

CITY OF PRINCETON, TEXAS

RESOLUTION NO. 2021-11-08-R05

A RESOLUTION OF THE CITY COUNCIL OF PRINCETON, TEXAS, ADOPTING A COUNCIL RELATIONS POLICY, RULES OF ORDER, AND CODE OF ETHICS TO BE APPLICABLE TO ALL CITY BOARDS AND COMMISSIONS; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE.

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

Section 1: Adoption of Revised Rules

The Princeton City Council hereby approves the Council Relations Policy, Rules of Order, and Code of Ethics attached hereto as Exhibit 1 (incorporated herein for all purposes), to become effective upon approval of the City of Princeton City Council and applicable to all of its associated bodies, boards, and commissions.

Section 2: Effective Date

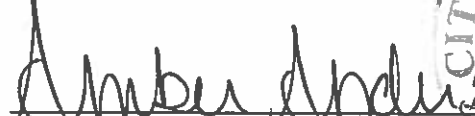
This resolution shall become effective immediately upon its adoption by the City Council and simultaneously with the repeal of any conflicting enactments, so as to provide smooth transition from former rules to the provisions set forth in Exhibit 1.

Section 3. Savings, Severability and Repealing Clauses.

All resolutions or lesser enactments of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict. If any section, subsection, sentence, clause, or phrase of this resolution, or its application to a particular set of persons or circumstances, is declared invalid or adjudged unconstitutional by a court of competent jurisdiction, it does not affect the remaining portions of this resolution, as the various portions and provisions of this resolution are severable. The City Council, declares that it would have passed each and every part of this resolution notwithstanding the omission of any part that is declared invalid or unconstitutional.


PASSED by the Princeton City Council, in a duly noticed public meeting, this 8th day of November, 2021.

ATTEST:


Amber Anderson, City Secretary



APPROVED:


_____, Mayor



City of Princeton, Texas

City Council

**Council Relations Policy,
Rules of Order,
and Code of Ethics**

NOVEMBER 8, 2021 (AMENDED)

RESOLUTION NO. 2021-11-08-R05

**COUNCIL RELATIONS POLICY,
RULES OF ORDER AND CODE OF ETHICS**

City of Princeton, Texas

November 8, 2021 (AMENDED)

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1. AUTHORITY

1.1 TYPE A GENERAL LAW

The City Council shall determine its own rules of proceedings, order of business and procedures for meetings. TLGC 22.038 (c). These shall be in effect upon adoption by the City Council and until such time as amended, suspended or new rules are adopted in the manner provided.

1.2 AD HOC COMMITTEES

Ad Hoc Committees are formed on an as *needed* basis with a clearly defined purpose and term, as well as reporting requirements. Ad Hoc Committees will consist of up to two Council members recommended by the Mayor with concurrence through a motion of the full City Council.

1.3 COUNCILMEMBER APPOINTMENTS AND ASSIGNMENTS

The Mayor nominates and the City Council confirms Councilmember appointments to outside agencies, committees, task forces, boards and commissions. Councilmembers provide a link for representing the values, beliefs and position of the City Council to these entities. The representative will periodically report to the City Council on the activities of these organizations.

1.4 MAYOR TO ACT AS COUNCIL CEREMONIAL REPRESENTATIVE

The Mayor has been delegated the responsibility to act as the City Council's ceremonial representative at public events and functions. In the Mayor's absence, the Mayor Pro Tem assumes this responsibility. In both the Mayor's and Mayor Pro Tem's absence, the Mayor will appoint another Councilmember to assume the responsibility.

1.5 COUNCILMEMBER PARTICIPATION IN COMMUNITY ACTIVITIES

From time to time, Council members may choose to participate in community activities, committees, events and task forces. When a Councilmember participates in these types of activities, the Councilmember is acting as an interested party rather than acting on behalf of the City Council. Acting or participating on behalf of the City Council is limited to those instances when the City Council has formally designated the Councilmember as its representative for the matter.

1.6 ELECTION OF MAYOR PRO TEMPORE

At the first meeting after City Council elections are final and all members are sworn in, the City Council shall annually elect a Mayor Pro Tempore from among its members. The Mayor Pro Tempore shall act in the absence or illness of the Mayor or failure or refusal of the Mayor to act consistent with state law.

1.7 DRESS CODE

The dress code for all meetings shall be business casual.

2. COUNCIL MEETINGS

2.1 REGULAR MEETINGS

Regular meetings of the City Council shall be held on the second and fourth Monday of each month. The meetings are held in the City Council Chambers at the City Hall located at 123 W. Princeton Drive and begin at 6:30 p.m. Provided, however, the Council may discuss an alternate schedule for June, July and August and holidays.

a. Other Locations

The City Council may, occasionally, elect to meet at other locations or by teleconference and, upon such election, shall give public notice of the change of location in accordance with provisions of State law.

b. Location During Local Emergency

If by reason of fire, flood or other emergency, it is unsafe to meet in the City Council Chambers, the meetings may be held for the duration of the emergency at such other place or by teleconference, as may be designated by the Mayor or, in the Mayor's absence by the Mayor Pro Tem or the City Manager.

c. Cancellation of Meetings

When the day for any regular meeting falls on a legal holiday, or may not be held due to a lack of a quorum, inclement weather or a matter beyond the City Council's control, the regularly scheduled meeting for such day shall be deemed canceled unless otherwise specified by the City Council. Meetings canceled due to holidays, lack of a quorum, inclement weather or other matters beyond the City Council's control may be rescheduled for another date, at the election of the Mayor or at least three members of the City Council, and posted in accordance with the Open Meetings Act.

d. A council member shall be fined \$3.00 for each meeting that the councilmember fails to attend unless the absence is caused by the councilmember's illness or the illness of a family member. TLGC 22.038(d).

e. Consistent with state law, if a member of the City Council is absent for three regular consecutive meetings, the member's office is considered vacant unless the member is sick or has first obtained a leave of absence at a regular meeting. TLGC 22.041(b)

2.2 PRE-COUNCIL MEETING WORKSHOPS

WORKSHOP MEETINGS. Workshop meetings may be called by the Mayor or on application of three members of the City Council upon written notice. TLGC 22.038(b). The time, place, and purpose of such meetings shall be stated in each instance in accordance with law. Workshop meetings shall be to discuss in detail, or explore in depth, matters of particular interest to the City or City Council. The public and staff may not participate in the discussions at a workshop meeting unless invited to do so. No formal Council action shall be taken at a workshop meeting.

2.3 SPECIAL MEETINGS AND EMERGENCY MEETINGS

SPECIAL MEETINGS. TLGC 22.038. Special meetings may be called by the Mayor or on application of three members of the City Council upon independent written notice to the Mayor, City Secretary or City Manager. Notice of special meetings shall be given by the City Secretary or designee to each member of the Council including the Mayor, City Attorney and the City Manager, providing notice by way of email, voice mail message, or notice left at residence. The time, place, and purpose of such meetings shall be stated in each instance in accordance with law. A special meeting, by definition, is not a regularly scheduled meeting, or a meeting to make-up for a regularly called meeting that was re-scheduled due to one of the conditions enumerated in Section 2.1(c) above. City staff shall not contact or solicit one or more of the members of City Council to establish the application to call a Special Meeting.

2.4 ADJOURNED MEETINGS

The City Council may adjourn any regular or special meeting to a time and place specified in the order of adjournment pursuant to the provisions of the Texas Open Meetings Act. (Texas Government Code, Section 551)

2.5 EXECUTIVE SESSIONS

The City Council may meet in Executive Session during any regular or special meeting, or anytime otherwise authorized by State law, to consider or hear any matter which is authorized by State law to be heard or considered in Executive Session.

- a. The City Council may exclude from any such Executive Session any person or persons which it is authorized by State law to exclude from such sessions. A council member may be excluded if it is established by a majority of Council that the member's interest is adverse to that of the City on the matter to be discussed in Executive Session, only for that item.

- b. The general subject matter for consideration shall be expressed in an open meeting before such session is held.
- c. Council members shall not reveal the nature of discussion from a closed session unless required by State law. Council members, or any person in attendance in closed session as authorized by law, shall not independently record and/or distribute to any third person information disseminated during the closed session.
- d. Executive sessions shall be noticed and held in accordance with state law, as it may be amended.

2.6 NOTICE OF MEETINGS

Notice of meetings and the agenda for all City Council meetings shall be posted by the City Secretary or designee on the City's official bulletin board pursuant to the requirements of the Texas Open Meetings Act. (Texas Government Code, Section 551), as well as on the City's website.

2.7 QUORUM

Three members of the five member City Council shall constitute a quorum to do business and the affirmative vote of a majority of those present shall be necessary to adopt any ordinance or resolution, except as required by State law. At a called meeting, or at a meeting to consider the imposition of taxes, two-thirds (4 of 5) of the number of council constitutes a quorum unless provided otherwise. TLGC 22.039.

2.8 CHAIR

The Chair shall preside at all meetings of the Council. The Chair may participate in the discussion of all matters coming before the City Council.

The Chair shall have the authority to preserve order at all City Council meetings, to enforce the rules of the City Council and to determine the order of business under the rules of the Council. The Chair shall also have the power to administer oaths.

a. Absence of Chair

The Mayor Pro Tempore shall act in the absence or illness of the Chair or failure or refusal of the Chair to act, consistent with state law. The Mayor Pro Tem shall have the powers of the Chair for the duration of the meeting, or until such time as the Chair appears at the meeting.

b. Absence of Chair and Mayor Pro Tem

When the Chair and the Mayor Pro Tem are absent from any meeting of the Council, the members present shall choose another member to act as Mayor Pro Tem, and that person shall, for the duration of the meeting, or until such time as the Chair or the Mayor Pro Tem appear at the meeting, have the powers of the Chair.

2.9 ATTENDANCE BY THE PUBLIC

All meetings of the City Council shall be open and public in accordance with the provisions of the Texas Open Meetings Act except the Executive Session or closed meetings allowed by State law.

Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council.

2.10 MINUTES

Action minutes of City Council meetings will be kept. Action minutes will include final motions with votes. The minutes will also reflect the names of public speakers.

a. City Council Approval of Minutes

Minutes of meetings are generally submitted to the City Council at the next regular meeting for approval.

b. Recording of Meetings

Recordings of proceedings are maintained by the City Secretary's office for ninety (90) days after approval by the City Council. Recordings of workshop sessions are retained permanently by the City Secretary's office.

3. AGENDAS AND ORDER OF BUSINESS

3.0 AGENDAS

- a. The Mayor shall preside at all meetings and determine the Agenda.
- b. The Agenda shall be set by the Mayor with the assistance of the City Manager. Items placed on the Agenda that require Council action, such as contracts, budget expenditures, applications for annexation, zoning and subdivisions, shall be placed on Agendas in accordance with state statutes and local ordinances.
- c. Additional items may be placed on the Agenda by the Mayor or on application of a council member, whether prior to a meeting, consistent with the Texas Open Meetings statute, or during Future Agenda items.

3.1 GENERAL ORDER

City Council meetings will be generally conducted in the following order, unless otherwise specified. An Executive Session may be held at any time during a meeting consistent with applicable State law. The Council, by simple majority vote, at the beginning of a meeting or at any time during a meeting, may overrule the Mayor's decision on a procedural matter; require a separate action to take up an Agenda item for consideration, to take a matter out of order, or to change the order of the Agenda items.

WORKSHOP AGENDA (if Scheduled)

CALL TO ORDER, ROLL CALL AND ANNOUNCE A QUORUM IS PRESENT
QUESTIONS ON CURRENT AGENDA
ITEMS OF INTEREST
ADJOURN TO REGULAR MEETING

REGULAR MEETING AGENDA

CALL TO ORDER, ROLL CALL, AND ANNOUNCE A QUORUM IS PRESENT
INVOCATION
PLEDGE OF ALLEGIANCE
CITIZEN APPEARANCE
CONSENT AGENDA/APPROVAL OF MINUTES
REGULAR AGENDA
FUTURE AGENDA
REPORT AGENDA
ITEMS OF COMMUNITY INTEREST
EXECUTIVE SESSION (AS NEEDED)
ADJOURNMENT

3.2 NUMBERING AND INDEXING OF AGENDA ITEMS

All items of any nature shall be numbered consecutively for purposes of consideration on the agenda. Upon passage, the City Secretary shall separately index all ordinances and resolutions.

3.3 PUBLIC RECOGNITION

All special presentations and announcements will be calendared and coordinated through the City Secretary. A period of time, not to exceed fifteen minutes, will be set aside for public recognition at each City Council meeting.

3.4 CONSENT AGENDA

The Consent Agenda shall contain routine, non-controversial items that require City Council action but need little or no City Council deliberation. Approval shall be by motion, second and a single vote.

If a council member objects to a consent item, or staff requests removal, it is removed from the list. Agenda items removed from the Consent Agenda by the request of Council members or staff will be considered after approval of the entire Consent Agenda.

3.5 FUTURE AGENDA ITEMS

- a. Additional items may be placed on future Agenda's by the Mayor or on application of a council member during Future Agenda items.

3.6 REPORT AGENDA

- a. The City Manager shall provide reports on projects, city departments and other matters that do not necessarily require council deliberation or action and shall be posted consistent with the Open Meetings Act.

3.7 ITEMS OF COMMUNITY INTEREST

The Mayor and City Council have the opportunity to inform those in attendance of community events, functions and other activities during the community interest portion of the agenda, consistent with the Texas Open Meetings Act. There shall be no discussion of items raised consistent with state law.

3.8 STANDARD ADJOURNMENT

The City Council establishes 11:30 p.m. as the hour of adjournment and will not continue beyond that time without a majority vote of the City Council. To assist in making the determination to continue an item under consideration, the City Council should find that discussion, deliberation and action, on the item could be concluded by 12:00 midnight. If agenda items remain after the 11:30 p.m. standard adjournment time, the meeting may continue to the next day, a special meeting may be scheduled or the items deferred until the next regular meeting, consistent with the Texas Open Meetings Act. Deferred items will appear first on the regular agenda of the next regular or called meeting. Adjournment of a meeting requires a motion to be made and a second to the motion and then a majority vote.

4. RULES OF CONDUCT

4.1 GENERAL PROCEDURE

These rules, consistent with the Texas Municipal League recommendations, subject to any applicable city ordinance, statute or other legal requirement, shall be used in the conduct of official business for the City Council.

CONDUCT GUIDELINES

The Conduct Guidelines are designed to describe the manner in which elected and appointed officials should treat one another, City staff, constituents, and others they come into contact with while representing the City of Princeton.

Elected and Appointed Officials' Conduct with Each Other

Elected and appointed officials are individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though

individuals may not agree on every issue.

- (a) **Honor the role of the chair in maintaining order**
It is the responsibility of the chair to keep the comments of members on track during public meetings. Members should honor efforts by the chair to focus discussion on current agenda items. If there is disagreement about the agenda or the chair's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.
- (b) **Practice civility and decorum in discussions and debate**
Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of debate by a free democracy in action. Free debate does not require nor justify, however, public officials to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments.
- (c) **Avoid personal comments that could offend other members**
If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chair will maintain control of this discussion.
- (d) **Demonstrate effective problem-solving approaches**
Members have a public stage and have the responsibility to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

4.2 AUTHORITY OF THE CHAIR

Subject to appeal to the full City Council, the Chair Mayor shall have the authority to prevent the misuse of motions, the abuse of any privilege, or the obstruction of the business of the City Council by ruling any such matter out of order. In so ruling, the Chair shall be courteous and fair and should presume that the moving party is acting in good faith.

Any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act. The Chair with the concurrence of City Council, and/or consistent with state law, may remove a person from the meeting for legal cause or disruption, as defined by state law.

4.3 MAYOR TO FACILITATE COUNCIL MEETINGS

In the role of facilitator, the Mayor will assist the City Council in focusing agenda discussions and deliberations. The Mayor will read aloud the caption of each agenda item, which will allow for Council discussion.

4.4 COUNCIL DELIBERATION AND ORDER OF SPEAKERS

The Mayor has been delegated the responsibility to control the debate and the order of speakers. Speakers will generally be called upon in the order of the request to speak. With the concurrence of the Mayor, a Councilmember holding the floor may address a question to another Councilmember and that Councilmember may respond while the floor is still held by the Councilmember asking the question. A Councilmember may opt not to answer a question while another Councilmember has the floor.

4.5 LIMIT DELIBERATIONS TO ITEM AT HAND

Councilmembers will limit their comments to the subject matter, time or motion being currently considered by the City Council.

4.6 LENGTH OF COUNCIL COMMENTS

Councilmembers will govern themselves as to the length of their comments or presentation. As a courtesy, the Mayor will signal by hand to a Councilmember who has been speaking for over five minutes. This procedure is not meant to limit debate or to cut comments short, but rather to assist Councilmembers in their efforts to communicate concisely.

4.7 OBTAINING THE FLOOR

Any member of the City Council wishing to speak must first obtain the floor by being recognized by the Mayor. The Mayor must recognize any Councilmember who seeks the floor when appropriately entitled to do so.

4.8 MOTIONS

Motions may be made by any member of the City Council. The opportunity for making a motion should be offered to other members of the City Council. Any member of the City Council, other than the person offering the motion, may second a motion.

4.9 PROCEDURES FOR MOTIONS

The following is the general procedure for making motions:

- a. Before a motion can be considered or debated it must be seconded.
- b. A Councilmember who wishes to make a motion should do so through a verbal request to the Mayor.
- c. A Councilmember who wishes to second a motion should do so through a verbal request to the Mayor.

- d. Once the motion has been properly made and seconded, the Mayor shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any Councilmember properly recognized by the Mayor.
- e. Once the motion has been fully discussed and the Mayor calls for a vote, no further discussion will be allowed. Council members may be allowed to explain their vote, after roll call, for no longer than one minute per council member.

MOTION AMENDMENTS

When a motion is on the floor and an amendment is offered, the amendment should be acted upon prior to acting on the main motion. No motion of a subject different from that under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amended amendment prior to any other action to further amend the original motion.

MOTION TO CONTINUE

A motion to continue will leave the motion in its present condition for consideration on a date and time certain.

MOTION TO REMOVE

A motion to remove will take the matter off the agenda and will not be considered by the Council for an indefinite period of time.

MOTION TO TABLE

A motion to table will delay consideration of the item being discussed by the City Council.

MOTION TO POSTPONE INDEFINITELY

A motion to postpone indefinitely will kill or reject the item under consideration.

MOTION TO REFER

A motion to refer forwards the item under consideration to the named group, committee, or board for further study.

MOTION TO LAY ON THE TABLE

A motion to lay on the table allows the item to be temporarily set aside under discussion.

MOTION TO TAKE FROM THE TABLE

A motion to take from the table allows the matter to be discussed again and would only be used in conjunction with a motion to lay on the table at the same meeting.

WITHDRAWAL OF MOTION

A withdrawal of motion indicates a motion may be withdrawn by the Council member who originally made the motion at any time prior to its passage. If the motion is withdrawn, the Council member who seconded the motion may withdraw his/her second.

MOTION FOR RECONSIDERATION

A motion for reconsideration may be made at the same meeting or at the next succeeding meeting following a City Council action, as long as the reconsideration request complies with the requirements of the Texas Open Meetings Act.

A motion for reconsideration may only be made by a Councilmember who voted with the majority of the City Council on the action proposed to be reconsidered by the City Council. Any member of the City Council may second a motion for reconsideration.

4.10 VOTING

Abstention

- a. If a Councilmember abstains because of a legal conflict, he/she is not counted as present for quorum purposes and is not deemed to be "voting" for purposes of determining whether there has been a "majority vote of those voting and present."
- b. When a Councilmember abstains or excuses himself/herself from a portion of a Council meeting because of a legal conflict of interest, the Councilmember must briefly state, on the record, the nature of the conflict and fill out the prescribed form with the City Secretary prior to the meeting. State law requires the inclusion of this information in the public record.
- c. A council member who abstains from the vote shall be allowed to remain seated but must refrain from all discussion. It is recommended that the member vacate the seat during such deliberation to avoid any appearance of participation as prohibited by state law.

Tie Votes

In the event of a tie vote between the voting council members, the Mayor will be allowed to cast his/her vote in order to break the tie. The vote by the Mayor will be counted as valid except where a three-fourths vote is required to pass the item under consideration.

Voting

At the end of discussion, the Mayor will call for a vote, and every member shall vote, unless noted for the record as an abstention.

4.11 NON-OBSERVANCE OF RULES

Rules adopted to expedite and facilitate the transaction of the business of the City Council in an orderly fashion shall be deemed to be procedural only, and the failure to strictly observe any such rules shall not affect the jurisdiction of, or invalidate any action taken by the City Council.

4.12 USE OF ELECTRONIC DEVICES

- a. City Council members are strongly encouraged not to text or use social media during the course of a meeting. Any communications between Councilmembers during a council meeting must occur verbally and in view of the public.
- b. City Council members shall not communicate or participate in a discussion with a quorum of the city council relative to city business via email, text or other social media. The prohibitions of the Open Meetings Act apply, regardless of the medium of the communication.
- c. City council members are strongly encouraged to only use city issued email addresses for any official business. Use of personal emails, cell phones or computers to conduct City business subjects the personal device to the Public Information Act disclosure requirements.

5. PUBLIC HEARINGS

5.1 GENERAL PROCEDURE

The City Council procedure for the conduct of Public Hearings is generally as follows:

- a. Staff presents its report.
- b. Councilmembers may ask questions of staff.
- c. The applicant or appellant then has the opportunity to present comments, testimony, or arguments. In the case of an appeal when the appellant is different from the applicant, the appellant should be called upon first to provide comments or testimony. The applicant or appellant shall have a total of fifteen minutes for a presentation when recognized by the Mayor or presiding officer.

The initial comments or presentation shall be limited to ten minutes and the rebuttal or concluding comments shall be limited to five minutes.

- d. Councilmembers may ask questions of the applicant and/or appellant.
- e. The Mayor opens the Public Hearing.

- f. Members of the public are provided the opportunity to ask questions of an informational nature, and speak in favor or in opposition of the agenda item, at the direction of the Mayor.
- g. In the case of an appeal when the appellant is different from the applicant, both are given the opportunity for rebuttal or closing comments.
- h. The Public Hearing is closed.
- i. The City Council deliberates on the issue.
- j. If the City Council raises new issues through deliberation and seeks to take additional public testimony, the Public Hearing must be reopened. At the conclusion of the public testimony, the Public Hearing is again closed.
- k. The City Council deliberates and takes action.
- l. The Mayor announces the final decision of the City Council.

5.2 CONTINUANCE OF HEARINGS

Any Public Hearing being held, noticed or ordered to be held by the City Council may, by order, notice or motion, be continued to any subsequent meeting.

5.3 PUBLIC DISCUSSION AT HEARINGS

When a matter for Public Hearing comes before the City Council, the Mayor will open the Public Hearing. Upon opening the Public Hearing and before any motion is adopted related to the merits of the issue to be heard, the Mayor shall inquire if there is anyone present who desires to speak on the matter which is to be heard or to present evidence regarding the matter.

a. Public Member Request to Speak

Any person wishing to speak at a Public Hearing scheduled on the agenda shall complete a Public Meeting Appearance Card prior to the beginning of the City Council Meeting, and present it to the City Secretary. Upon being recognized by the Mayor, the person may speak or present evidence relevant to the matter being heard. No person may speak without first being recognized by the Mayor. All persons wishing to speak on the matter shall be limited to three minutes each and there shall be a cumulative limit of sixty minutes for all those speaking in favor of an item or in opposition. The time limit may be extended by a majority vote of the City Council.

b. **Time Limits**

The Mayor, with the concurrence of the City Council, may alter any of the enumerated time allocations based on the complexity of the item and the number of persons wishing to speak on the item.

c. **Questions of Speakers**

Members of the City Council who wish to ask questions of the speakers or each other during the Public Hearing portion may do so, but only after first being recognized by the Mayor. Interaction with the speaker shall be limited to a question or questions, rather than an ongoing dialogue.

d. **Materials for Public Record**

All persons interested in the matter being heard by the City Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented will be retained by the City Secretary's Office as part of the record of the hearing, in accordance with the requirements of State law.

e. **Germane Comments**

During the Public Hearing, no person will be permitted to speak about matters or present evidence which is not germane to the matter being considered. A determination of relevance shall be made by the Mayor, but may be appealed to the full City Council.

5.4 COMMUNICATIONS AND PETITIONS

Written communications and petitions concerning the subject matter of the hearing will be noted, read aloud, or summarized by the Mayor. A reading in full shall take place if requested by any member of the City Council.

6. ADDRESSING THE CITY COUNCIL

6.1 STAFF PRESENTATIONS

Staff presentations will be concise and will provide factual background information on the item as well as a recommendation for the City Council.

6.2 ORAL PRESENTATIONS BY MEMBERS OF THE PUBLIC

The following procedures will guide oral presentations by members of the public at City Council meetings:

- a. Prior to the meeting, persons wishing to address the City Council should complete a Public Meeting Appearance Card and present it to the City Secretary.

- b. When called upon, the person should come to the podium state his/ her name and address for the record, and, if speaking for an organization or other group, identify the group represented.
- c. All remarks should be addressed to the City Council as a whole, not to individual members.
- d. Questions, if any, should be directed to the presiding officer who will determine whether, or in what manner, an answer will be provided.

6.3 CITIZENS' COMMENTS

This portion of the City Council meeting is set aside for members of the public to address the City Council on any item of business that is not formally scheduled on the agenda as a Public Hearing item. Members of the public should complete a Public Meeting Appearance Card prior to the meeting and present it to the City Secretary.

a. Citizen Input

At this time, any person may address the (body) regarding an item on this meeting agenda that is not scheduled for public hearing. Also, at this time any person may address the Council regarding an item that is not on this meeting agenda. Each person will be allowed up to 3 minutes to speak, but may be extended for an additional 2 minutes with approval of a majority of the City Council. No discussion or action may be taken at this meeting on items not listed on this agenda, other than to make statements of specific factual information in response to a citizen's inquiry or to recite existing policy in response to the inquiry.

b. City Business

Presentations under Citizens' Comments are limited to items within the subject matter jurisdiction of the City.

c. No Council Deliberations

In compliance with the Texas Open Meetings Act, the City Council may not deliberate or vote on any matter raised in Citizens' Comments, except to request that such matter should be placed on a future City Council agenda. The Mayor, however, may request the City Manager to provide additional information on a matter of general interest to the full City Council, the public at large and to the citizen making the comment. Brief factual responses may be made consistent with the limitations imposed by state law.

6.4 PUBLIC DECORUM AND DISORDERLY CONDUCT

The Mayor shall ensure that all comments addressed to the body be factual in nature, relative to City business. The Mayor shall require that all persons speaking address the body with respect, decorum and prevent personal and disparaging comments. City Council may not respond to citizen comments except as provided and

the Mayor shall ensure that members of the governing body address the public with respect, decorum and prevent personal and disparaging comments. The making of disparaging remarks may rise to the level of disorderly conduct and the person may be removed as allowed by law.

6.5 PUBLIC MEETING APPEARANCE CARDS

Public Meeting Appearance Cards may be used by members of the public who do not wish to or cannot verbally address the City Council during a Public Hearing. A person may indicate his/her comments and support or opposition for an agenda item on a Public Meeting Appearance Card. During the public testimony regarding the item, the Mayor will indicate that the City Council has received written comments from (name of persons) in support of the project or issue and from (name of persons) in opposition. The minutes will reflect the City Council's receipt of written comments in support or opposition of the project or issue.

6.6 REPETITIOUS COMMENTS PROHIBITED

- a. A speaker shall not present the same or substantially the same items or arguments to the Council repeatedly or be repetitious in presenting their oral comments. Nothing in the foregoing precludes submission of comments to the City Council in writing, for such action or non-action as the Council, in its discretion, may deem appropriate.
- b. In order to expedite matters and to avoid repetitious presentations, the designation of a spokesperson is encouraged. Whenever any group of individuals wishes to address the Council on the same subject matter, those individuals are encouraged to designate a spokesperson to address the City Council. With the consent of the City Council, the Mayor may extend the time allocation for a designated spokesperson not to exceed 15 minutes.

6.7 WAIVER OF RULES

Any of the foregoing rules may be waived or suspended by a majority vote of the Councilmembers present when it is deemed that there is good cause to do so, based upon the particular facts and circumstances involved.

6.8 NON-EXCLUSIVE RULES

The rules set forth are not exclusive and do not limit the inherent power and general legal authority of the City Council, or of its presiding officer, to govern the conduct of City Council meetings as may be considered appropriate from time to time, or in particular circumstances, for purposes of orderly and effective conduct of the affairs of the City.

7. COUNCILMEMBER ADMINISTRATIVE SUPPORT

7.1 MAIL

All general mail will be opened and date stamped and distributed to individual Councilmembers.

a. Letters Addressed to the Mayor and City Council

All letters addressed to the Mayor and City Council requiring a response from staff are copied to all Councilmembers with a note as to which staff person will be preparing a response for the Mayor's signature. A copy of the response, along with the original letter, will be provided to each Councilmember.

Letters addressed to the Mayor and City Council that do not require a response but provide information on City Council agenda items or like matters are copied to the full City Council.

b. Letters Addressed to Individual Councilmembers

All letters addressed to individual Councilmembers requiring a response from staff are copied to all Councilmembers with a note as to which staff person will be preparing a response for the addressee's signature. Copies of the responses, along with the original letters, are provided to the full City Council.

Letters addressed to individual Councilmembers that do not require a response from staff but provide information on City Council matters are copied to the full City Council.

Cards and other Councilmember mail marked "personal" will not be opened and will not be copied to the full City Council.

7.2 CITY COUNCIL CORRESPONDENCE

All Councilmember correspondence prepared with City resources (letterhead, typing, staff support, postage, etc.) will reflect the position of the full City Council, not individual Council member's positions.

7.3 CLERICAL SUPPORT

The City Manager's Office will coordinate the typing of correspondence requested by individual Councilmembers. All correspondence typed for Councilmembers will be on City letterhead and will reflect the position of the full City Council as has been stated in a public meeting. It will also be copied to the full City Council.

7.4 MASTER CALENDAR

A master calendar of City Council events, functions or meetings will be maintained by the City Secretary's Office and provided to the full City Council.

Functions, events or meetings to be attended by individual Councilmembers will only be included on the master calendar at the request of individual Councilmembers.

7.5 REQUESTS FOR RESEARCH OR INFORMATION

Councilmembers may request information or research from staff, City Attorney, Consulting Engineer and Municipal Court Judge on a given topic through the City Manager. Requests for policy direction will be brought to the full City Council at a regular meeting for consideration. All written products will be copied to the full City Council. The City Manager will determine if extensive staff time and resources are required to accomplish the request. If so, at his/her discretion, the City Manager may present that request to the full City Council prior to proceeding.

7.6 CITY COUNCIL NOTIFICATION OF SIGNIFICANT INCIDENTS

In conjunction with the City's public safety departments, the City Manager's Office will coordinate the notification to the City Council of major crime, fire or other disasters or incidents, through press releases or public information notifications. The City Manager may provide updates to the Council on the status of projects provided the same is in a form and made available to the public. Press releases may be issued that provide necessary notifications to the Council and public consistent with City policies and the Texas Open Meetings Act.

7.7 CITY COUNCIL MEMBER REQUESTS FOR INFORMATION

- A. A Council member's request under this provision is not governed by the Public Information Act and as such is only enforceable by the members of the City Council.
- B. Requests shall be for inspection only.
- C. Information produced to a Councilmember under this provision is not deemed a public release; rather, it is being produced to the Councilmember in their official capacities. Any disclosure of information by a Councilmember which had been provided to a Councilmember under this section may be deemed misuse of official information (Texas Penal Code §39.01) and/or malfeasance of office and subject the Councilmember to appropriate action under the Ethics provisions and/or other applicable criminal, civil and injunctive proceedings.
- D. The City Council has approved and adopted a form for use by Councilmembers for requests under this provision, which form is attached hereto as Appendix A.
- E. Nothing herein shall prevent a member of City Council from requesting information consistent with, in accordance with and subject to the parameters, exceptions and limitations of the Public Information Act.

7.8 CITY COUNCIL MEMBERS INTERACTION WITH STAFF¹

Governance of a City relies on the cooperative efforts of elected officials, who set policy, appointed officials who advise the elected, and City staff who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

(a) *Treat all staff as professionals*

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

(b) *Do not disrupt City staff from their jobs*

Elected and appointed officials should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met. Do not attend City staff meetings unless requested by staff – even if the elected or appointed official does not say anything, his or her presence implies support, shows partiality, may intimidate staff, and hampers staff's ability to do their job objectively.

(c) *Never publicly criticize an individual employee*

Elected and appointed officials should never express concerns about the performance of a City employee in public, to the employee directly, to a subordinate of the employee or to the employee's manager. Comments about staff performance should only be made to the City Manager through private correspondence or conversation. Appointed officials should make their comments regarding staff to the City Manager or the Mayor.

(d) *Do not get involved in administrative functions*

Elected and appointed officials acting in their individual capacity must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

(e) *Do not solicit political support from staff*

Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

(f) *No Attorney-Client Relationship*

Members shall not seek to establish an attorney-client relationship with the City Attorney, including his or her staff and attorneys contracted to work on behalf of the City. The City Attorney represents the City and not individual members. Members who consult with the City Attorney cannot enjoy or establish an attorney-client relationship with the attorney.

¹ This also applies to Board members appointed by the Mayor.

8. ADMINISTRATIVE PROCEDURES

8.1 BIENNIAL REVIEW OF CITY COUNCIL PROCEDURES

The City Council will review and revise the City Council Rules of Order and Procedure as needed, and at a minimum, every two years.

8.2 ADHERENCE TO PROCEDURES

During City Council discussions, deliberations and proceedings, the Mayor has been delegated the primary responsibility to ensure that the City Council, staff and members of the public adhere to the Council's adopted procedures. However, each Councilmember is responsible to ensure these procedures are followed.

8.3 CITY ATTORNEY AS GENERAL PROCEDURE ADVISOR; PARLIMENTARIAN DESIGNATED BY CITY MANAGER.

The City Attorney assists the Mayor and City Council as a resource and as an advisor for interpreting the City Council's adopted rules and procedures. The City Manager's designee shall serve as parliamentarian to resolve issues relating to rules of order for official business conducted during meetings.

8.4 APPLICABILITY OF PROCEDURES

The City Council Rules of Order and Procedures shall also apply to the City Council when sitting as other entities and agencies. The role of Mayor and Mayor Pro Tem shall be interchangeable with Chair and Vice Chair, or President and Vice President when sitting as another entity. The provisions set forth herein shall also be deemed applicable to all other City-created boards, commissions, committees, and similar entities unless and until such bodies have adopted similar rules governing the same subject matter and the City Council has acted to ratify them.

When these provisions are being applied to any body other than the City Council, the intent is to apply the same substantive rules to the other entities, and the wording of these provisions shall be construed as the context requires to provide that effect. This includes, but is not limited to:

The term "Mayor" and similar shall be construed to reference the chief administrative officer of the entity or the Chair, Presiding Officer, or President who is conducting the meeting at issue.

The term "Councilmember" and similar shall be construed to reference the elected or appointed members of the body who have power to vote on its affairs.

The terms "Governing Body", "City Council", and similar shall be construed to reference the body, except as the context may call for City Council approval of an act of the body subject to oversight by the City Council.

9. RULES OF ETHICS

9.1 The Council is the judge and qualifications of its members. TLGC 22.033.

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

The Princeton City Council and the Mayor comprise the governing body for the citizens of Princeton: therefore, they must bear the initial responsibility for the integrity of governance. The Governing Body is responsible for its own development (both as a body and as individuals), its responsibilities, its own discipline, and its own performance. The development of this policy is designed to ensure effective and efficient governance.

This policy will address Mayor and Council relations, Council and Staff relations, and Council and Media relations. By adopting these guidelines for elected officials, we acknowledge our responsibility to each other, to our professional staff and to the public as a whole.

The City Council will govern the City in a manner associated with a commitment to the preservation of the values and integrity of representative local government and democracy, and a dedication to the promotion of efficient and effective governing. The following statements will serve as a guide and acknowledge the commitment being made in this service to the community.

The Governing Body has high priorities, the continual improvement of the Councilmember's professional ability and the promotion of an atmosphere conducive to the fair exchange of ideas and policies among Councilmembers.

The Governing Body will endeavor to keep the community informed on municipal affairs; encourage communication between the citizens and the Governing Body; strive for strong, working relationships with neighboring political subdivisions and communities.

In its governance role, the Governing Body will continue to be dedicated to friendly and courteous relationships with Staff, other Councilmembers, and the public, and seek to improve the quality and image of public service.

The Governing Body will also strive to recognize its responsibility to future generations by addressing the interrelatedness of the social, cultural, and physical characteristics of the community when making policies.

The Mayor and each Councilmember will make a commitment to improve the quality of life for the individual and the community, and to be dedicated to the faithful stewardship

of the public trust.

9.2 Policy Purpose

The Princeton City Council adopts this Code of Ethics and Conduct to assure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of Princeton's City government.

9.3 Governing Body Code of Ethics

The citizens and businesses of Princeton are entitled to have fair, ethical and accountable local government. To this end, the public should have full confidence that their elected and appointed officials:

- Comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Are independent, impartial and fair in their judgment and actions;
- Use their public office for the public good, not for personal gain; and
- Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility.

Therefore, members of the City Council, City Secretary and all employees shall conduct themselves in accordance with the following ethical standards:

1. **Act in the Public Interest.** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Princeton and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before them.
2. **Comply with both the spirit and the letter of the Law and City Policy.** Members shall comply with the laws of the nation, the State of Texas and the City of Princeton in the performance of their public duties.
3. **Conduct of Members.** The professional and personal conduct of members while exercising their office must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Board's, city Employee's, staff or public.
4. **Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the City Council.
5. **Conduct at Public Meetings.** Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand.

6. **Decisions Based on Merit.** Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations. When making adjudicative decisions (those decisions where the member is called upon to determine and apply facts peculiar to an individual case), members shall maintain an open mind until the conclusion of the hearing on the matter and shall base their decisions on the facts presented at the hearing and the law.
7. **Communication.** For adjudicative matters pending before the body, members shall refrain from receiving information outside of an open public meeting or the agenda materials, except on advice of the City Attorney. Members shall publicly disclose substantive information that is relevant to a matter under consideration by the body, which they may have received from sources outside of the public decision-making process.
8. **Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good and compliance with conflict of interest laws, members shall use their best efforts to refrain from creating an appearance of impropriety in their actions and decisions. Members shall not use their official positions to influence government decisions in which they have (a) a material financial interest, (b) an organizational responsibility or personal relationship which may give the appearance of a conflict of interest, or (c) a strong personal bias.

A member who has a potential conflict of interest regarding a particular decision shall disclose the matter to the City Attorney and reasonably cooperate with the City Attorney to analyze the potential conflict. If advised by the City Attorney to seek advice from the Texas Ethics Commission (TEC) or other appropriate state agency, a member shall not participate in a decision unless and until he or she has requested and received advice allowing the member to participate. A member shall diligently pursue obtaining such advice. The member shall provide the Mayor and the City Attorney a copy of any written request or advice, and conform his or her participation to the advice given. In providing assistance to members, the City Attorney represents the City and not individual members.

In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and if they have a conflict of interest regarding a particular decision, shall not, once the conflict is ascertained, participate in the decision and shall not discuss or comment on the matter in any way to any person including other members unless otherwise permitted by law.

9. **Gifts and Favors.** Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that is not available to the public in general. They shall refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.
10. **Confidential Information.** Members must maintain the confidentiality of all written materials and verbal information provided to members, which is confidential or privileged.

Members shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

11. **Use of Public Resources.** Members shall not use public resources, which are not available to the public in general (e.g., City staff time, equipment, supplies or facilities) for private gain or for personal purposes not otherwise authorized by law.
12. **Representation of Private Interests.** In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any Board, or proceeding of the City, nor shall members of Boards appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.
13. **Advocacy.** Members shall represent the official policies or positions of the City Council or Board to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the City of Princeton, nor will they allow the inference that they do. Councilmembers and Board members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention or display endorsements during Council meetings, Board meetings, or other official City meetings.
14. **Policy Role of Members.** Members shall respect and adhere to the council-manager structure of Princeton City government as outlined in the Princeton City Code. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by City staff, Boards, and the public. Except as provided by the City Code, members shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions.
15. **Independence of Boards.** Because of the value of the independent advice of Boards to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of Boards proceedings.
16. **Positive Work Place Environment.** Members shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealings with City employees to in no way create the perception of inappropriate direction to staff.

9.4 Sanctions

- (a) *Acknowledgement of Code of Ethics and Conduct*
Councilmembers who do not sign an acknowledgement that they have read and understand the Code of Ethics and Conduct shall be ineligible for intergovernmental assignments or Council subcommittees. Board members who do not sign an acknowledgement that they have read and understand the Code of Ethics and Conduct are not eligible to hold office.

(b) *Ethics Training for Local Officials*

Councilmembers, City Secretary, Board Members who are out of compliance with State or City mandated requirements for ethics training shall not represent the City on intergovernmental assignments or Council subcommittees and may be subject to sanctions.

(c) *Behavior and Conduct*

The Princeton Code of Ethics and Conduct expresses standards of ethical conduct expected for members of the Princeton City Council, Boards. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairs of Boards and the Mayor and Council have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics and Conduct are brought to their attention.

Councilmembers:

Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the City of Princeton and with intergovernmental agencies) or other privileges afforded by the Council. Serious infractions of the Code of Ethics of Code of Conduct could lead to other sanctions as deemed appropriate by the Council.

Individual Councilmembers should point out to the offending Councilmember perceived infractions of the Code of Ethics and Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being questioned, then the matter should be referred to the Mayor Pro-Tem. It is the responsibility of the Mayor (or Mayor Pro-Tem) to initiate an investigation and/or action if a Councilmember's behavior may warrant sanction. If no action is taken by the Mayor (or Mayor Pro-Tem), then the alleged violation(s) can be brought up with a quorum of the City Council at a properly noticed meeting.

Board Members:

Counseling, verbal reprimands and written warnings may be administered by the Mayor to Board members failing to comply with City policy. These lower levels of sanctions shall be kept private to the degree allowed by law. Copies of all written reprimands administered by the Mayor shall be distributed in memo format to the chair of the respective Board, the City Secretary, the City Attorney, the City Manager, and the City Council.

The City Council may impose sanctions on Board members whose conduct does not comply with the City's policies, up to and including removal from office. Any form of discipline imposed by Council shall be determined by a majority vote of at least a quorum of the Council at a noticed public meeting and such action shall be preceded by a Report to Council with supporting documentation.

When deemed warranted, the Mayor or majority of Council may call for an investigation of Board member conduct. Also, should the City Manager or City Attorney believe an investigation is warranted, they shall confer with the Mayor or Council. The Mayor or Council shall ask the City Manager or the City Attorney to investigate the allegation and report the findings.

These sanctions are alternatives to any other remedy that might otherwise be available to remedy conduct that violates this code or state or federal law. In order to protect and preserve good government, any individual including the City Manager and the City Attorney after complying with Rule 1.12 of the Texas Disciplinary Rules of Professional Conduct, who knows or reasonably believes a member acts or intends or refuses to act in a manner that is or may be a violation of law reasonably imputable to the organization, or in a manner which is likely to result in substantial injury to the organization, may report the violation to the appropriate governmental authorities.

9.5 Implementation

The Code of Ethics and Conduct is intended to be self-enforcing and is an expression of the standards of conduct for members expected by the City. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, this document shall be included in the regular orientations for candidates for City Council, City Secretary, applicants to Board and newly elected and appointed officials. Members entering office shall sign a statement (example below) acknowledging they have read and understand the Code of Ethics and Conduct. In addition, the Code of Ethics and Conduct shall be periodically reviewed by the City Council, Boards and updated it as necessary.

Appendix A

INFORMATION AND DOCUMENT REQUEST

Internal Use only

PERSON REQUESTING INFORMATION

NAME:

DATE

I AM REQUESTING THIS INFORMATION IN MY OFFICIAL CAPACITY AS, TITLE:

DESCRIPTION OF PROJECT:

DESCRIPTION OF DOCUMENTS OR INFORMATION REQUESTED:

I understand that the documents I am requesting may contain confidential information that may not be released to the public. This information is not being released under the Public Information Act, and is being released for internal viewing only. An appointment will be made through the custodian of the records for a time the documents will be available for viewing. This information is for viewing by the applicant alone and no copies or photographs may be made without the approval from the custodian of the records. If documents are copied or photographed they are determined to be public, they will be treated as public records and will follow the requirements set forth in the Public Information Act. I further understand that certain information that I have requested may be confidential by law and as such may not be released to the public or showed to any other person, and its release may subject me to criminal charges and prosecution.

Signature:

Date

Documents Prepared By

Date

Time required preparing documents:

Date requestor was notified