 Yes
19. 543 No

20. 581 (Total, must equal #15)



**Partial Exemption Racial Profiling Reporting
(Tier 1)**

Option to submit required data by utilizing agency report

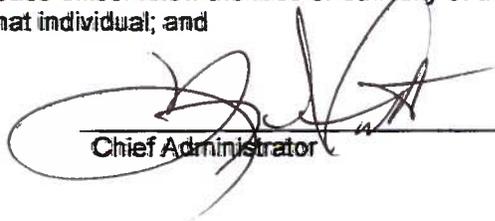
You must submit your report in PDF format

Electronic Submission of data required by 2.132(b)(6) CCP

(6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:

- (A) the race or ethnicity of the individual detained;
- (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
- (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

This report meets the above requirements



Chief Administrator

2-4-13

Date

Send entire documents electronically to this website

www.tcleose.state.tx.us

Appendix A

Racial Profiling Statutes and Laws

Art. 3.05. RACIAL PROFILING.

In this code, "racial profiling" means a law enforcement-initiated action based on an individual's race, ethnicity, or national origin rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 2, eff. Sept. 1, 2001.

Art. 2.131. RACIAL PROFILING PROHIBITED.

A peace officer may not engage in racial profiling.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

(a) In this article:

(1) "Law enforcement agency" means an agency of the state, or of a county, municipality, or other political subdivision of the state, that employs peace officers who make motor vehicle stops in the routine performance of the officers' official duties.

(2) "Motor vehicle stop" means an occasion in which a peace officer stops a motor vehicle for an alleged violation of a law or ordinance.

(3) "Race or ethnicity" means of a particular descent, including Caucasian, African, Hispanic, Asian, Native American, or Middle Eastern descent.

(b) Each law enforcement agency in this state shall adopt a detailed written policy on racial profiling. The policy must:

- (1) clearly define acts constituting racial profiling;
 - (2) strictly prohibit peace officers employed by the agency from engaging in racial profiling;
 - (3) implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual;
 - (4) provide public education relating to the agency's complaint process;
 - (5) require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency's policy adopted under this article;
 - (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - (C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
 - (7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - (A) the Commission on Law Enforcement Officer Standards and Education; and
 - (B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.
- (c) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.
- (d) On adoption of a policy under Subsection (b), a law enforcement agency shall examine the feasibility of installing video camera and transmitter-activated equipment in each agency law enforcement motor vehicle regularly used to make motor vehicle stops and transmitter-activated equipment in each agency law enforcement motorcycle regularly used to make motor vehicle

stops. If a law enforcement agency installs video or audio equipment as provided by this subsection, the policy adopted by the agency under Subsection (b) must include standards for reviewing video and audio documentation.

(e) A report required under Subsection (b)(7) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the collection of information as required by a policy under Subsection (b)(6).

(f) On the commencement of an investigation by a law enforcement agency of a complaint described by Subsection (b)(3) in which a video or audio recording of the occurrence on which the complaint is based was made, the agency shall promptly provide a copy of the recording to the peace officer who is the subject of the complaint on written request by the officer.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b)(7), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2011, 81st Leg., R.S., Ch. 1172, Sec. 25, eff. September 1, 2011.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

(a) In this article, "race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance shall report to the law enforcement agency that employs the officer information relating to the stop, including:

(1) a physical description of any person operating the motor vehicle who is detained as a result of the stop, including:

(A) the person's gender; and

(B) the person's race or ethnicity, as stated by the person or, if the person does not state the person's race or ethnicity, as determined by the officer to the best of the officer's ability;

- (2) the initial reason for the stop;
- (3) whether the officer conducted a search as a result of the stop and, if so, whether the person detained consented to the search;
- (4) whether any contraband or other evidence was discovered in the course of the search and a description of the contraband or evidence;
- (5) the reason for the search, including whether:
 - (A) any contraband or other evidence was in plain view;
 - (B) any probable cause or reasonable suspicion existed to perform the search; or
 - (C) the search was performed as a result of the towing of the motor vehicle or the arrest of any person in the motor vehicle;
- (6) whether the officer made an arrest as a result of the stop or the search, including a statement of whether the arrest was based on a violation of the Penal Code, a violation of a traffic law or ordinance, or an outstanding warrant and a statement of the offense charged;
- (7) the street address or approximate location of the stop; and
- (8) whether the officer issued a written warning or a citation as a result of the stop.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2011, 81st Leg., R.S., Ch. 1172, Sec. 26, eff. September 1, 2011.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

(a) In this article:

- (1) "Motor vehicle stop" has the meaning assigned by Article 2.132(a).
- (2) "Race or ethnicity" has the meaning assigned by Article 2.132(a).

(b) A law enforcement agency shall compile and analyze the information contained in each report received by the agency under Article 2.133. Not later than March 1 of each year, each law enforcement agency shall submit a report containing the incident-based data compiled during the

previous calendar year to the Commission on Law Enforcement Officer Standards and Education and, if the law enforcement agency is a local law enforcement agency, to the governing body of each county or municipality served by the agency.

(c) A report required under Subsection (b) must be submitted by the chief administrator of the law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, and must include:

(1) a comparative analysis of the information compiled under Article 2.133 to:

(A) evaluate and compare the number of motor vehicle stops, within the applicable jurisdiction, of persons who are recognized as racial or ethnic minorities and persons who are not recognized as racial or ethnic minorities; and

(B) examine the disposition of motor vehicle stops made by officers employed by the agency, categorized according to the race or ethnicity of the affected persons, as appropriate, including any searches resulting from stops within the applicable jurisdiction; and

(2) information relating to each complaint filed with the agency alleging that a peace officer employed by the agency has engaged in racial profiling.

(d) A report required under Subsection (b) may not include identifying information about a peace officer who makes a motor vehicle stop or about an individual who is stopped or arrested by a peace officer. This subsection does not affect the reporting of information required under Article 2.133(b)(1).

(e) The Commission on Law Enforcement Officer Standards and Education, in accordance with Section 1701.162, Occupations Code, shall develop guidelines for compiling and reporting information as required by this article.

(f) The data collected as a result of the reporting requirements of this article shall not constitute prima facie evidence of racial profiling.

(g) On a finding by the Commission on Law Enforcement Officer Standards and Education that the chief administrator of a law enforcement agency intentionally failed to submit a report required under Subsection (b), the commission shall begin disciplinary procedures against the chief administrator.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2011, 81st Leg., R.S., Ch. [1172](#), Sec. 27, eff. September 1, 2011.

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT.

(a) A peace officer is exempt from the reporting requirement under Article 2.133 and the chief administrator of a law enforcement agency, regardless of whether the administrator is elected, employed, or appointed, is exempt from the compilation, analysis, and reporting requirements under Article 2.134 if:

(1) during the calendar year preceding the date that a report under Article 2.134 is required to be submitted:

(A) each law enforcement motor vehicle regularly used by an officer employed by the agency to make motor vehicle stops is equipped with video camera and transmitter-activated equipment and each law enforcement motorcycle regularly used to make motor vehicle stops is equipped with transmitter-activated equipment; and

(B) each motor vehicle stop made by an officer employed by the agency that is capable of being recorded by video and audio or audio equipment, as appropriate, is recorded by using the equipment; or

(2) the governing body of the county or municipality served by the law enforcement agency, in conjunction with the law enforcement agency, certifies to the Department of Public Safety, not later than the date specified by rule by the department, that the law enforcement agency needs funds or video and audio equipment for the purpose of installing video and audio equipment as described by Subsection (a)(1)(A) and the agency does not receive from the state funds or video and audio equipment sufficient, as determined by the department, for the agency to accomplish that purpose.

(b) Except as otherwise provided by this subsection, a law enforcement agency that is exempt from the requirements under Article 2.134 shall retain the video and audio or audio documentation of each motor vehicle stop for at least 90 days after the date of the stop. If a complaint is filed with the law enforcement agency alleging that a peace officer employed by the agency has engaged in racial profiling with respect to a motor vehicle stop, the agency shall retain the video and audio or audio record of the stop until final disposition of the complaint.

(c) This article does not affect the collection or reporting requirements under Article 2.132.

(d) In this article, "motor vehicle stop" has the meaning assigned by Article 2.132(a).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Amended by: Acts 2011, 81st Leg., R.S., Ch. 1172, Sec. 28, eff. September 1, 2011.

Art. 2.136. LIABILITY.

A peace officer is not liable for damages arising from an act relating to the collection or reporting of information as required by Article 2.133 or under a policy adopted under Article 2.132.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.137. PROVISION OF FUNDING OR EQUIPMENT.

(a) The Department of Public Safety shall adopt rules for providing funds or video and audio equipment to law enforcement agencies for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), including specifying criteria to prioritize funding or equipment provided to law enforcement agencies. The criteria may include consideration of tax effort, financial hardship, available revenue, and budget surpluses. The criteria must give priority to:

(1) law enforcement agencies that employ peace officers whose primary duty is traffic enforcement;

(2) smaller jurisdictions; and

(3) municipal and county law enforcement agencies.

(b) The Department of Public Safety shall collaborate with an institution of higher education to identify law enforcement agencies that need funds or video and audio equipment for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A). The collaboration may include the use of a survey to assist in developing criteria to prioritize funding or equipment provided to law enforcement agencies.

(c) To receive funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency needs funds or video and audio equipment for that purpose.

(d) On receipt of funds or video and audio equipment from the state for the purpose of installing video and audio equipment as described by Article 2.135(a)(1)(A), the governing body of a county or municipality, in conjunction with the law enforcement agency serving the county or municipality, shall certify to the Department of Public Safety that the law enforcement agency has installed video and audio equipment as described by Article 2.135(a)(1)(A) and is using the equipment as required by Article 2.135(a)(1).

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.138. RULES.

The Department of Public Safety may adopt rules to implement Articles 2.131-2.137.

Added by Acts 2001, 77th Leg., ch. 947, Sec. 1, eff. Sept. 1, 2001.

Art. 2.1385. CIVIL PENALTY.

(a) If the chief administrator of a local law enforcement agency intentionally fails to submit the incident-based data as required by Article 2.134, the agency is liable to the state for a civil penalty in the amount of \$1,000 for each violation. The attorney general may sue to collect a civil penalty under this subsection.

(b) From money appropriated to the agency for the administration of the agency, the executive director of a state law enforcement agency that intentionally fails to submit the incident-based data as required by Article 2.134 shall remit to the comptroller the amount of \$1,000 for each violation.

(c) Money collected under this article shall be deposited in the state treasury to the credit of the general revenue fund.

Added by Acts 2011, 81st Leg., R.S., Ch. 1172, Sec. 29, eff. September 1, 2011.

Appendix B

Racial Profiling Laws and Corresponding Department Policies

Texas CCP Article	LANCASTER POLICE DEPARTMENT Racial Profiling Policy
2.132(b)1	Part III
2.132(b)2	Part I & III
2.132(b)3	Part IV
2.132(b)4	Part IV
2.132(b)5	Part V
2.132(b)6	Part VII
2.132(b)7	Part VII

Appendix C

Lancaster Police Department Racial Profiling Policy

Operations Directive 2002-005

Effective Date: September 23, 2002; Replaces 2001-006
Affects: All Personnel

I. PURPOSE

The purpose of this policy is to reaffirm the Lancaster Police Department's commitment to unbiased policing in all its encounters between officer(s) and any person(s); to reinforce procedures that serve to ensure public confidence and mutual trust through the provision of services in a fair and equitable fashion; and to protect our officers from unwarranted accusations of misconduct when they act within the dictates of departmental policy and the law.

II. POLICY

It is the policy of this department to police in a proactive manner and, to aggressively investigate suspected violations of law. Officers shall actively enforce state and federal laws in a responsible and professional manner, without regard to race, ethnicity or national origin. Officers are strictly prohibited from engaging in racial profiling as defined in this policy. This policy shall be applicable to all persons, whether drivers, passengers or pedestrians.

Officers shall conduct themselves in a dignified and respectful manner at all times when dealing with the public. Two of the fundamental rights guaranteed by both the United States and Texas constitutions are equal protection under the law and freedom from unreasonable searches and seizures by government agents. The right of all persons to be treated equally and to be free from unreasonable searches and seizures must be respected. Racial profiling is an unacceptable patrol tactic and will not be condoned.

This policy shall not preclude officers from offering assistance, such as upon observing a substance leaking from a vehicle, a flat tire, or someone who appears to be ill, lost or confused. Nor does this policy prohibit stopping someone suspected of a crime based upon observed actions and/or information received about the person.

III. DEFINITIONS

Racial Profiling – A law enforcement-initiated action based on an individual’s race, ethnicity, or national origin rather than on the individual’s behavior or on information identifying the individual as having engaged in criminal activity.

Racial profiling pertains to persons who are viewed as suspects or potential suspects of criminal behavior. The term is not relevant as it pertains to witnesses, complainants or other citizen contacts.

The prohibition against racial profiling does not preclude the use of race, ethnicity or national origin as factors in a detention decision. Race, ethnicity or national origin may be legitimate factors in a detention decision when used as part of an actual description of a specific suspect for whom an officer is searching. Detaining an individual and conducting an inquiry into that person’s activities simply because of that individual’s race, ethnicity or national origin is racial profiling. Examples of racial profiling include but are not limited to the following:

1. Citing a driver who is speeding in a stream of traffic where most other drivers are speeding because of the cited driver’s race, ethnicity or national origin.
2. Detaining the driver of a vehicle based on the determination that a person of that race, ethnicity or national origin is unlikely to own or possess that specific make or model of vehicle.
3. Detaining an individual based upon the determination that a person of that race, ethnicity or national origin does not belong in a specific part of town or a specific place.

A law enforcement agency can derive two principles from the adoption of this definition of racial profiling:

1. Police may not use racial or ethnic stereotypes as factors in selecting whom to stop and search, while police may use race in conjunction with other known factors of the suspect.
2. Law enforcement officers may not use racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling is not relevant as it pertains to witnesses, etc.

Race or Ethnicity – Of a particular decent, including Caucasian, African, Hispanic, Asian, or Native American.

Pedestrian Stop – An interaction between a peace officer and an individual who is being detained for the purpose of a criminal investigation in which the individual is not under arrest.

Traffic Stop – A peace officer who stops a motor vehicle for an alleged violation of a law or ordinance regulating traffic.

IV. TRAINING

Officers are responsible to adhere to all Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) training and the Law Enforcement Management Institute of Texas (LEMIT) requirements as mandated by law.

All officers shall complete a TCLEOSE training and education program on racial profiling not later than the second anniversary of the date the officer is licensed under Chapter 1701 of the Texas Occupations Code or the date the officer applies for an intermediate proficiency certificate, whichever date is earlier. A person who on September 1, 2001, held a TCLEOSE intermediate proficiency certificate, or who had held a peace officer license issued by TCLEOSE for at least two years, shall complete a TCLEOSE training and education program on racial profiling not later than September 1, 2003.

The chief of police, as part of the initial training and continued education for such appointment, will be required to attend the LEMIT program on racial profiling.

An individual appointed or elected as a police chief before the effective date of this Act shall complete the program on racial profiling established under Subsection (j), Section 96.641, Education Code, as added by this Act, not later than September 1, 2003.

V. COMPLAINT INVESTIGATION

1. The department shall accept complaints from any person who believes he or she has been stopped or searched based on racial, ethnic or national origin profiling. No person shall be discouraged, intimidated or coerced from filing a complaint, nor discriminated against because he or she filed such a complaint.
2. Any employee who receives an allegation of racial profiling, including the officer who initiated the stop, shall record the person's name, address and telephone number, and forward the complaint through the appropriate channel or direct the individual(s). Any employee contacted shall provide to that person a copy of a complaint form or the department process for filing a complaint. All employees will report any allegation of racial profiling to their superior before the end of their shift.
3. Investigation of a complaint shall be conducted in a thorough and timely manner. All complaints will be acknowledged in writing to the initiator who will receive disposition regarding said complaint within a reasonable period of time. The investigation shall be

reduced to writing and any reviewer's comments or conclusions shall be filed with the chief. When applicable, findings and/or suggestions for disciplinary action, retraining, or changes in policy shall be filed with the chief.

4. If a racial profiling complaint is sustained against an officer, it will result in appropriate corrective and/or disciplinary action, up to and including termination.
5. If there is a departmental video or audio recording of the events upon which a complaint of racial profiling is based, upon commencement of an investigation by this department into the complaint and written request of the officer made the subject of the complaint, this department shall promptly provide a copy of the recording to that officer.

VI. PUBLIC EDUCATION

This department will inform the public of its policy against racial profiling and the complaint process. Methods that may be utilized to inform the public are the news media, radio, service or civic presentations, the Internet, as well as governing board meetings. Additionally, information will be made available as appropriate in languages other than English. A copy of the most current departmental racial profiling policy will be included in the City website.

VII. COLLECTION & REPORTING OF INFORMATION

For each traffic stop, pedestrian stop and for each arrest resulting from such traffic and pedestrian stops, the officer who makes the stop is required to record the following data in the Stop Tracker software program:

1. the violator's race or ethnicity;
2. the violator's gender;
3. location of the stop;
4. name, address and identifying information of the violator;
5. violation suspected;
6. whether a search was conducted;
7. was the search consensual;
8. arrest for this cited violation or any other violation;
9. vehicle information such as license plate etc.

By March of each year, the department shall submit a report to their governing board that includes the information gathered by the citations. The report will include:

1. a breakdown of citations by race or ethnicity;
2. number of citations that resulted in a search;
3. number of searches that were consensual; and
4. number of citations that resulted in custodial arrest for this cited violation or any other violation.

Not later than March 1st of each year, this department shall submit a report to our governing body containing this information from the preceding calendar year.

VIII. USE OF VIDEO AND AUDIO EQUIPMENT

Each motor vehicle regularly used by this department to make traffic and pedestrian stops is equipped with a video camera and transmitter-activated equipment, and each motorcycle regularly used by this department to make traffic and pedestrian stops is equipped with transmitter-activated equipment; and

Each traffic and pedestrian stop made by an officer of this department that is capable of being recorded by video and audio, or audio, as appropriate, is recorded.

This department shall retain the video and audiotapes, or the audiotape of each traffic and pedestrian stop for at least ninety (90) days after the date of the stop. If a complaint is filed with this department alleging that one of our officers has engaged in racial profiling with respect to a traffic or pedestrian stop, this department shall retain the video and audiotapes, or the audiotape of the stop until final disposition of the complaint.

Supervisors will ensure officers of this department are recording their traffic and pedestrian stops. A recording of each officer will be reviewed at least once every ninety (90) days.

IX. RESPONSIBILITY

Division Commanders as well as supervisory personnel are responsible for overall compliance with the content and intent of this directive. All members of the Department shall know and comply with all aspects of this directive.

Larry Flatt
Chief of Police

Discuss amending City Council Rules and Procedures as adopted July 9, 2012.

This request supports the City Council 2012-2013 Policy Agenda.

City Charter Provision

Background

Section 3.14 of the City's Home Rule Charter requires the Council to determine its own rules of order and business ninety (90) days following the May election. City Council reviewed the rules and procedures in June 2012 during strategic planning and adopted revisions on July 9, 2012. The City Council Rules and Procedures provide the framework in which the Council conducts its business. City Council may consider amendments to its rules at any time.

To ensure clear communications regarding a councilmember's request to place an item on the agenda, changes to Section D. *City Council Agenda Process*, item 1.c. are recommended. This revision would require a request by a councilmember for a matter to be placed on an agenda to be submitted in writing, on a specified form, signed by the requesting councilmember and acknowledged by the City Manager and City Secretary.

Proposed changes to Section D. 1.c. are below.

D. CITY COUNCIL AGENDA PROCESS

1. Agenda Items

....

- c. A Councilmember may place an item on the agenda by presenting same, ~~in writing or verbally~~, **on the prescribed form**, to the City Manager not later than noon on the Friday one week before the Council meeting. **The City Manager and City Secretary shall acknowledge receipt of the request form and provide a copy to the requesting councilmember.** The City Manager may discuss with the requesting Councilmember delay of the agenda item one meeting due to time considerations. However, the Councilmember may choose to direct the City Manager to place the

agenda item on the upcoming Council meeting without a one meeting delay. Such direction shall be noted in the agenda communication regarding the agenda item.

Considerations

- **Operational** – The proposed revision to City Council Rules and Procedures will help ensure clarity regarding a councilmember request to place a matter on an agenda. At Council’s annual strategic planning session, Council may wish to discuss in depth other revisions to their rules.
- **Legal** – City Council Rules and Procedures may be amended by a majority vote of councilmembers during a duly convened City Council meeting.
- **Financial** – Amending City Council Rules and Procedures does not create any financial impact.
- **Public Information** – There are no public information requirements other than the duly posted agenda for the matter to be considered.

Staff seeks direction from City Council regarding the proposed revision.

Recommendation

Staff recommends revision of the City Council Rules and Procedures as outlined.

Attachments

- Councilmember Request to Schedule Item for City Council Discussion/Action [form]
- City Council Rules and Procedures as amended July 9, 2012

Submitted by:

Opal Mauldin Robertson, City Manager
Dolle K. Downe, City Secretary

City of Lancaster
City Council
Rules and Procedures



As Amended
July 9, 2012

Last CC Review: June 22, 2012

TABLE OF CONTENTS

Statement of Mission.....	3
Council Duties and Responsibilities	4
Section I - Mayor - City Council Relations.....	4
Section II - Council and Staff Relations.....	9
Section III - Council and Media Relations.....	13
Section IV - Boards/Commissions.....	14
Code of Ethics.....	15
Censure Policy.....	16

STATEMENT OF MISSION

The City Council shall faithfully discharge all duties imposed upon it by the City Charter and the Constitution and laws of the State of Texas, independently and impartially deciding all matters brought before it with responsibility to the citizens and each other.

COUNCIL DUTIES AND RESPONSIBILITIES

The City Council is the governing body for the City of Lancaster and must bear responsibility for the integrity of governance. This policy intends to ensure effective and efficient governance.

The Council shall govern the City with a commitment to preserving the values and integrity of representative local government and democracy. The following statements will serve as a guide to that commitment:

1. The Council must strive for continual improvement of each member's personal knowledge and ability to serve in an atmosphere conducive to the responsible exchange of ideas.
2. The Council will keep the community informed on municipal affairs; encourage communication between the citizens and Council and strive for constructive relationships with Dallas County, neighboring communities, Lancaster Independent School District and other governmental bodies.
3. The Council will recognize and address the rights and privileges of the social, cultural, and physical characteristics of the community when setting policy.
4. The Council will seek to improve the quality and image of public service.
5. The Council will commit to improving the quality of life for the individual and the community by being dedicated to the faithful stewardship of the public trust.

SECTION I

MAYOR - CITY COUNCIL RELATIONS

A. MAYORAL RESPONSIBILITIES

1. The Mayor shall be the presiding officer at all meetings. The Mayor Pro Tem shall preside in the absence of the Mayor. The Deputy Mayor Pro Tem shall preside in the absence of both the Mayor and Mayor Pro Tem.
2. The Mayor shall have a voice and vote in all matters before the Council.

3. The Mayor is the spokesperson for the Council on all matters unless absent, at which time a designee will assume the role.
4. The Mayor shall preserve order and decorum and is responsible for keeping the meetings orderly by recognizing each Member for discussion, limiting speaking time, encouraging debate among Members, and keeping discussion on the agenda items being considered.
5. Should a conflict arise among Councilmembers, the Mayor serves as mediator and arbiter.

B. COUNCILMEMBER RESPONSIBILITIES

1. Councilmembers shall know and observe the adopted rules and procedures governing their duties and responsibilities.
2. Councilmembers shall be prepared to discuss and act upon the posted agenda.
3. Councilmembers shall take the initiative to be informed about Council actions taken in their absence. When absent the individual Councilmember is responsible for obtaining relevant information prior to the Council meeting when said item is to be considered.
4. Councilmembers appointed to serve as liaison to a board, commission, or study group are responsible for keeping all Councilmembers informed of significant board, commission, or study group activities.

C. HOUSE RULES: CODE OF CONDUCT

1. Listen and understand before judging.
2. Focus on the Vision and goals;
no personal attacks or inferences.
3. Look for areas of agreement before differences.
4. Be on time; start on time; turn off all communication devices.
5. Once a decision is made,
support the City decision, but state your reservation.

6. Agree to disagree;
move on to the next issue.
7. Come prepared to discuss issues;
When possible ask questions of staff prior to the meeting so that staff can be prepared.
8. Praise in public;
provide constructive feedback in private.
9. Participate in discussions and focus on the issue;
avoid side conversations. Need to be mindful that sidebar conversations are disruptive.
10. Be courteous, honest and treat others with respect.
11. Communicate in an open, direct manner;
keep others informed.
12. If you have a problem with another member of Council, go to that member directly and not to other council members, the community or staff.
13. Be a positive ambassador for the City.

D. CITY COUNCIL AGENDA PROCESS

1. Agenda Items
 - a. The City Manager shall be responsible for the placement of agenda items.
 - b. Any member of the City Council shall have the unabridged right to place an item on the agenda of a duly convened meeting of the council and nothing contained in the Charter or these Rules and Procedures shall be construed to limit or circumscribe such right.
 - c. A Councilmember may place an item on the agenda by presenting same, in writing or verbally, to the City Manager not later than noon on the Friday one week before the Council meeting. The City Manager may discuss with the requesting Councilmember delay of the agenda item one meeting due to time considerations. However,

the Councilmember may choose to direct the City Manager to place the agenda item on the upcoming Council meeting without a one meeting delay. Such direction shall be noted in the agenda communication regarding the agenda item.

2. Parliamentary Considerations

- a. Discussion on agenda items will be initiated following introduction by the Mayor, explanatory comments by staff, and a motion and a second for or against the proposal.
- b. The Mayor will encourage all Councilmembers to participate in discussion and debate, ensuring all members the opportunity to speak, limiting each speaker to ensure efficient use of time as appropriate.
- c. Generally accepted Parliamentary Procedure will determine the precedence of motions and the general conduct and composition of meetings except as otherwise provided herein or by State law.

3. Citizens Comments

- a. When Citizens' Comments are listed on the posted agenda, the Mayor may enforce the three (3) minute rule. The Mayor, at his/her discretion, may adjust the length of time per speaker. All speakers shall be accorded the courtesy of the same time allowance. All citizens requesting to speak during Citizens' Comments must fill out a speaker card prior to the call to order of the meeting. *(Approved by motion at City Council meeting June 7, 1999)*
- b. When Public Hearings are listed on the posted agenda, citizens wishing to speak during the Public Hearing will be asked to fill out a speaker card prior to the call to order of the meeting.
- c. Public comment shall not be accepted during a Council work session. A councilmember may request that the Mayor recognize a person to speak during a work session if the councilmember believes the

person has pertinent, factual information that is directly relevant to the Council's discussion. The Mayor, at his/her discretion, may ask the person to speak.

4. Minutes

- a. The City Secretary will keep Action Minutes for all City Council meetings where Council takes official action and description minutes for all citizens' comments and Public Hearings.
- b. The City Secretary shall maintain recordings of City Council meetings in accordance with the City's adopted Records Management Program ordinance and applicable state law.
- c. Any questions regarding minutes shall be directed to the City Secretary prior to the council meeting.

5. Any Councilmember may appeal to the Council as a whole from a ruling by the Mayor. If the appeal is seconded, the person making the appeal may make a brief statement and the Mayor may explain the Mayor's position, but no other Member may speak on the motion. The Mayor will then put the ruling to a vote of the Council.

6. Any Councilmember may ask the Mayor to enforce the rules established by the Council. Should the Mayor fail to do so, a majority vote of the Council present shall require the Mayor to do so.

E. COUNCIL MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT

1. Council members are encouraged to attend at least one training event per year, and others as found beneficial to performance of their elective duties, subject to the availability of funds as appropriated in the annual budget for the Mayor and each council district.
2. Council shall appropriate an amount for Mayor and each council district. Travel and training funds appropriated for the Mayor and each council district

shall not be available for transfer to another council district or the Mayor.

3. Selection of professional development events are at the discretion of each council member, but are limited to expenditures within the amount appropriated for mayor and each council district. Unexpended funds for each elective position are non-transferable and shall be returned to fund balance at the end of each fiscal year.
4. Council members are encouraged to select training events from the following providers:
 - Texas Municipal League
 - North Central Texas Council of Government
5. Additional expenditures from miscellaneous professional development funds, subject to annual appropriation, for the Mayor and/or a council member chosen to represent the council, may be made for special events as the need may arise. Such additional expenditures may be made only after having been placed on the agenda of a regular council meeting and acted upon by motion, second, and favorable majority vote. *(Resolution 46-99)*

SECTION II

COUNCIL - STAFF RELATIONS

The City Manager is the primary link between the Council and the professional staff. The Council's relationship with the staff shall be through the City Manager, subject only to the "inquiry" provision of the City Charter.

- A. **AGENDA QUESTIONS.** Questions arising from Councilmembers after receiving their agenda information packet should be presented to the City Manager for staff consideration prior to the Council meeting. The additional information will be distributed to all Councilmembers.

B. PRESENTATIONS TO COUNCIL. The City Manager shall designate appropriate staff to address each agenda item and shall see that it is adequately prepared and presented to the Council. Presentation should be professional, timely, and allow for discussion of options for resolving the issue. Staff shall make it clear that no Council action is required, present the staff recommendation, or present the specific options for Council consideration.

C. PROBLEM RESOLUTION. If the City Manager or staff time is being dominated or misdirected by a Councilmember or in any conflict arising between staff and Council, the City Manager shall:

1. Visit with the Councilmember and discuss the problem and/or impact on City Manager or staff time;
2. If unresolved, ask the Mayor to arbitrate a resolution to the issue;
3. If still unresolved, ask the Mayor to present the concerns to the Council.
4. If the unresolved issue is with the Mayor, ask the Mayor Pro Tem to arbitrate a resolution to the issue.
5. If still unresolved issue involves the Mayor, ask the Mayor Pro Tem to present the concerns to the Council.

D. STAFF CONDUCT AND TRAINING

1. The City Manager is responsible for the professional and ethical behavior of the City Staff. All staff members shall show each other, Council, and the public respect and courtesy at all times.
2. The City Manager is responsible, within the constraints of the appropriated budget, for staff development.

E. COUNCIL ORIENTATION. The City Manager will, in a timely manner, provide appropriate orientation services for new Councilmembers. Such services shall include, but not be limited to, the following:

1. Availability of Texas Municipal League conferences and seminars.
2. An individual meeting with new Members informing them about City facilities and procedures.
3. Printed documents and resource materials necessary to the performance of the office of Councilmember.

F. COUNCIL - MANAGER/STAFF RELATIONS

1. The rules and procedures governing Council right of inquiry shall apply only to the administrative staff reporting directly to the City Manager and shall not be in any way construed to limit the right of Council to direct access, verbal or written, with the City Manager, City Secretary, and City Attorney, unless otherwise specifically provided herein.
2. Inquiries: All administrative inquiries of staff may be made in writing and addressed to the person with a copy to the City Manager. Staff may respond in writing as soon as possible, but not later than five (5) business days, via the City Manager, as follows:
 - a. The full response to the inquiry.
 - b. Refer the inquiry to a more appropriate staff personnel with notice to the City Manager of the referral.
 - c. City Manager shall send a copy of all responses to all members of the Council.
3. Dispute Resolution
 - a. Visit with the Mayor and/or Councilmembers, and discuss abuse and/or impact on City Manager or staff time.
 - b. If unresolved, ask the Mayor to mediate a resolution to the

issue; if the dispute is with the Mayor, the Mayor Pro-Tem shall mediate;

- c. If still unresolved, the Council shall mediate a final resolution. *(Resolution 43-98, October 12, 1998)*

4. Communications with Staff

- a. In order to make the most efficient use of council members and staff time and to facilitate responsiveness to both staff and constituents, Council members may, upon request and funding availability, be issued a cellular telephone and tablet with service plans.

5. Disclosure of Police or Code Offense Reports and Related Records

- a. To protect the integrity of an investigation and prosecution of an offense, no Information regarding police or code enforcement matters, other than what may be made to the public or media generally, will be released verbally or in written form to any council member.
- b. A Council member request for open records may be made through the City Secretary's office for personal subject matters. A council member may not use an Open Records Request to circumvent a copy of requested city documents being shared with other council members.

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SECTION III
MEDIA RELATIONS

It is through an informed public that progress is ensured and good government remains sensitive to its constituents. These guidelines are designed to help ensure fair relationships with print, radio, and television reports without infringing upon the First Amendment rights of the media.

The Council and the City Manager recognize the important link to the public provided by the media. It is the Council's desire to strengthen this link by establishing a professional working relationship to maintain a well-informed citizenry.

- A. Media Orientation. Since each government body conducts business differently, it is requested that all reporters new to City Council meetings meet with the City Manager, Mayor or the designated media relations representative prior to covering their first meeting for information on policies and procedures.
- B. Agenda Information. All reporters requesting same will receive an agenda package in advance and will be furnished support material needed for clarification for themselves or the general public.
- C. Chamber Seating. During the conduct of official business, the news media shall occupy the places designated for them or the general public.
- D. Conduct in Chambers. Representatives of the media are requested to refrain from conversing privately with others in the audience while Council is in session. Interviews with the public should be conducted outside the Council Chambers while Council is in session.
- E. Spokesperson for Staff. On administrative matters, the City Manager or his/her designee is the spokesperson to present staff information on the agenda.
- F. Spokesperson for City. The Mayor, or the Mayor's designee, is the primary spokesperson for the official position of the City on matters regarding policy decisions and Council information pertaining to issues on the agenda. Any clarifications requested by the media on the issues should be addressed after the meeting.

- G. Equal Access for Opposing Positions. The ethical burden for fair presentation of opposing positions on any issue falls upon the media. When opposing positions have been debated, regardless of the outcome, the public is better informed when all sides have adequate coverage by the media. Interviews by the media should provide equitable representation from all Councilmembers.

SECTION IV

BOARDS/COMMISSIONS

All City Councilmembers, with the exception of the Mayor, will serve as Council liaisons to all the boards and commissions of the City for a period of one year.

- A. Councilmembers will select different boards and/or commissions to serve as liaisons after or around the completion of the boards and commissions appointments in July.
- B. Each Councilmember will be allowed to select the board or commission they would like to serve as liaisons to by order of seniority.
- C. Councilmembers are strongly encouraged, rather than required, to attend all meetings of their selected boards and/or commissions.
- D. Each Councilmember may submit a quarterly report to the entire council through the City Secretary on their respective board and/or commission's activity.

This Section was added after Res. No. 50-97 was adopted October 13, 1997. Item D was added after Res. 2007-09-105 was adopted on September 24, 2007.

CODE OF ETHICS

Since the office of elected official is one of trust and service to the citizens of Lancaster, certain ethical principles shall govern the conduct of Councilmembers, who shall:

- A. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships;
- B. Recognize that the primary function of local government is to serve the best interests of all the people;
- C. Be dedicated to public service by being cooperative and constructive, and by making the best and most efficient use of available resources;
- D. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the Council;
- E. Not seek nor accept gifts or special favors and shall believe that personal gain by use of confidential information or by misuse of public funds or time is dishonest;
- F. Recognize that public and political policy decisions are ultimately the responsibility of the City Council;
- G. Conduct business in open, well-publicized meetings in order to be directly accountable to the citizens of Lancaster in compliance with the City Charter and Texas Open Meetings Act;
- H. Avoid inappropriate reference to personalities, and refrain from impugning the integrity or motives of another;
- I. Demonstrate respect and courtesy to others;
- J. Refrain from rude and derogatory remarks and shall not belittle staff members, other Councilmembers and members of the public;
- K. Not condone any unethical or illegal activity.

CENSURE POLICY

1. Two or more City Councilmembers may file a written notice of censure against another City Councilmember with the City Secretary. The written notice shall set forth the allegation(s) of conduct and City Charter provisions which the accused Councilmember shall have allegedly violated. A copy shall be delivered to all Councilmembers. A written response to the allegation(s) may be filed by the accused Councilmember ten (10) days after receipt thereof. A copy of the notice of censure and response thereto shall be delivered to each Councilmember within two (2) days after the response is filed.

2. On the first regularly called meeting of the Council, which complies with the Texas Open Meetings Act, after the filing of the notice and response, the City Secretary shall formally read the notice and response into the public record. The Council, by majority vote, shall thereafter determine whether or not good cause shall exist to set a formal hearing on the merits of the notice of censure or dismiss the allegation(s). A public hearing shall be set on the allegation(s) by the City Council. A vote to hold a public hearing shall not be construed to be a vote of censure.

3. The accused City Councilmember has the right to be represented by legal counsel and present witnesses relative to the allegation(s).

4. A public hearing on the allegation(s) and response shall be held at either a regular or special called meeting of the City Council, which shall be open to the public.

CENSURE POLICY

(continued)

5. The City Council will hear evidence concerning the notice of censure. The City Councilmembers proffering the charges shall present evidence in support of the allegation(s) contained in the notice of censure. The Councilmember who is the subject of the censure shall have the opportunity to present evidence to support his or her position with respect to the notice of censure. After receiving evidence at an open public meeting, the City Council shall then take a roll-call vote, after motion duly made and seconded, a majority of five members of the City Council shall be required to sustain the censure of the Councilmember.

Discuss and receive a presentation on the first quarter financials, investment update; and budget amendments for fiscal year 2012/2013.

This request supports the City Council 2012-2013 Policy Agenda.

Goal: Financially Sound City Government

Background

The broad purpose of the City's Financial and Investment policy statements is to enable the City to achieve and maintain a long-term stable and positive financial position, and provide guidelines for the day to day planning and operations of the City's financial affairs. The following information is representative of the first quarter of fiscal year 2012/2013, October 1, 2012 through December 31, 2012. The information presented is subject to audit adjustments for the fiscal year end 2013.

- **Financial Report** – The financial data will be presented during the work session. Year-to-date total City Wide revenues are on target with a slight increase of 3%.

The optimal expenditure rate for the first quarter is 25%. As of December 31, 2012, the City Wide Operating Fund expenditure rate is approximately 16%. The overall under-expenditure rate is mainly due to payments for the bonds which are due in the second quarter.

- **Investments** – The City's Investment Policy states the City shall manage and invest with five primary objectives, listed in order of priority: safety, public trust, liquidity, diversification and yield. Currently, all investments are with Tex Pool and LOGIC. These investment pools provide the highest liquidity and safety for the City's funds. At the end of December 2012, the City had \$25,626,287 invested with Tex Pool and \$17,361,956 invested with LOGIC. Tex Pool investments are funds from Property Tax Collections and LOGIC investments are funds from bond proceeds. Since the majority of the City's property tax collections occurs during the second quarter of the fiscal year, January 1, 2013 through March 31, 2013, the City transfers those funds into the Tex Pool account to safeguard the asset and provide the most liquidity and yield possible to support operational needs throughout the year. Attached are publications outlining the current state of the investments, market, and outlook for Tex Pool and LOGIC.
- **Budget Amendments** – The City's adopted fiscal year 2012/2013 budget is October 1, 2012 and ending September 30, 2013. During the course of the year, staff monitors the budget to ensure expenditures are properly recorded and in alignment with the adopted

budget. As a result, there were five (5) budget amendments presented with supporting detail to realign the budget with actual expenditures required. The amendments were for the General Fund and Water Waste Water Fund moving funds within the operational line items. The net results of the amendments equal to zero, with no effect on Fund Balance.

Attachments

- Tex Pool Monthly Newsletter
 - LOGIC Monthly Newsletter
-

Submitted by:

Opal Mauldin Robertson, City Manager
Sheree Haynes, Finance Director

As of December 31, 2012

Current Invested Balance	\$2,901,152,418.66
Weighted Average Maturity (1)*	45 Days
Weighted Average Maturity (2)*	51 Days
Net Asset Value	1.000071
Total Number of Participants	448
Management Fee on Invested Balance	0.0875%
Interest Distributed	\$594,062.98
Management Fee Collected	\$195,328.19
% of Portfolio Invested Beyond 1 Year	0.00%
Standard & Poor's Current Rating	AAAm

December Averages:

Average Invested Balance	\$2,635,354,519.37
Average Monthly Yield, on a simple basis	0.1785%
Average Weighted Average Maturity (1)*	51 Days
Average Weighted Average Maturity (2)*	58 Days

*Definition of Weighted Average Maturity (1) & (2)

- (1) This weighted average maturity calculation uses the SEC Rule 2a-7 definition for stated maturity for any floating rate instrument held in the portfolio to determine the weighted average maturity for the pool. This Rule specifies that a variable rate instrument to be paid in 397 calendar days or less shall be deemed to have a maturity equal to the period remaining until the next readjustment of the interest rate.
- (2) This weighted average maturity calculation uses the final maturity of any floating rate instruments held in the portfolio to calculate the weighted average maturity for the pool.

Rates reflect historical information and are not an indication of future performance.

New Participants

We would like to welcome the following entities who joined LOGIC in December:

- ★ Jefferson County WCID No. 10
- ★ Montgomery County

Holiday Reminder

In observance of Martin Luther King Jr. holiday, **LOGIC will be closed Monday, January 21, 2013.** All ACH transactions initiated on Friday, January 18th will settle on Tuesday, January 22nd.

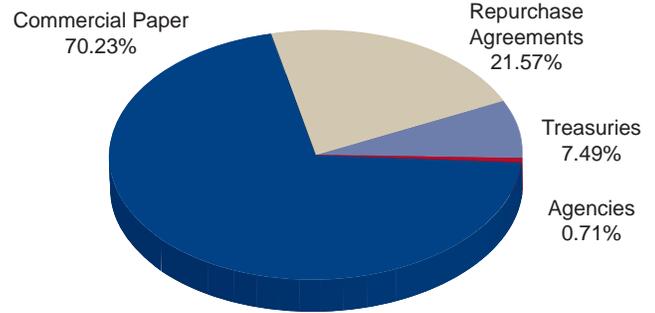
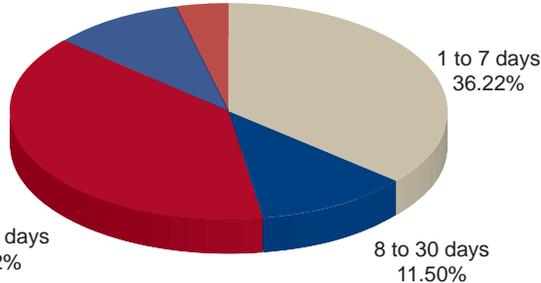
In observance of Presidents' Day, **LOGIC will be closed Monday, February 18, 2013.** All ACH transactions initiated on Friday, February 15th will settle on Tuesday, February 19th.

Global equity and credit markets were volatile in the fourth quarter as investors shifted their focus from the ongoing credit concerns in Europe to the U.S. elections and the potential economic implications of the "fiscal cliff". U.S. economic data was generally a bit better in the fourth quarter, with housing showing the strongest improvement. After much anticipation, the election was status quo with President Obama re-elected and a Congress that remained divided. U.S. equity markets and short-term interest rates fell as the "fiscal cliff" took center stage. Markets swung back and forth on news about a potential for a deal or lack thereof. Uncertainty remained on concerns that negotiations would be protracted. Finally, Congress was able to pass a last-minute bill at the end of the year that averted the full brunt of the "fiscal cliff." However, the measures, which include higher marginal tax rates for upper income households, higher tax rates for capital gains and dividends, and a higher tax rate on estates, only addressed revenue. Congress put off the more important decisions regarding spending cuts via sequestration and the debt ceiling until February and March. Given the difficulty in reaching the deal on taxes, fiscal uncertainty is likely to linger as the new Congress faces a difficult challenge in seeking agreement on spending cuts. The U.S. officially reached the debt ceiling limit on December 31st, but the U.S. Treasury is undertaking extraordinary measures in order to continue paying its obligations for approximately another two months.

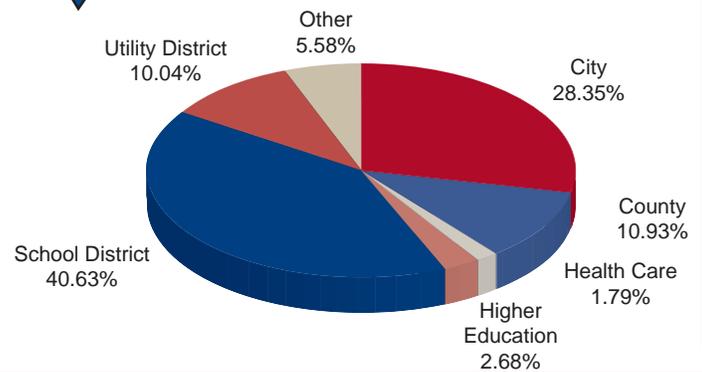
The three major concerns that dominated 2012 appear to have eased as investor fears of a eurozone debt crisis, the fiscal cliff and a Chinese economic hard landing have abated. The conversion of the Fed's Operation Twist to outright open-ended Treasury purchases and the fiscal cliff compromise are positive forces in the U.S. The amount of liquidity being injected into the global financial system by central banks is overwhelming and provides significant monetary conditions for a recovery. The transmission mechanism into economic growth has not yet been triggered, but the likelihood of this happening in the near-term has increased. However, while central banks have reduced tail risks, the ongoing political struggle in the U.S. over spending cuts and the debt ceiling creates significant uncertainty.

Portfolio by Type of Investment As of December 31, 2012

91 to 180 days 9.59%
181+ days 3.77%



Portfolio by Maturity As of December 31, 2012



Distribution of Participants by Type As of December 31, 2012

Historical Program Information

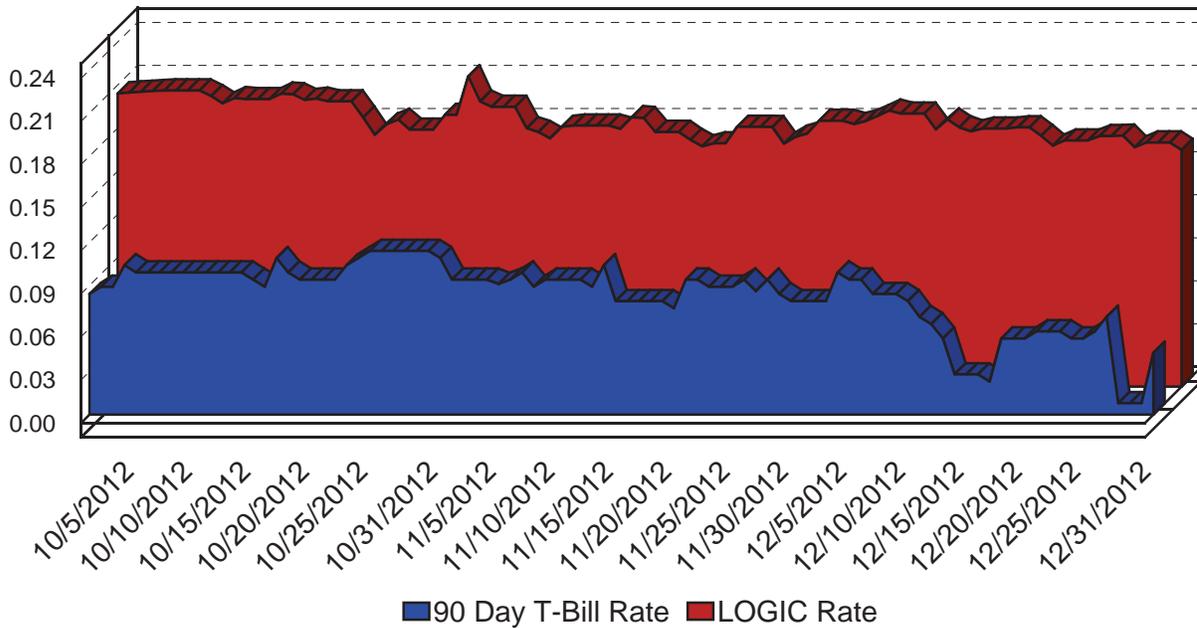
Month	Average Rate	Book Value	Market Value	Net Asset Value	WAM (1)*	WAM (2)*	Number of Participants
Dec 12	0.1785%	\$2,901,152,418.66	\$2,901,360,833.82	1.000071	51	58	448
Nov 12	0.1804%	2,488,323,083.01	2,488,496,976.98	1.000069	50	52	446
Oct 12	0.1971%	2,387,683,334.65	2,387,863,589.71	1.000075	53	55	442
Sep 12	0.1964%	2,370,820,935.14	2,370,986,418.51	1.000069	48	51	441
Aug 12	0.1927%	2,412,204,530.32	2,412,368,953.31	1.000066	45	49	440
Jul 12	0.2379%	2,576,792,523.17	2,576,977,647.64	1.000071	42	47	438
Jun 12	0.2514%	2,740,188,470.00	2,740,458,128.80	1.000098	42	48	437
May 12	0.2683%	2,838,358,807.97	2,838,700,233.67	1.000120	49	56	435
Apr 12	0.2864%	3,146,524,243.82	3,146,890,397.72	1.000116	44	48	433
Mar 12	0.2942%	3,263,401,089.13	3,263,825,072.25	1.000129	48	51	426
Feb 12	0.2860%	3,230,282,021.25	3,230,605,825.73	1.000100	53	55	423
Jan 12	0.2513%	3,139,196,113.09	3,139,446,843.68	1.000079	39	41	422

Portfolio Asset Summary as of December 31, 2012

	Book Value	Market Value
Uninvested Balance	\$ 15,338.12	\$ 15,338.12
Accrual of Interest Income	863,971.83	863,971.83
Interest and Management Fees Payable	(660,474.93)	(660,474.93)
Payable for Investment Purchased	0.00	0.00
Receivable for Investment Sold	0.00	0.00
Repurchase Agreements	625,606,000.00	625,606,000.00
Commercial Paper	2,037,706,382.57	2,037,851,487.00
Government Securities	237,621,201.07	237,684,511.80
Total	\$ 2,901,152,418.66	\$ 2,901,360,833.82

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by J.P. Morgan Chase & Co. and the assets are safekept in a separate custodial account at the Federal Reserve Bank in the name of LOGIC. The only source of payment to the Participants are the assets of LOGIC. There is no secondary source of payment for the pool such as insurance or guarantee. Should you require a copy of the portfolio, please contact LOGIC Participant Services.

LOGIC versus 90-Day Treasury Bill



This material is for information purposes only. This information does not represent an offer to buy or sell a security. The above rate information is obtained from sources that are believed to be reliable; however, its accuracy or completeness may be subject to change. The LOGIC management fee may be waived in full or in part at the discretion of the LOGIC co-administrators and the LOGIC rate for the period shown reflects waiver of fees. This table represents investment performance/return to the customer, net of fees, and is not an indication of future performance. An investment in the security is not insured or guaranteed by the Federal Deposit Insurance Corporation or any other government agency. Although the issuer seeks to preserve the value of an investment at \$1.00 per share, it is possible to lose money by investing in the security. Information about these and other program details are in the fund's Information Statement which should be read carefully before investing. The yield on the 90-Day Treasury Bill ("T-Bill Yield") is shown for comparative purposes only. When comparing the investment returns of the LOGIC pool to the T-Bill Yield, you should know that the LOGIC pool consist of allocations of specific diversified securities as detailed in the respective Information Statements. The T-Bill Yield is taken from Bloomberg Finance L.P. and represents the daily closing yield on the then current 90-day T-Bill.

Daily Summary for December 2012

Date	Mny Mkt Fund Equiv. [SEC Std.]	Daily Allocation Factor	LOGIC Invested Balance	Market Value Per Share	WAM Days (1)*	WAM Days (2)*
12/1/2012	0.1851%	0.000005071	\$2,488,323,083.01	1.000069	50	56
12/2/2012	0.1851%	0.000005071	\$2,488,323,083.01	1.000069	50	56
12/3/2012	0.1828%	0.000005008	\$2,489,402,589.96	1.000007	55	61
12/4/2012	0.1849%	0.000005067	\$2,499,052,869.61	1.000067	54	61
12/5/2012	0.1884%	0.000005162	\$2,507,499,933.67	1.000066	55	63
12/6/2012	0.1922%	0.000005265	\$2,503,251,646.94	1.000064	56	64
12/7/2012	0.1901%	0.000005209	\$2,507,903,812.84	1.000054	55	63
12/8/2012	0.1901%	0.000005209	\$2,507,903,812.84	1.000054	55	63
12/9/2012	0.1901%	0.000005209	\$2,507,903,812.84	1.000054	55	63
12/10/2012	0.1790%	0.000004903	\$2,511,557,359.11	1.000071	54	62
12/11/2012	0.1860%	0.000005095	\$2,454,872,174.74	1.000077	54	63
12/12/2012	0.1805%	0.000004945	\$2,498,028,460.69	1.000080	53	61
12/13/2012	0.1777%	0.000004868	\$2,530,450,469.88	1.000081	52	61
12/14/2012	0.1797%	0.000004924	\$2,566,563,140.19	1.000075	50	59
12/15/2012	0.1797%	0.000004924	\$2,566,563,140.19	1.000075	50	59
12/16/2012	0.1797%	0.000004924	\$2,566,563,140.19	1.000075	50	59
12/17/2012	0.1806%	0.000004948	\$2,635,408,743.24	1.000083	49	57
12/18/2012	0.1805%	0.000004946	\$2,613,339,372.92	1.000077	48	56
12/19/2012	0.1746%	0.000004784	\$2,618,962,081.10	1.000082	51	59
12/20/2012	0.1678%	0.000004596	\$2,657,119,747.37	1.000077	53	61
12/21/2012	0.1714%	0.000004695	\$2,759,743,882.95	1.000065	50	58
12/22/2012	0.1714%	0.000004695	\$2,759,743,882.95	1.000065	50	58
12/23/2012	0.1714%	0.000004695	\$2,759,743,882.95	1.000065	50	58
12/24/2012	0.1745%	0.000004781	\$2,763,743,191.54	1.000069	49	56
12/25/2012	0.1745%	0.000004781	\$2,763,743,191.54	1.000069	49	56
12/26/2012	0.1748%	0.000004788	\$2,764,298,036.00	1.000073	48	56
12/27/2012	0.1666%	0.000004564	\$2,849,682,081.71	1.000072	46	53
12/28/2012	0.1700%	0.000004657	\$2,885,049,019.32	1.000064	47	53
12/29/2012	0.1700%	0.000004657	\$2,885,049,019.32	1.000064	47	53
12/30/2012	0.1700%	0.000004657	\$2,885,049,019.32	1.000064	47	53
12/31/2012	0.1648%	0.000004514	\$2,901,152,418.66	1.000071	45	60
Average	0.1785%	0.000004891	\$2,635,354,519.37		51	58

LOGIC Participant Services
 c/o First Southwest Asset Management, Inc.
 325 North St. Paul Street, Suite 800
 Dallas, TX 75201



LOGIC Board Members

Philip G. Roberson	Arlington ISD	Board President
Fred L. Werner	Unaffiliated	Board Vice President
Judd R. Sanderson	North Texas Municipal Water District	Board Treasurer / Investment Officer
Sandra Newby	Tarrant Regional Water District	Board Member
Wes Vela	City of Missouri City	Board Member

For more information contact LOGIC Participant Services ★ 1-800-895-6442 ★ www.logic.org



ANNOUNCEMENTS

Upcoming Events

01/28/13 – 01/29/13

TASA MidWinter Conference,
Austin

02/03/13 – 02/05/13

TASSCUBO Winter Workshop,
Austin

02/19/13 – 02/20/13

TASBO Annual Conference,
San Antonio

02/26/13 – 02/28/13

TX Association of County Appraisers,
Houston

TexPool Advisory Board Members

R.C. Allen	LaVonne Mason
Pati Buchenau	John McGrane
Jose Elizondo, Jr.	Clay McPhail
Ron Leverett	Vivian Wood

Overseen by the State of Texas Comptroller of Public Accounts Susan Combs.

Operated under the supervision of the Texas Treasury Safekeeping Trust Company.

Additional information regarding TexPool is available upon request:

www.texpool.com

1-866-839-7665

(1-866-TEX-POOL)

Fax: 866-839-3291

Month in Cash: Rates face pressure in the new year

January 2, 2013

As we head into a new year, the money market world faces interest rate pressure from a number of different directions. The Federal Reserve's continued commitment to easing and its recent announcement that it would stick with the program as long as the U.S. unemployment rate remained above 6.5% doesn't really come as a surprise. It was likely the Fed would set some sort of marker, but it is somewhat surprising they did so in December 2012, as many observers had thought this move might come sometime in 2013. It's also interesting because the threshold level is closer than we thought it would be. (Of course, there's always the option of changing that threshold level, as the Fed left plenty of wiggle room, if the goal ends up being too easy to achieve and we end up hitting the 6.5% target in mid-year 2013.)

And while the specific issues associated with the fiscal cliff seem to have been resolved in extra innings, there are other battles in Washington that could put some speed bumps in the way of the recovery, such as the expected show-down in February when Congress will need to raise the \$16.4 trillion federal borrowing limit. As far as the money market world was concerned, the impact of a failure to solve the fiscal cliff by the December 31 deadline was limited, as long as a deal came through before the associated tax increases, spending cuts and cutting of services kicked in. While the parties in Washington may have squeaked through this particular battle, the bigger fight continues.

Then there's the death, as of December 31, 2012, of the proposed Senate bill to extend the FDIC's Transaction Account Guarantee (TAG) Program of unlimited insurance on non-interest bearing checking accounts. No extension was granted, and as a result we're likely to see additional cash flow into money market funds. With supply steady and demand increasing, we expect lower rates in the first quarter. The Senate had proposed a two-year extension of the entire program, while an alternate bill proposed in the House was more limited, aimed at extending protection for only the smaller, more vulnerable

(continued page 6)

PERFORMANCE as of December 31, 2012

	TexPool	TexPool Prime
Current Invested Balance	\$15,644,804,938.10	\$1,208,042,903.24
Weighted Average Maturity (1)*	46 Days	49 Days
Weighted Average Maturity (2)*	71 Days	58 Days
Net Asset Value	1.00009	1.00005
Total Number of Participants	2,277	153
Management Fee on Invested Balance	0.0473%	0.0638%
Interest Distributed	\$1,849,973.76	\$156,475.80
Management Fee Collected	\$579,358.89	\$47,794.95
Standard & Poor's Current Rating	AAAm	AAAm

Month Averages

Average Invested Balance	\$14,510,946,133.97	\$1,096,616,951.25
Average Monthly Yield, on a simple basis (3)*	0.15%	0.17%
Average Weighted Average Maturity (1)*	50 Days	52 Days
Average Weighted Average Maturity (2)*	79 Days	62

*Definitions for Average Monthly Yield and Weighted Average Maturity can be found on page 2.

Federated®

Federated, founded in 1955, is publicly traded on the NYSE. It is one of the largest managers of AAA-rated money market portfolios in the country (Source: iMoneyNet as of 8/31/12).

Visit us at FederatedInvestors.com.

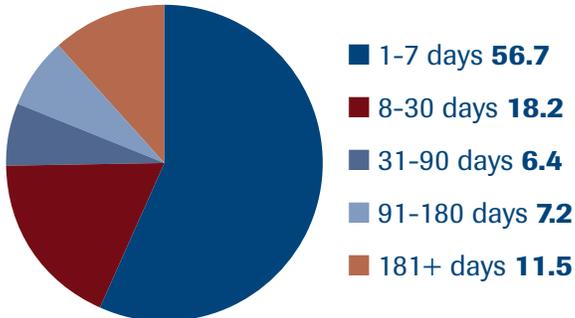
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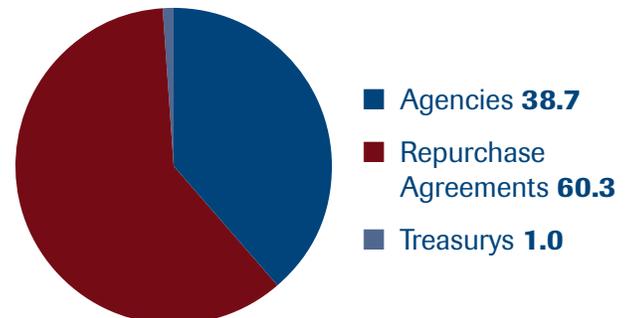
Portfolio by Maturity (%)

As of December 31, 2012



Portfolio by Type of Investment (%)

As of December 31, 2012



PORTFOLIO ASSET SUMMARY AS OF DECEMBER 31, 2012

	Book Value	Market Value
Uninvested Balance	-\$144.61	-\$144.61
Receivable for Investments Sold	0.00	0.00
Accrual of Interest Income	13,620,329.90	13,620,329.90
Interest and Management Fees Payable	-1,849,803.84	-1,849,803.84
Payable for Investments Purchased	0.00	0.00
Repurchase Agreements	9,431,103,000.00	9,431,035,145.00
Mutual Fund Investments	0.00	0.00
Government Securities	6,038,986,921.06	6,040,315,775.59
US Treasury Bills	0.00	0.00
US Treasury Notes	162,944,635.59	162,981,280.00
Total	\$15,644,804,938.10	\$15,646,102,582.04

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool. The only source of payment to the Participants is the assets of TexPool. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

PARTICIPANT SUMMARY

	Number of Participants	Balance
School District	570	\$5,295,943,780.73
Higher Education	56	\$1,414,512,654.42
Healthcare	79	\$462,403,199.04
Utility District	698	\$1,516,515,220.95
City	444	\$4,428,572,425.75
County	172	\$1,278,818,537.05
Other	258	\$1,243,786,542.63

Definition of Weighted Average Maturity (1) & (2)

*(1) "WAM Days" is the mean average of the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid, (b) would be repaid upon a demand by TexPool, or (c) are scheduled to have their interest rate readjusted to reflect current market rates. Securities with adjustable rates payable upon demand are treated as maturing on the earlier of the two dates set forth in (b) and (c) if their scheduled maturity is 397 days or less; and the later of the two dates set forth in (b) and (c) if their scheduled maturity is more than 397 days. The mean is weighted based on the percentage of the amortized cost of the portfolio invested in each period.

*(2) "WAM Days" is calculated in the same manner as the described in footnote 1, but is based solely on the periods of time remaining until the securities held in TexPool (a) are scheduled to be repaid or (b) would be repaid upon a demand by TexPool, without reference to when interest rates of securities within TexPool are scheduled to be readjusted.

Definition of Average Monthly Yield (3)

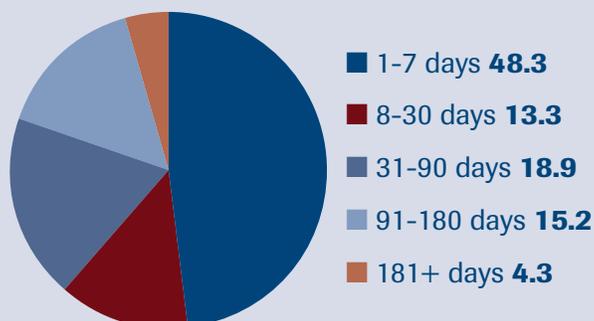
*(3) This current yield for TexPool Prime for each date may reflect a waiver of some portion or all of each of the management fees.

TEXPOOL

DAILY SUMMARY						
Date	Money Mkt. Fund Equiv. (SEC Std.)	Daily Allocation Factor	TexPool Invested Balance	Market Value Per Share	WAM Days (1)	WAM Days (2)
12/01	0.1644%	0.000004505	\$13,887,380,416.02	1.00005	50	82
12/02	0.1644%	0.000004505	\$13,887,380,416.02	1.00005	50	82
12/03	0.1620%	0.000004439	\$13,905,149,430.40	1.00006	48	79
12/04	0.1594%	0.000004366	\$13,905,362,359.34	1.00006	50	80
12/05	0.1608%	0.000004405	\$13,841,819,509.49	1.00006	52	82
12/06	0.1693%	0.000004637	\$13,876,132,025.95	1.00006	51	82
12/07	0.1645%	0.000004507	\$13,848,151,809.52	1.00008	53	83
12/08	0.1645%	0.000004507	\$13,848,151,809.52	1.00008	53	83
12/09	0.1645%	0.000004507	\$13,848,151,809.52	1.00008	53	83
12/10	0.1430%	0.000003919	\$13,841,552,463.99	1.00009	53	83
12/11	0.1537%	0.000004211	\$14,056,095,492.14	1.00010	52	81
12/12	0.1425%	0.000003905	\$14,373,454,012.61	1.00010	51	80
12/13	0.1482%	0.000004061	\$14,296,635,599.00	1.00011	51	80
12/14	0.1498%	0.000004105	\$14,476,854,050.39	1.00013	52	80
12/15	0.1498%	0.000004105	\$14,476,854,050.39	1.00013	52	80
12/16	0.1498%	0.000004105	\$14,476,854,050.39	1.00013	52	80
12/17	0.1488%	0.000004077	\$14,425,992,744.60	1.00013	51	79
12/18	0.1494%	0.000004094	\$14,533,125,460.51	1.00010	51	79
12/19	0.1412%	0.000003868	\$14,582,798,313.19	1.00011	52	80
12/20	0.1424%	0.000003900	\$14,599,419,088.66	1.00011	52	79
12/21	0.1453%	0.000003980	\$14,717,716,006.10	1.00010	52	79
12/22	0.1453%	0.000003980	\$14,717,716,006.10	1.00010	52	79
12/23	0.1453%	0.000003980	\$14,717,716,006.10	1.00010	52	79
12/24	0.1451%	0.000003974	\$15,097,985,079.86	1.00010	49	75
12/25	0.1451%	0.000003974	\$15,097,985,079.86	1.00010	49	75
12/26	0.1466%	0.000004017	\$15,207,363,278.27	1.00010	47	74
12/27	0.1371%	0.000003755	\$15,380,205,668.28	1.00010	47	73
12/28	0.1399%	0.000003833	\$15,423,507,726.20	1.00009	47	73
12/29	0.1399%	0.000003833	\$15,423,507,726.20	1.00009	47	73
12/30	0.1399%	0.000003833	\$15,423,507,726.20	1.00009	47	73
12/31	0.1458%	0.000003994	\$15,644,804,938.10	1.00009	46	71
Average	0.1506%	0.000004125	\$14,510,946,133.97	1.00009	50	79

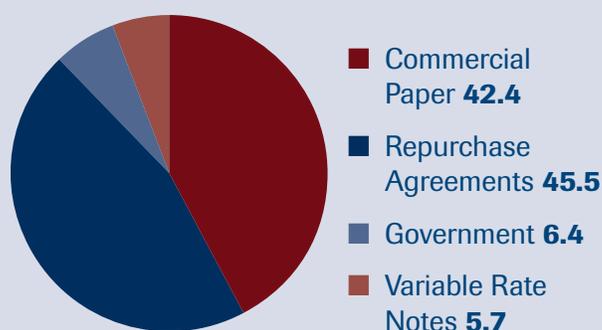
Portfolio by Maturity (%)

As of December 31, 2012



Portfolio by Type of Investment (%)

As of December 31, 2012



PORTFOLIO ASSET SUMMARY AS OF DECEMBER 31, 2012

	Book Value	Market Value
Uninvested Balance	\$747.59	\$747.59
Accrual of Interest Income	430,915.27	430,915.27
Interest and Management Fees Payable	-156,978.90	-156,978.90
Payable for Investments Purchased	0.00	0.00
Accrued Expenses & Taxes	529.55	529.55
Repurchase Agreements	549,239,000.00	549,239,000.00
Commercial Paper	512,240,655.04	512,281,290.17
Bank Instruments	0.00	0.00
Mutual Fund Investments	0.00	0.00
Government Securities	96,788,034.69	96,804,595.00
Variable Rate Notes	49,500,000.00	49,500,825.00
Total	\$1,208,042,903.24	\$1,208,100,923.68

Market value of collateral supporting the Repurchase Agreements is at least 102% of the Book Value. The portfolio is managed by Federated Investment Counseling and the assets are safe kept in a separate custodial account at State Street Bank in the name of TexPool Prime. The assets of TexPool Prime are the only source of payments to the Participants. There is no secondary source of payment for the pool such as insurance or State guarantee. Should you require a copy of the portfolio, please contact TexPool Participant Services.

PARTICIPANT SUMMARY

	Number of Participants	Balance
School District	71	\$571,241,624.41
Higher Education	8	\$47,588,228.97
Healthcare	7	\$11,543,878.08
Utility District	5	\$47,414,723.73
City	28	\$112,961,812.76
County	18	\$212,462,156.74
Other	16	\$204,829,992.64

TEXPOOL PRIME

DAILY SUMMARY						
Date	Money Mkt. Fund Equiv. (SEC Std.)	Daily Allocation Factor	TexPool Prime Invested Balance	Market Value Per Share	WAM Days (1)	WAM Days (2)
12/01	0.1820%	0.000004987	\$985,660,050.24	1.00002	49	61
12/02	0.1820%	0.000004987	\$985,660,050.24	1.00002	49	61
12/03	0.1770%	0.000004850	\$994,658,973.07	1.00002	52	63
12/04	0.1752%	0.000004801	\$1,008,155,649.81	1.00002	50	62
12/05	0.1831%	0.000005016	\$1,027,165,560.87	1.00002	49	61
12/06	0.1882%	0.000005157	\$1,034,612,368.06	1.00002	49	60
12/07	0.1848%	0.000005062	\$1,033,649,246.21	1.00002	49	61
12/08	0.1848%	0.000005062	\$1,033,649,246.21	1.00002	49	61
12/09	0.1848%	0.000005062	\$1,033,649,246.21	1.00002	49	61
12/10	0.1571%	0.000004303	\$1,038,731,317.88	1.00003	48	59
12/11	0.1704%	0.000004668	\$1,043,416,943.17	1.00003	50	60
12/12	0.1627%	0.000004457	\$1,151,815,795.52	1.00003	46	56
12/13	0.1711%	0.000004688	\$1,160,247,566.11	1.00002	47	57
12/14	0.1696%	0.000004647	\$1,085,590,020.45	1.00004	56	67
12/15	0.1696%	0.000004647	\$1,085,590,020.45	1.00004	56	67
12/16	0.1696%	0.000004647	\$1,085,590,020.45	1.00004	56	67
12/17	0.1691%	0.000004632	\$1,087,453,445.74	1.00005	54	65
12/18	0.1705%	0.000004671	\$1,145,358,326.30	1.00004	51	61
12/19	0.1609%	0.000004408	\$1,154,303,716.48	1.00004	50	60
12/20	0.1621%	0.000004440	\$1,131,849,050.27	1.00004	54	63
12/21	0.1651%	0.000004522	\$1,122,843,670.17	1.00003	59	68
12/22	0.1651%	0.000004522	\$1,122,843,670.17	1.00003	59	68
12/23	0.1651%	0.000004522	\$1,122,843,670.17	1.00003	59	68
12/24	0.1650%	0.000004521	\$1,125,484,163.98	1.00003	56	66
12/25	0.1650%	0.000004521	\$1,125,484,163.98	1.00003	56	66
12/26	0.1674%	0.000004585	\$1,140,604,383.06	1.00005	54	63
12/27	0.1574%	0.000004313	\$1,152,115,997.25	1.00005	53	62
12/28	0.1606%	0.000004401	\$1,189,352,084.28	1.00004	52	60
12/29	0.1606%	0.000004401	\$1,189,352,084.28	1.00004	52	60
12/30	0.1606%	0.000004401	\$1,189,352,084.28	1.00004	52	60
12/31	0.1660%	0.000004547	\$1,208,042,903.24	1.00005	49	58
Average	0.1701%	0.000004660	\$1,096,616,951.25	1.00003	52	62

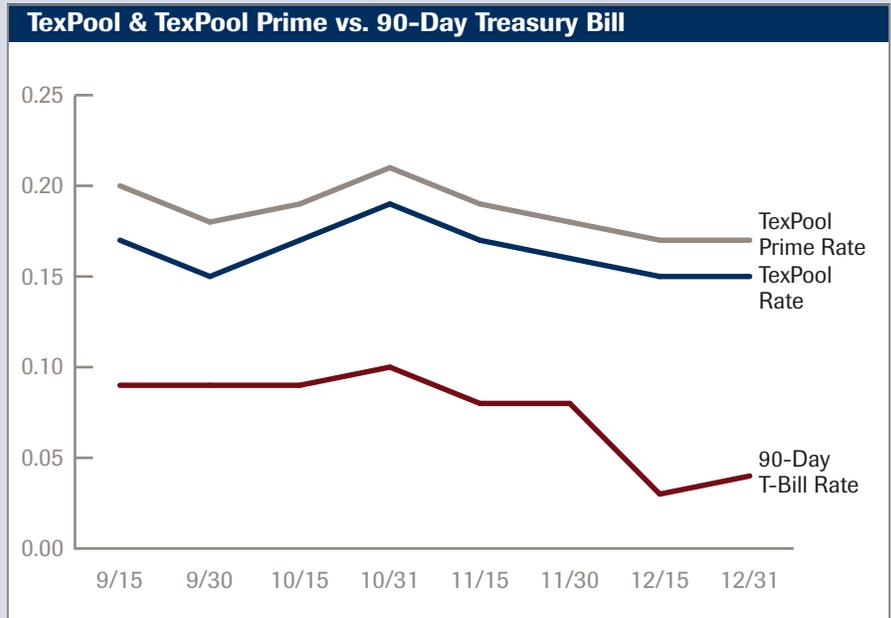
TEXPOOL

Participant Services
1001 Texas Ave. 14th Floor
Houston, TX 77002

(continued from page 1)

banks. While some action may take place to revive the protections, if only for smaller banks, we're still looking at lower rates in the first quarter.

Short-term rates last month provided a pleasant surprise in that they remained fairly firm. Overnight rates had been expected to drop down into the low teens or even single digits, simply because of all the additional purchases by the Fed, but in fact we haven't seen that. At the beginning of December, overnight rates were hovering at 20-22 basis points, and closed the month in the 18-20 basis point range, which is, all things considered, a very slight change. Treasuries have gotten more expensive, a function of younger people seeking out the safety of the government market, and not knowing what to expect over year end from a credit perspective, with the fiscal cliff continuing to hover over the economy.



90-Day Treasury Bill is a short-term debt instrument backed by the national government. These are used to collect immediate cash to meet outstanding obligations.

Any private investor can invest in a Treasury bill. The 90-Day Treasury Bill is a weighted average rate of the weekly auctions of 90-Day Treasury Bills.

LANCASTER CITY COUNCIL

Work Session Agenda Communication

February 18, 2013

Item 5

Discuss Quarterly Report of City Council Five Year Goals and Strategies established during the annual City Council Strategic Planning Session in June 2012.

This request supports the City Council 2012-2013 Policy Agenda.

**Goals: Financially Sound City Government
Civic Engagement
Healthy, Safe, & Vibrant Neighborhoods
Professional & Committed Workforce
Sound Infrastructure
Quality Development**

Background

The FY 2011/2012 Fourth Quarter Update was presented at the Monday, November 5, 2013 work session. This first quarter update will provide a status review of the implementation and progress on strategies and initiatives outlined in the 2012/2013 strategic plan and how said strategies connect to continued progress toward the realization of Lancaster Vision 2027.

2012/2013 Goals & Objectives Status Review

1. Financially Sound Government

The City has a long-range financial plan and has prudent fiscal policies and processes in place. It has met or exceeded its general fund reserve goals, has funds available to address the needs of the community, and responsibly manages its debt. The community continues to move toward a more competitive tax rate.

1. Revise and Amend Storm Water Ordinance.

All 33 Best Management Practices (BMPs) have been implemented by the City. TCEQ's field staff conducted an audit on October 11, 2012, and reviewed the implementation schedule and annual reports. TCEQ has issued a letter stating that the City of Lancaster is in compliance with the MS4 Phase II Permit requirements for the first five year term period (2007-2012).

The Phase II MS4 General Permit TXR040000 was originally issued and effective on August 13, 2007. The TCEQ is in the process of renewing this permit, which expired on August 12, 2012. Phase II MS4 cities that are covered by the current permit will continue to be covered until the new one is issued. The renewal of the current Phase II permit is expected in March-April 2013. At that time, staff will review the ordinance and fee schedule for consideration by Council.

2. Amend Financial Policies to maintain a minimum 12% fund balance and designate any excess to the Capital Improvement Program (CIP) and Equipment Replacement Fund.

The Financial Policies are presented to Council for consideration annually during the budget adoption process. Staff amended the policies to reflect the change in the fund balance policy. The amendment changed the current minimum fund balance from 10% to 12% and designated any excess above 12% to the Capital Improvement Projects (CIP) and Equipment Replacement Fund.

The Equipment Replacement Fund has allowed for the order of the following replacement equipment in FY 2012/2013 thus far: 1 Fire Truck, 1 Ambulance, 7 Police Vehicles and 1 Senior Life Center Van.

3. Additional Considerations:

Capital Improvement Project Budget

Inclusion of a five year Capital Improvement Project (CIP) Budget is being presented for Council consideration.

Presentations regarding the CIP budget recommendations are currently being presented during City Council work sessions as scheduled by fund department.

COMPASS

Compass Professional Health Services was established in 2005 with the mission to help employers and individuals lower their healthcare costs while maintaining or improving the quality.

In August 2012, City Council approved the implementation of Compass Professional Health Services to help employees enrolled in the new High Deductible Health Plan navigate the health care system and locate high quality/low cost services.

The cost of the service is \$5 per enrollment per month. There are currently 85 individuals enrolled in the high deductible health plan @ \$5.00 each = \$425 per month. For one quarter the city has spent approximately \$1,275. Services performed through the end of the 4th quarter in 2012 by Compass have saved \$13,331 in actual claims costs. Combined with estimated productivity savings of \$2,983 they estimate a total of \$16,314 in savings.

Human Resources has partnered with Compass to ensure ongoing education and information is disseminated to those eligible to use the plan. Participants can use the services for prescription review, doctor review, cost estimates, bill reviews, coordination of care, answering benefit questions, obtaining medical records from prior

physicians, and scheduling appointments not only for the employee but for spouse and children as well.

We anticipate increased activity and use as employees become more comfortable with the services available.

2. Quality Development

The City encourages high quality construction in its housing, commercial buildings and public facilities. The City employs sustainable building practices and encourages conservation and the use of alternative energy sources. The city has a diverse housing stock with walkable neighborhoods and other high-quality neighborhood amenities. A diversity of commercial businesses includes corporate business parks and distribution facilities, which makes use of the expanded airport, rail, and highway system. Retail areas have grown because of growth in industrial commercial and residential development.

1. Update the Comprehensive Plan

Comprehensive Plan for the City of Lancaster 3-Year Work Plan

What: updating the 2002 Lancaster Comp Plan

Why: to address changes in the city and to adjust the Plan based on new directives and changing ideologies

When: beginning in FY2013 and completing by FY2015

How: hiring and working with a consulting firm to assess the needs of the community and the growth for the future

Staff is finalizing the RFP process which will hire a consulting firm for this project. A firm should be identified in late February or early March of this year.

2. Recruit Quality Commercial, Industrial and Retail Jobs

Economic Development staff continues working toward the attraction of projects creating commercial, industrial and retail development in order to create a growing tax base and growth in the community's daytime population ensuring the financial sustainability of government in Lancaster and jobs for our residents.

- Staff conducted 16 sales calls on commercial/industrial brokers, developers and potential end users promoting Lancaster as a location for the logistic solutions to their customers.
- Staff conducted 1 community tour for a developer unfamiliar with the opportunities in Lancaster.
- Staff responded to 5 inquiries for information regarding Lancaster as a potential location for the inquirer's expansion or relocation needs.

3. Target marketing program to commercial, industrial and retail brokerage community.

Economic Development staff will develop and implement efficient and effective marketing programs designed to solicit and secure the interest of the commercial, industrial and retail development-brokerage communities to promote Lancaster as a profitable marketplace for their client’s future relocation or expansion needs.

- Staff participated in 4 commercial-industrial broker and developer events promoting Lancaster as a location for the logistic solutions for their customers.
- Staff hosted the visits of 2 end user companies interested in Lancaster as a location for their expansion plans.
- Staff attended 1 trade show calling on commercial-industrial users, brokers and developers exhibiting at the show to promote Lancaster as a location for the logistic solutions to their customers.

During the current reporting period, 69,935 square feet of formally empty space was occupied by business operations.

4. Continue to implement the Airport Master Plan.

Lancaster Regional Airport is finalizing the two FY 2012 design and engineering projects per the Airport Master Plan. Project (1) is the design/engineering for a new south apron, stub taxiway, connection taxi lane, and helicopter landing apron. Project (2) is the design/engineering for a new 12,000 gallon self serve fuel farm and service road. Construction for these projects is scheduled for FY 2014. This project is in partnership with TxDOT – Aviation Division. The grant is funded 90% by TxDOT and 10% City match. The following is the City match requirement that was paid in FY 2012.

Project A (design/engineering for a new south apron, stub taxiway, connection taxi lane, and helicopter landing apron)	\$22,931.25
Project B (design/engineering for a new 12,000 gallon self-serve fuel farm and service road)	\$8,068.75
Projects Total:	\$31,000.00

Since construction is not planned until FY 2014, no capital funds are required in FY 2013. FY 2014 will bring construction of projects 1 & 2 above as well as the design and construction of a new terminal building (project 3) at the new south ramp area. These three projects are crucial to increasing the airport’s ability to draw in more corporate jet aircraft thus increasing fuel sales and future hangar leases. Our current

ramp cannot withstand the same weight that our new runway can thus limiting the size of large aircraft we can accommodate. A new terminal building located at the new ramp and built to accommodate corporate jets, their passengers, and aircrews will make Lancaster Regional Airport competitive in the jet market.

3. Healthy, Safe, & Vibrant Neighborhoods

Lancaster is a safe place where neighbors know each other. The community unites at city-wide events that keep neighborhoods strong. Compassionate code enforcement maintains our residential neighborhoods, and all residents have access to parks near where they live.

1. Expand Police visibility and involvement in the community through community watch programs, and teen/youth activities and education.

The men and women of the Lancaster Police Department take pride in serving the citizens of this community. The safety of all citizens and businesses in our community is our top priority. Lancaster Police Department community outreach initiatives include the following:

National Night Out

Several of the officers attended National Night Out functions at several locations throughout the City October 4, 2012. These functions are an excellent opportunity for the officers to get to know the citizens in the community and answer their questions regarding crime prevention and personal safety tips in their designated service areas.

Holiday Community Service

This past Thanksgiving, officers provided a full Thanksgiving dinner to three families identified by the Lancaster Outreach Center. All the holiday necessities were donated by Lancaster officers and delivered personally to their homes. It is very rewarding to be able to help these families in need.

Community Watch Programs

Members of the Lancaster Police Department participate in community watch programs and are very pleased to be able to attend events while educating citizens about the crime statistics in their neighborhoods and how they can help prevent these crimes. During these meetings, LPD works with the Lancaster Parks and Recreation Department to promote teen/youth activities that help engage our younger generation.

Ride-Along Program

The Lancaster Police Department encourages all citizens to participate in the department's Ride-Along Program that is available year-round. This program allows any citizen the opportunity to ride with a patrol officer on any given shift to see exactly what an officer does on a daily basis and what type of calls and activity occurs within the city.

2. Support Lancaster neighborhoods in the creation of Public Improvement Districts (PID's) throughout the City to strengthen and connect neighborhoods.

A PID Policy Committee comprised of citizens from Public Improvement District Advisory Boards has been established and is currently working with staff toward the development of a policy to assist in PID governance. This policy will ensure the uniform establishment and oversight of Public Improvement Districts as our communities continue to grow and take advantage of this maintenance and improvement tool. Staff will regroup and get a committee meeting scheduled during the second quarter of this fiscal year.

All current Public Improvement Districts 5-Year Service plans were approved in the FY 2012/2013 budget process and are compliant per Local Government Code 372. We have a total of eight PIDs.

3. Additional Considerations:

Lancaster Police Department Update

In October of 2012, Lt. Sam Urbanski attended a training course through the National Academy of Professional Driving, Tactical Police Driving Course. He was certified to teach this course to LPD officers. This is a 24 hour program designed to advance the driving skills and knowledge of police officers. One third of the course is classroom (spread over three days) with two thirds devoted to hands-on driving. It is not a racing program, nor is it abusive to vehicles. Speeds rarely exceed 45 mph and average approximately 30 miles per hour. Four classes were completed in the months of November through December with a total of 27 officers, sergeants and lieutenants attending. Classes will continue in the spring making sure every sworn officer has the training. The class certification is good for three years before re-certification is required. This tactical driving course will help protect the officer and city in accidents involving LPD officers.

Lancaster Police Detective Jason O'Briant was recognized by the Montgomery County District Attorney's office for his exceptional assistance in arresting and interviewing a child molester. Detective O'Briant was able to get a confession and statements from the suspect which resulted in him being sentenced to 4 life sentences of Super Aggravated Sexual Assault.

4. Professional & Committed Workforce

Lancaster city government is an employer of choice with competitive pay that attracts an engaged, responsive, customer-oriented, innovative, and effective workforce. Some employees live in the City and all have a sense of ownership of the community. City employees feel needed and appreciated by elected officials, residents and businesses and are respectful to and appreciative of the customers and the City's governing body. The City's

executive staff is engaged with residents and attends community events, uphold strong customer service, and use technology to aid them in working smarter.

Codification

City Council adopted the updated codification of the Code of Ordinances at their meeting on Monday, January 14, 2013. The link for public search of the updated Code of Ordinances will be on the City's website very soon. This completes the codification of all non-development ordinances. Future and amended ordinances will be added to the online code promptly following adoption. Codification of the Lancaster Development Code will be considered in the fiscal year 2013/2014 budget.

5. Sound Infrastructure

The City has well-maintained streets and well-planned preventative maintenance programs for infrastructure and assets.

1. FCC Compliance with Narrowband Requirements

Public safety has filed the necessary paperwork with the FCC for the UHF frequency band to correct all of the long term radio frequency problems associated to Narrowbanding. The City of Lancaster has received the required UHF frequencies and we are testing them now to determine frequency interference levels. The VHF frequencies have been narrowbanded and are compliant. The remainder of the system will be converted upon completion of the new elevated water tower where the UHF system will be installed.

2. Street Maintenance Program

The following tasks were completed as a component of the Street Maintenance Program:

Street Reconstruction: Complete removal and replacement of sub base and asphalt

- Hammond – Dallas Ave. to Jefferson
- Oak St. – Dallas Ave. to Jefferson
- Walnut – Dallas Ave. to Jefferson
- Henry St. – Oak St. to Sixth St.

Sectional Overlays: Sections of streets prepped and overlaid with asphalt

- Francis from Elm to Melrose
- Reindeer from 342 east to city limits
- Donlee from Dewberry to Rogers
- Marsalis from Pleasant Run to Gant
- Nokomis from Beltline to Nokomis Circle
- Rogers from Pleasant Run to Bayport
- Nancy from Rogers to Sunny Meadows

- W. Main from Beltline to Beltline(Chesire)
- Wintergreen from Dallas Ave. to Telephone Rd.
- Cedardale from Dallas Ave. to Connecticut
- Ellis from E. Main to Francis
- Southwood from W. Main to Oakwood

Beltline at Quail Hollow: Concrete bridge approach eastbound lane. 600 sq. ft. removed and replaced.

3. Plan for new Fleet Maintenance Facility

Staff has identified a location and has budgeted in the capital improvement plan for design and land acquisition. Functional considerations have been outlined for the new facility. The design work and construction are reserved for future consideration.

6. Civic Engagement

The City provides opportunities for involvement through special events, boards and commissions, youth and parent volunteer opportunities in recreation, sports teams, City elections, civic leadership academy, and City-wide celebrations.

Staff is currently accepting applications for City of Lancaster Boards & Commissions. Currently there are vacancies on the Planning and Zoning Commission and the Library Advisory Board.

Social media is being utilized as a marketing tool to attract attention to the tourism attributes Lancaster offers our residents and visitors. This included posts for restaurants native to the Lancaster community like Bienvenidos and Chef Carlos on the Square. In addition, posts regarding current events, available rental facilities and the State Auxiliary Museum were used to promote the unique resources and destinations Lancaster has available.

Submitted by:

Opal Mauldin Robertson, City Manager