City of Lancaster

City Council

Rules and Procedures

As Amended
September 12, 2016

Last CC Review: August 15, 2016

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..... 11

Section IV - Boards/Commissions..... 13

Code of Ethics..... 13

Censure Policy..... 14

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 promote and 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 historical characteristics of the community when setting policy; and, to strive to enhance the cultural diversity of its citizens.
4. The Council will seek to improve the quality and image of public service.
5. The Council will always be committed to promote and protect the best interest of all its citizens and entire community.

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 and on behalf of 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 as required by these rules and in accordance with the TOMA.
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, and; complete its required open government training by July of each calendar year.
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, at Councilmembers discretion.
5. Councilmembers shall conduct annual performance review of any of its appointive positions as provided in the Home Rule Charter or ordinances.

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 personal 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 prsenting in writing, to the City Manager not later than noon (12:00 p.m.) on the Thursday, two weeks before the Council meeting. The City Manager and City Secretary shall acknowledge receipt of the request. The City Manager may discuss with the requesting Councilmember delay of the agenda item to the next regular meeting. However, the Councilmember may choose to direct the City Manager to place the agenda item on the upcoming Council meeting without delay. Such direction shall be noted in the agenda communication regarding the agenda item.
2. Parliamentary Procedures
   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, upon point of order, a majority vote of the Council may enforce the house rules as set forth herein.

E. COUNCIL MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT

1. In addition to the required open government training, Councilmembers 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. Any request for additional information shall be provided to the entire council as expeditiously as possible prior to any meeting to ensure appropriate review.

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.

DI. 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.

DII. 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 ten (10) 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.

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, may serve at the Council pleasure 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 on or after the appointment of the boards and commissions members.

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. Any questions or concerns about board or commission matters will be directed to the City Secretary for dissemination to the Council.

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. Item A amended after Resolution 2015-11-89 was adopted on November 16, 2015.

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. To follow the required conflict of interest and disclosure of interest (vendors) required under state law.

F. 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;

G. Recognize that public and political policy decisions are ultimately the responsibility of the City Council;

H. 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;

I. Avoid inappropriate reference to personalities, and refrain from impugning the integrity or motives of another;

J. Demonstrate respect and courtesy to others;

K. Refrain from rude and derogatory remarks and shall not belittle staff members, other Councilmembers and members of the public;

L. 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.
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.