



**NOTICE OF SPECIAL MEETING AGENDA
LANCASTER CITY COUNCIL
MUNICIPAL CENTER CITY COUNCIL CHAMBERS
211 N. HENRY STREET, LANCASTER, TEXAS**

Monday, November 16, 2020 - 7:00 PM



While the Mayor may be physically present at City Hall, the other Councilmembers will attend via video or audio link due to the COVID-19 emergency situation.

IMPORTANT NOTICE: Due to the COVID-19 (coronavirus) state of emergency and consistent with the Governor's Order regarding modifications to the Texas Open Meetings Act ("TOMA"), and executive orders regarding the public will not be admitted to the physical meeting location.

Please click the link below for forms:

<https://www.lancaster-tx.com/1413/Notice-Regarding-Public-Participation>

Please click the link below to join the webinar:

<https://us02web.zoom.us/meeting/register/tZEsce-prTgiE92Amm71nXMtuXcdT5jnX19c>

The meeting will be broadcast live via video at the following address:

<http://www.lancaster-tx.com/324/Watch-Meetings>

CALL TO ORDER

PUBLIC TESTIMONY:

At this time citizens who have pre-registered before the call to order will be allowed to speak on consent or action item on the agenda, with the exception of public hearings, for a length of time not to exceed three minutes. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

ACTION:

1. Consider a resolution canvassing the returns and declaring the results of the General Election for the office of Councilmember District 4 and Councilmember District 6 held on November 3, 2020.

Considere una resolución para presentar los resultados y declarar los resultados de las Elecciones Generales para la oficina de Concejal Distrito 4 y Distrito 6 celebrada el 3 de Noviembre de 2020.

2. Administer oaths of office, present Certificates of Election, and seat newly elected Councilmembers.
3. Discuss and consider appointment of Council liaisons to City Boards and Commissions.
4. Discuss and consider election of a Mayor Pro Tempore.
5. Discuss and consider election of a Deputy Mayor Pro Tempore.

PUBLIC HEARING:

6. Conduct a public hearing and consider a resolution adopting the Lancaster City Council's Rules and Procedures, as amended.

ADJOURNMENT

EXECUTIVE SESSION: The City Council reserve 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: Meetings of the City Council are held in municipal facilities are 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.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO 411, CODIGO DEL GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO OCULTADA.

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCION 30.07 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO AL AIRE LIBRE CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO AL AIRE LIBRE.

Certificate

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on November 12, 2020 @ 8:00 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



Sorangel O. Arenas
City Secretary

LANCASTER CITY COUNCIL

City Council Special Meeting

1.

Meeting Date: 11/16/2020

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s):

- Effective Municipal Operations
- Financially Sound City Government
- Healthy, Safe & Engaged Community
- Sound Infrastructure
- Quality Development
- Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider a resolution canvassing the returns and declaring the results of the General Election for the office of Councilmember District 4 and Councilmember District 6 held on November 3, 2020.

Considere una resolución para presentar los resultados y declarar los resultados de las Elecciones Generales para la oficina de Concejal Distrito 4 y Distrito 6 celebrada el 3 de Noviembre de 2020.

Background:

At a time posted in accordance with the Open Meetings Act and as required by the Texas Election Code § 67.004(a), the canvass of the returns is read and results declared. The Mayor asks for a motion and vote from the City Council approving the canvass and results of the general election held on November 3, 2020. Two members of the authority constitute a quorum for the purpose of canvassing an election. Election results must be canvassed not later than the 14th day (November 17), following the election.

Attachments

Resolution

Resolution-Spanish

Dallas County-Final Canvass Report

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS,
CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL
ELECTION FOR THE OFFICE OF COUNCILMEMBER DISTRICT 4 AND DISTRICT 6
HELD ON NOVEMBER 3, 2020.**

GENERAL ELECTION

LANCASTER, TEXAS

NOVEMBER 3, 2020

**CANVASS OF RETURNS AND DECLARATION OF
RESULTS OF ELECTION**

BE IT REMEMBERED THAT, on this the 16th day of November, 2020, at a meeting of the City Council of the City of Lancaster, Texas, a quorum being present, the meeting was called to order and the following business was transacted.

Upon motion it was unanimously ordered that the City Council consider the official returns of a General Election held in the City of Lancaster on November 3, 2020, for the election of District 4 and District 6 for a three-year term.

WHEREUPON, said official returns were opened, examined, canvassed and the results declared as follows:

CANVASS OF RETURNS AND DECLARATION OF RESULTS

WHEREAS, heretofore, the City Council of the City of Lancaster, Texas, called a General Election to be held in the City on November 3, 2020, to elect a Councilmember for District 4 and District 6 for a three-year term; and

WHEREAS, immediately after said election the Presiding Judge and other officials holding said election made their returns of the results thereof to the City Council as follows, and said returns being made according to law, and duly authenticated, and it being shown that written notice of said election was posted for the time and in the manner provided by law, and all other proceedings pertaining to said election having been shown to have been done and performed at and within the manner provided by law, and all papers pertaining thereto having been returned and filed with the City Council and no protest or objection being made to or regarding any matter pertaining to said election.

WHEREAS, on March 23, 2020, City Council approved Resolution No. 2020-03-24 which declared the unopposed candidates in District 2 (Stanley Jaglowski) to be elected to said office.

NOW, THEREFORE, be it resolved by the City Council of the City of Lancaster, Texas, after examining said returns and opening and canvassing the votes of said election, that the results of said election are as follows:

That the following number of votes was cast for the following named candidates for the office of Councilmember, District 4, to-wit:

	EARLY VOTING	BY MAIL	ELECTION DAY	PROVISIONAL VOTING	TOTAL VOTES	PERCENTAGE
Keithsha Wheaton	1,590	84	156	1	1,831	59.06 %
Derrick D. Robinson	1,061	77	131	0	1,269	40.94 %

It appearing that Keithsha Wheaton received a majority of all votes cast for the office of Councilmember, District 4, Keithsha Wheaton is hereby declared to be elected to the office of Councilmember, District 4, to serve a three-year term after qualifying.

That the following number of votes was cast for the following named candidates for the office of Councilmember, District 6, to-wit:

	EARLY VOTING	BY MAIL	ELECTION DAY	PROVISIONAL VOTING	TOTAL VOTES	PERCENTAGE
Nina Morris	964	90	109	2	1,165	42.67 %
Betty Gooden-Davis	1,340	77	147	1	1,565	57.33 %

It appearing that Betty Gooden-Davis received a majority of all votes cast for the office of Councilmember, District 6, Betty Gooden-Davis is hereby declared to be elected to the office of Councilmember, District 6, to serve a three-year term after qualifying.

IT IS FURTHER ORDERED that this canvass and declaration of results of said election be entered in the Minutes of the City Council.

This Resolution, declaring the results of the general election, shall become effective immediately after its passage.

DULY PASSED by the City Council of the City of Lancaster, Texas, on this the 16th day of November, 2020.

ATTEST:

Sorangel O. Arenas, City Secretary

APPROVED:

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

RESOLUCIÓN NO.

RESOLUCIÓN DEL CONSEJO MUNICIPAL DE LA CIUDAD DE LANCASTER, TEXAS, EL ESCRUTINIO DE LOS DEVOLUCIONES Y LA DECLARACIÓN DE LOS RESULTADOS DE LAS ELECCIONES GENERALES PARA LA OFICINA DE CONCEJAL DISTRITO 4 Y DISTRITO 6 CELEBRADA EL 3 DE NOVIEMBRE 2020.

**ELECCIÓN GENERAL
LANCASTER, TEXAS
3 DE NOVIEMBRE 2020**

SONDEO DE LOS RESULTADOS Y LA DECLARACIÓN DE RESULTADOS DE LA ELECCIÓN

Debe recordarse que, en este día 16 de Noviembre de 2020, en una reunión del Consejo Municipal de la Ciudad de Lancaster, Texas, habiendo quórum, la reunión fue llamada al orden y el siguiente negocio fue tramitado.

Tras moción se ordenó por unanimidad que el Ayuntamiento considere los resultados oficiales de las elecciones generales celebrada en la ciudad el 3 de Noviembre de 2020, para la elección de Concejales de Distrito 4 y Distrito 6, por un período de tres años.

LO CUAL, fueron abiertos los resultados oficiales, examinados, escrutados y los resultados declaran como sigue:

ESCRUTINAR LOS RESULTADOS Y DECLARACIÓN DE RESULTADOS

VISTO QUE, antes, el Consejo de la ciudad de Lancaster, Texas, la ciudad ordenar una elección general que se celebrará en la ciudad el 3 de Noviembre de 2020, para elegir a los concejales de Distrito 4 y Distrito 6 por un período de tres años ; y

VISTO QUE, inmediatamente después de dicha elección, el Juez Presidente y otros funcionarios de la celebración de dicha elección hizo sus declaraciones sobre los resultados de la misma al Ayuntamiento de la siguiente manera, y dijeron retornos se hacen de acuerdo a la ley, y debidamente legalizados, y se muestra que la notificación por escrito de dicha elección fue publicada por el tiempo y en la forma prevista por la ley, y todos los demás procedimientos relativos a dicho que se ha demostrado que las elecciones se han realizado y realiza en y dentro de la forma prevista por la ley, y todos los documentos relativos a la misma hayan sido devueltos y presentar ante el Ayuntamiento y no protesta u objeción que se realizan para o con respecto a cualquier cuestión relacionada con dicha elección .

Visto Que que, el 23 de marzo de 2020, Concejo Municipal aprobó la Resolución No. 2020-03-24 que declaró los candidatos sin oposición en el Distrito 2 (Stanley Jaglowski) y por lo tanto ser declarados para ser elegidos para dicho cargo.

AHORA, POR LO TANTO, se resuelto por el Consejo Municipal de la Ciudad de Lancaster, Texas, después de examinar dicho resultados y la apertura y el escrutinio de los votos de dicha elección, los resultados de dicha elección son los siguientes:

Que el siguiente número de votos fueron emitidos por los siguientes candidatos nombrados para el cargo de concejal del Distrito 4, a saber:

	EARLY VOTING	BY MAIL	ELECTION DAY	PROVISIONAL VOTING	TOTAL VOTES	PERCENTAGE
Keithsha Wheaton	1,590	84	156	1	1,831	59.06 %
Derrick D. Robinson	1,061	77	131	0	1,269	40.94 %

Apareciendo que Keithsha Wheaton recibió la mayoría de los votos emitidos para el cargo de concejal del Distrito 4, Keithsha Wheaton se declara electo para el cargo de Concejal, Distrito 4, para cumplir un mandato de tres años después de la calificación.

Que el siguiente número de votos fueron emitidos por los siguientes candidatos nombrados para el cargo de concejal del Distrito 6, a saber:

	EARLY VOTING	BY MAIL	ELECTION DAY	PROVISIONAL VOTING	TOTAL VOTES	PERCENTAGE
Nina Morris	964	90	109	2	1,165	42.67 %
Betty Gooden-Davis	1,340	77	147	1	1,565	57.33 %

Apareciendo que Betty Gooden-Davis recibió la mayoría de los votos emitidos para el cargo de concejal del Distrito 6, Betty Gooden-Davis se declara electo para el cargo de Concejal, Distrito 6, para cumplir un mandato de tres años después de la calificación.

ADEMÁS SE ORDENA que este escrutinio y la declaración de resultados de dicha elección se consignará en el acta del Concejo Municipal. Esta Resolución, declarando los resultados de las elecciones generales, entrará en vigencia inmediatamente después de su aprobación.

DEBIDAMENTE APROBADA por el Consejo Municipal de la Ciudad de Lancaster, Texas, en este día 16 de Noviembre de 2020.

DAR FE:

Sorangel O. Arenas, Secretaria de la Ciudad

APROBADO:

Clyde C. Hairston, Alcalde

APROBADA EN FORMA:

David T. Ritter, Abogado de la Ciudad

Lancaster Final Canvass Reports
General and Joint Election
November 3, 2020

UNOFFICIAL RESULTS
Final Cum Totals
Dallas County

Lancaster Member of Council, District 4

Vote For 1

	TOTAL	VOTE %	EV In-Person	EV Mail	Election Day	EV-ED Provisional
Keithsha Wheaton	1,831	59.06%	1,590	84	156	1
Derrick D. Robinson	1,269	40.94%	1,061	77	131	0
Total Votes Cast	3,100	100.00%	2,651	161	287	1

Lancaster Member of Council, District 6

Vote For 1

	TOTAL	VOTE %	EV In-Person	EV Mail	Election Day	EV-ED Provisional
Nina L. Morris	1,165	42.67%	964	90	109	2
Betty Gooden-Davis	1,565	57.33%	1,340	77	147	1
Total Votes Cast	2,730	100.00%	2,304	167	256	3

LANCASTER CITY COUNCIL

City Council Special Meeting

2.

Meeting Date: 11/16/2020

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s):

- Effective Municipal Operations
- Financially Sound City Government
- Healthy, Safe & Engaged Community
- Sound Infrastructure
- Quality Development
- Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Administer oaths of office, present Certificates of Election, and seat newly elected Councilmembers.

Background:

The newly elected councilmembers will be given the Oath of Office and presented with a Certificate of Election for the office of Councilmember District 2 (Stanley M. Jaglowski), Councilmember District 4 (Keithsha C. Wheaton) and Councilmember District 6 (Betty Gooden-Davis).

LANCASTER CITY COUNCIL

City Council Special Meeting

3.

Meeting Date: 11/16/2020

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s):

- Effective Municipal Operations
- Financially Sound City Government
- Healthy, Safe & Engaged Community
- Sound Infrastructure
- Quality Development
- Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Discuss and consider appointment of Council liaisons to City Boards and Commissions.

Background:

At the February 5, 2020 Special Meeting, City Council made appointments to City Boards and Commissions. Annually, Council members select the Boards and Commissions that they would like to serve as council liaison.

In accordance with Resolution 2007-09-105, appointments are based on seniority with the most tenured member choosing from the Boards and Commissions first. Following is a list of councilmembers by seniority:

- Councilmember Marco Mejia
- Councilmember Stanley Jaglowski
- Councilmember Carol Strain-Burk
- Councilmember Racheal Hill
- Councilmember Keithsha Wheaton
- Councilmember Betty Gooden-Davis

Operational Considerations:

Currently, serving as liaisons are the following:

<u>Board/Commission:</u>	<u>Councilmember:</u>
Airport Advisory Board	Robinson
Animal Shelter Advisory Committee	Jaglowski
Civil Service Commission	Hill
Economic Development Corporation (4A)	Strain-Burk

Historic Landmark Preservation Committee	Strain-Burk
Library Advisory Board	Jaglowski
Museum Advisory Board	Jaglowski
Parks and Recreation Advisory Board	Morris
Planning & Zoning Commission	Mejia
Property Standards & Appeals Board	Morris
Recreational Development Corporation (4B)	Morris
Youth Advisory Committee	Hill
Zoning Board of Adjustments	Robinson

Options/Alternatives:

1. Council may make selections for council liaisons to Boards and Commissions.
2. Council may postpone selection of council liaisons and direct staff.

Recommendation:

Selection of council liaisons is solely at Council's pleasure.

Attachments

Resolution 2007-09-105 (council liaison policy)

RESOLUTION NO. 2007-09-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ESTABLISHING A POLICY FOR COUNCILMEMBERS TO SERVE AS LIAISONS TO ALL BOARDS AND COMMISSIONS OF THE CITY; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the intention of the City Council of the City of Lancaster to provide effective communication to all the boards and commissions; and

WHEREAS, Councilmembers serving as liaisons to the various City's boards and commissions will be able to provide necessary resources and information to the boards and commissions.

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

Section 1. 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. 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.

Section 2. Each Councilmember will be allowed to select the board or commission they would like to serve as liaisons to by order of seniority.

Section 3. Each Councilmember may submit a quarterly report to the entire council through the City Secretary on their respective board and/or commission's activity.

Section 4. Councilmembers are strongly encouraged, rather than required, to attend all meetings of their selected boards and/or commissions.

Section 5. Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed or revoked.

Section 6. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

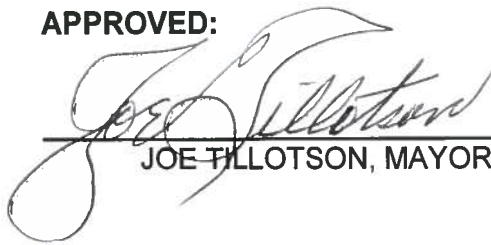
Section 7. This Resolution shall take effective immediately from and after its passage, and it is accordingly so resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 24th day of September 2007.

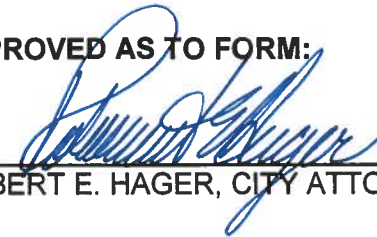
ATTEST:


DOLLE K. SHANE, CITY SECRETARY

APPROVED:


JOE TILLOTSON, MAYOR

APPROVED AS TO FORM:


ROBERT E. HAGER, CITY ATTORNEY

LANCASTER CITY COUNCIL

City Council Special Meeting

4.

Meeting Date: 11/16/2020

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s):

- Effective Municipal Operations
- Financially Sound City Government
- Healthy, Safe & Engaged Community
- Sound Infrastructure
- Quality Development
- Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Discuss and consider election of a Mayor Pro Tempore.

Background:

Section 3.05 (b) of the City Charter provides for the election of a Mayor Pro Tempore and a Deputy Mayor Pro Tempore. Section 3.05 (c) of the City Charter provides that the Mayor Pro Tempore shall act as Mayor during the disability or absence of the Mayor and in this capacity shall have the rights conferred upon the Mayor.

Options/Alternatives:

Council may elect a Mayor Pro Tempore at this time or defer the action until the next Regular Meeting.

Recommendation:

No staff recommendation. This matter is at Council's discretion.

Attachments

Section 3.05, Mayor, Mayor Pro Tem and Deputy Mayor Pro Tem from the City's Home Rule Charter

- (2) have resided in their district for a minimum of one (1) year prior to the date of the election and shall reside in that district during the term of office.

In the event that a citizen's residence is changed solely as a result of an approved redistricting plan in accordance with law, the one (1) year district residency requirement shall not apply.

SECTION 3.03 Compensation

The City Council shall serve without compensation. The City Council shall be entitled to reimbursement for actual expenses incurred in the performance of official duties.

SECTION 3.04 Mayor and the City Councilmember; Qualifications; How Nominated and Elected; Official Ballot.

(A) The names of candidates for City Councilmember and Mayor shall be placed on the official ballot upon the filing of a petition, in accordance with the TEXAS ELECTION CODE, with the City Secretary stating the candidate has resided in the City of Lancaster for a period of at least one year prior to such election. If filing for a Council district, the candidate must have also resided within the district for which the candidate is filing for a period of at least one (1) year prior to such election, except as provided herein. The petition shall be signed, in addition to the candidate, by twenty-five (25) qualified voters residing within the district for which the candidate is seeking election, or in the case of the Mayor, twenty-five (25) qualified voters of the City. Upon filing, such name shall be printed upon the official ballot. The order in which the names of the candidates for City Council shall appear on the ballot shall be determined by lot, in a drawing held under the supervision of the City Secretary.

(B) If a member of the Council shall file as a candidate for nomination or election to any public office other than his current office on the City Council, such candidacy shall constitute an automatic resignation.

SECTION 3.05 Mayor, Mayor Pro-Tem and Deputy Mayor Pro-Tem

(A) The Mayor shall preside at all meetings of the City Council, and shall be recognized as head of the City government for all ceremonial purposes, and by the Governor for purposes of military law, but shall have no regular administrative duties. The Mayor may participate in the discussion of all matters coming before the City Council. The Mayor shall be entitled to vote as a member thereof on all legislative or other matters. He shall sign resolutions/ordinances and conveyances made or entered into by the City and all bonds issued under the provisions of this Charter; and such other documents that he/she may be authorized by Council or by law. The Mayor shall not have power to veto any legislative or other matter.

(B) The City Council shall elect a Mayor Pro Tem and a Deputy Mayor Pro Tem at the first meeting as provided herein.

(C) The Mayor Pro-Tem shall be a Councilmember elected by the City Council at the first regular meeting after each election of Councilmembers and/or Mayor. The Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor.

(D) The Deputy Mayor Pro-Tem shall be a Councilmember elected by the City Council at the first regular meeting after each election of Councilmembers and/or Mayor. The Deputy Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor and Mayor Pro-Tem, and in this capacity shall have the rights conferred upon the Mayor.

SECTION 3.06 Vacancies, Forfeiture and Filling of Vacancies

(A) The office of a Councilmember or the Mayor shall become vacant upon his/her death, resignation, forfeiture of, or removal from office by any manner authorized by law.

(B) Any person on the City Council who ceases to possess the required qualifications for office or who is convicted of a felony or is convicted of violating any State laws regulating conflicts of interest of municipal officers shall forfeit his/her office. Every forfeiture shall be declared and enforced by the City Council.

(C) If there is a vacancy in the office of Mayor, a new Mayor shall be elected as provided by state law.

(D) A vacancy in the office of any Councilmember shall be filled by special election in accordance with the TEXAS ELECTION CODE. If the vacated office is that of Mayor Pro-Tem (or Deputy Mayor Pro-Tem), the City Council shall elect a new Mayor Pro-Tem (or Deputy Mayor Pro-Tem) at the next regular meeting.

(E) Vacancies filled by special election shall be for the remainder of the term that was vacated.

SECTION 3.07 Duties and Powers of the City Council

(A) The City Council shall have all powers necessary and incident to the proper discharge of the duties imposed upon it and is hereby invested with all powers necessary to carry out the terms of this Charter; it being intended that the City Council and Mayor shall have and exercise all powers enumerated in this Charter or implied thereby and all powers that are or hereafter may be granted to municipalities by this Charter, the Constitution or laws of the State of Texas.

(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; nothing contained in this Charter shall be construed to limit or circumscribe such right.

(C) During each calendar year, the City Council shall undertake one (1) annual review of the performance of the City Manager in writing. The City Manager shall be responsible for

LANCASTER CITY COUNCIL

City Council Special Meeting

5.

Meeting Date: 11/16/2020

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s):

- Effective Municipal Operations
- Financially Sound City Government
- Healthy, Safe & Engaged Community
- Sound Infrastructure
- Quality Development
- Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Discuss and consider election of a Deputy Mayor Pro Tempore.

Background:

Section 3.05 (b) of the City Charter provides for the election of a Mayor Pro Tem and a Deputy Mayor Pro Tem. Section 3.05 (d) of the City Charter provides that the Deputy Mayor Pro Tem shall act as Mayor during the disability or absence of the Mayor and Mayor Pro Tem and in this capacity shall have the rights conferred upon the Mayor.

Options/Alternatives:

Council may elect a Deputy Mayor Pro Tem at this time or defer the action until the next regular meeting.

Recommendation:

No staff recommendation. This matter is at Council's discretion.

Attachments

Section 3.05 Mayor, Mayor Pro Tem, and Deputy Mayor Pro Tem from the City's Home Rule Charter

- (2) have resided in their district for a minimum of one (1) year prior to the date of the election and shall reside in that district during the term of office.

In the event that a citizen's residence is changed solely as a result of an approved redistricting plan in accordance with law, the one (1) year district residency requirement shall not apply.

SECTION 3.03 Compensation

The City Council shall serve without compensation. The City Council shall be entitled to reimbursement for actual expenses incurred in the performance of official duties.

SECTION 3.04 Mayor and the City Councilmember; Qualifications; How Nominated and Elected; Official Ballot.

(A) The names of candidates for City Councilmember and Mayor shall be placed on the official ballot upon the filing of a petition, in accordance with the TEXAS ELECTION CODE, with the City Secretary stating the candidate has resided in the City of Lancaster for a period of at least one year prior to such election. If filing for a Council district, the candidate must have also resided within the district for which the candidate is filing for a period of at least one (1) year prior to such election, except as provided herein. The petition shall be signed, in addition to the candidate, by twenty-five (25) qualified voters residing within the district for which the candidate is seeking election, or in the case of the Mayor, twenty-five (25) qualified voters of the City. Upon filing, such name shall be printed upon the official ballot. The order in which the names of the candidates for City Council shall appear on the ballot shall be determined by lot, in a drawing held under the supervision of the City Secretary.

(B) If a member of the Council shall file as a candidate for nomination or election to any public office other than his current office on the City Council, such candidacy shall constitute an automatic resignation.

SECTION 3.05 Mayor, Mayor Pro-Tem and Deputy Mayor Pro-Tem

(A) The Mayor shall preside at all meetings of the City Council, and shall be recognized as head of the City government for all ceremonial purposes, and by the Governor for purposes of military law, but shall have no regular administrative duties. The Mayor may participate in the discussion of all matters coming before the City Council. The Mayor shall be entitled to vote as a member thereof on all legislative or other matters. He shall sign resolutions/ordinances and conveyances made or entered into by the City and all bonds issued under the provisions of this Charter; and such other documents that he/she may be authorized by Council or by law. The Mayor shall not have power to veto any legislative or other matter.

(B) The City Council shall elect a Mayor Pro Tem and a Deputy Mayor Pro Tem at the first meeting as provided herein.

(C) The Mayor Pro-Tem shall be a Councilmember elected by the City Council at the first regular meeting after each election of Councilmembers and/or Mayor. The Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor.

(D) The Deputy Mayor Pro-Tem shall be a Councilmember elected by the City Council at the first regular meeting after each election of Councilmembers and/or Mayor. The Deputy Mayor Pro-Tem shall act as Mayor during the disability or absence of the Mayor and Mayor Pro-Tem, and in this capacity shall have the rights conferred upon the Mayor.

SECTION 3.06 Vacancies, Forfeiture and Filling of Vacancies

(A) The office of a Councilmember or the Mayor shall become vacant upon his/her death, resignation, forfeiture of, or removal from office by any manner authorized by law.

(B) Any person on the City Council who ceases to possess the required qualifications for office or who is convicted of a felony or is convicted of violating any State laws regulating conflicts of interest of municipal officers shall forfeit his/her office. Every forfeiture shall be declared and enforced by the City Council.

(C) If there is a vacancy in the office of Mayor, a new Mayor shall be elected as provided by state law.

(D) A vacancy in the office of any Councilmember shall be filled by special election in accordance with the TEXAS ELECTION CODE. If the vacated office is that of Mayor Pro-Tem (or Deputy Mayor Pro-Tem), the City Council shall elect a new Mayor Pro-Tem (or Deputy Mayor Pro-Tem) at the next regular meeting.

(E) Vacancies filled by special election shall be for the remainder of the term that was vacated.

SECTION 3.07 Duties and Powers of the City Council

(A) The City Council shall have all powers necessary and incident to the proper discharge of the duties imposed upon it and is hereby invested with all powers necessary to carry out the terms of this Charter; it being intended that the City Council and Mayor shall have and exercise all powers enumerated in this Charter or implied thereby and all powers that are or hereafter may be granted to municipalities by this Charter, the Constitution or laws of the State of Texas.

(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; nothing contained in this Charter shall be construed to limit or circumscribe such right.

(C) During each calendar year, the City Council shall undertake one (1) annual review of the performance of the City Manager in writing. The City Manager shall be responsible for

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

6.

Meeting Date: 11/16/2020

Policy Statement: This request supports the City Council 2020-2021 Policy Agenda

Goal(s):

- Effective Municipal Operations
- Financially Sound City Government
- Healthy, Safe & Engaged Community
- Sound Infrastructure
- Quality Development
- Professional and Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Conduct a public hearing and consider a resolution adopting the Lancaster City Council's Rules and Procedures, as amended.

Background:

Section 3.14 of the City's Home Rule Charter requires the City Council to determine its own rules of order and business. The City Council's Rules and Procedures provide the framework for which the Council conducts its business and may be amended by a majority vote of City Council at a posted Regular Meeting. City Council reviewed the Rules and Procedures during the Annual Strategic Planning Session, June 27, 2020.

A complete redlined copy is attached along with a clean version.

Legal Considerations:

The City Attorney has reviewed and approved as to form the attached resolution.

Public Information Considerations:

This item is being considered at a Special Meeting of the City Council noticed and held in accordance with the Texas Open Meetings Act.

Options/Alternatives:

1. City Council may approve the resolution and amend the Rules and Procedures, as presented.
2. City Council may adopt the resolution with modifications to the Rules and Procedures.

Recommendation:

Staff recommends adoption of the resolution amending the City Council Rules and Procedures, as presented.

Attachments

Resolution

Rules and Procedures redline

Rules and Procedures clean

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ADOPTING THE LANCASTER CITY COUNCIL RULES AND PROCEDURES, AS AMENDED, AS ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 3.14 of the City of Lancaster Home Rule Charter requires the City Council to review and determine its own rules of order and business not later than ninety (90) days following the municipal elections; and

WHEREAS, the City Council has reviewed and discussed the City Council Rules and Procedures on June 26th and June 27th during the 2020 annual Strategic Planning Retreat; and

WHEREAS, after discussion and consideration, the City Council has determined that certain revisions to the Rules and Procedures are appropriate;

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

SECTION 1. That the City Council Rules and Procedures, as amended, attached hereto and incorporated herein by reference as **Exhibit "A"**, having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved and adopted.

SECTION 2. That any prior resolutions of the City of Lancaster, Texas, in conflict with the provisions of this resolution, except as noted herein, be, and the same are hereby, repealed and revoked.

SECTION 3. That this resolution shall take effect immediately from and after its adoption and it is accordingly so resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 16th day of November, 2020

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

City of Lancaster

City Council

Rules and Procedures



As Amended
~~August 12, 2019~~November 16, 2020

Last CC Review: ~~June 15, 2019~~Strategic Planning Retreat, 2020

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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~~ their required open government training and cybersecurity (HB 3834) training by July of each calendar year 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 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.
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. ~~When In regard to~~ Citizens' Comments ~~are listed on the~~ 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. 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 (and affiliates)
 - North Central Texas Council of Government
 - National Civil League
 - National League of Cities
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)*

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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 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, Code of Ethics, or Rules and Procedures 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.

City of Lancaster

City Council

Rules and Procedures



As Amended
November 16, 2020

Last CC Review: Strategic Planning Retreat, 2020

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SECTION I

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 - 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.
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- 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. COUNCIL MEMBER 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 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 (and affiliates)
 - North Central Texas Council of Government
 - National Civil League
 - National League of Cities
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. 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 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, Code of Ethics, or Rules and Procedures 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.