

City of Lancaster City Council

Rules and Procedures



As Amended August ____, 2021

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Adopted per The Home Rule Charter of the City of Lancaster, Texas, § 3.14

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MISSION STATEMENT

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. 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.
3. 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 Texas Open Meetings Act. 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 their required open government training and cybersecurity (HB 3834) training as required by law.
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; silence all personal communication devices, and do not allow them to distract from the work at hand.
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 personal issue with another member of Council, go to that member directly and not to other councilmembers, the community or staff. This house rule does not affect the right of one or more Councilmembers to institute the censure process set out in Section VI, (Censure Policy).
13. Be a positive ambassador for the City.
14. When the Council is meeting in the Council Chamber, use the electronic system to notify the Mayor you wish to comment on a matter before the Council.
15. Allow others to finish their comments before speaking, (subject to the rules of parliamentary procedure and the Mayor's responsibility to preserve order and decorum as set forth in Section I(A)).

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 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, and explanatory comments by staff. Council discussion on the pending agenda item may take place before or after a motion has been made for or against adoption of a motion.
- 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. In regard to Citizens' Comments on posted agenda items or matters of local government, 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, and turn it in to the City Secretary prior to the beginning 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, and turn it in to the City Secretary prior to the beginning of the meeting.

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. COUNCILMEMBER TRAINING AND PROFESSIONAL DEVELOPMENT

1. In addition to the required 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 councilmember, 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. Councilmembers are encouraged to select training events from the following providers:
 - Texas Municipal League (and affiliates)
 - North Central Texas Council of Government
 - National Civic League
 - National League of Cities
5. Additional expenditures from miscellaneous professional development funds, subject to annual appropriation, for the Mayor and/or a councilmember 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. Official City Council Inquiry/Investigation. The City Council may authorize an official inquiry or investigation into any department, agency, office, officer, or employee of the City in accordance with Sections 3.07(D)(7) and 3.09 of the City of Lancaster Home Rule Charter for the purpose of reviewing the official conduct of the department, agency, or person(s) in question.
2. City Council Questions Regarding Municipal Affairs: The City Council may submit questions regarding municipal affairs to the City Manager, in accordance with Section 3.07(D)(7) of the City of Lancaster Home Rule Charter. Such questions shall be made in writing and be addressed to the City Manager. The City Manager shall reply as soon as possible, but not later than ten (10) business days, by either:
 - a. Providing a full response to the question; or
 - b. Referring the inquiry to more appropriate staff with notice to the City Council of the referral.

The City Manager shall send a copy of all responses or referrals to all members of the Council. Nothing herein shall be construed to limit the power of the City Council to directly communicate (in writing or verbally), with those officers and employees directly appointed by the City Council (City Manager, City Secretary, City Attorney, and Municipal Court Judge(s)).

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 councilmembers and staff time and to facilitate responsiveness to both staff and constituents, Councilmembers 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 a pending criminal investigation and prosecution of an offense, only “basic information” releasable to the public under the Public Information Act will be released verbally or in written form to any councilmember for pending criminal or code enforcement matters. This policy may be abrogated in exceptional circumstances where, in the judgement of the City Manager and/or City Attorney, Council should be briefed on high-profile matters or matters which may result in litigation involving the City and/or its employees.
- b. A Councilmember request for open records may be made through the City Secretary’s office for personal subject matters.

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 Ordinances Chapter 5: Boards, Commissions and Committees was decodified by Ordinance 2018-12-53.

SECTION V

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.

SECTION VI

CENSURE POLICY

1. Although left to the option of the Councilmembers, it is encouraged that a Notice of Censure be filed only after: (a) a personal conversation between at least one complaining Councilmember and the accused Councilmember has taken place in accordance with Section I(C)(12), and (b) mediation or arbitration has been conducted by the Mayor in accordance with Section I(A)(5), and both have been unsuccessful.
2. 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, Code of Ethics, or Rules and Procedures provisions which the accused Councilmember shall have allegedly violated, and (1) a copy of all evidence supporting the allegations; and (2) a list of persons who may be called as witnesses if the allegations proceed to final hearing. A copy shall be delivered to all Councilmembers by the City Secretary. A written Response to the allegation(s) may be filed by the accused Councilmember within ten (10) business days after receipt thereof. A copy of the Notice of Censure and Response thereto shall be delivered to each Councilmember by the City Secretary within two (2) business days after the response is filed.
3. On the first regularly called meeting of the Council, which complies with the Texas Open Meetings Act, after the filing of the Notice and any Response, the City Secretary shall formally present the Notice and Response to the City Council and a copy will be attached to the minutes and become part of the public record. The Council, by majority vote, shall thereafter determine whether or not good cause shall exist to set a formal public hearing on the merits of the Notice of Censure or whether the allegations should be dismissed. A vote to hold a public hearing shall not be construed to be a vote of censure.
4. The accused City Councilmember has the right to be represented by legal counsel of their choosing and at their own cost; no City funds may be expended on the legal counsel. The counsel may attend the hearings and present evidence and testimony at the preliminary and final hearings.
5. If the Council has voted to find good cause presented in the Notice of Censure, 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 set no sooner than twenty (20) business days from the date of the meeting where the Notice and any Response is presented. At least ten (10) business days prior to the date of the public hearing, the accused Councilmember may file an evidentiary supplement to the written Response (if not done at the time of the initial Response filing) which shall contain: (1) a copy of all evidence refuting the allegations that the or that the Councilmember wishes the Council to consider; and (2) a list of persons who may be called as witnesses upon final hearing

of the allegations.

6. At the final hearing, The City Council will hear evidence concerning the notice of censure. Evidence and witnesses shall be limited to that contained in, or listed on, the Notice of Censure and Response. The City Council shall determine whether the evidence presented is relevant and authentic, but formal Rules of Procedure and Evidence shall not apply. The format of the final hearing is as follows:
 - A. The City Councilmembers proffering the charges shall present evidence and witnesses in support of the allegation(s) contained in the Notice of Censure and explain how the evidence supports the proposition that the accused Councilmember violated the City Charter, Code of Ethics, or Rules and Procedures.
 - B. The Councilmember who is the subject of the censure shall have the opportunity to present evidence and witnesses to support his or her position with respect to the Notice of Censure.

The burden of proof shall be on the Councilmembers proffering the Notice of Censure and the standard shall be a preponderance of evidence. After receiving evidence at the final hearing, the City Council shall then take a roll-call vote, after motion duly made and seconded, and a majority of five members of the City Council shall be required to sustain the censure of the Councilmember. If sustained, the City Attorney shall prepare a formal Censure document for adoption by a majority vote of the City Council at a future meeting.