



AGENDA

CITY COUNCIL MEETING

July 18, 2024 | 6:05 PM or immediately following the
Lucas Fire Control, Prevention and EMS Board Meeting
Council Chambers
City Hall | 665 Country Club Road, Lucas, Texas

Notice is hereby given that a meeting of the Lucas City Council will be held on Thursday, July 18, 2024, beginning at 6:05 pm at Lucas City Hall, 665 Country Club Road, Lucas, Texas 75002-7651, at which time the following agenda will be discussed. As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any item on the agenda at any time during the meeting. Pursuant to Texas Government Code 551.127, one or more members of the governing body may appear via videoconference call. The presiding officer and a quorum of the City Council will be physically present at this meeting.

If you would like to watch the meeting live, you may go to the City's live streaming link at <https://www.lucastexas.us/departments/public-meetings/>.

How to Provide Input at a Meeting:

Speak In Person: Request to Speak forms will be available at the meeting. Please fill out the form and give to the City Secretary prior to the start of the meeting. This form will also allow a place for comments.

Submit Written Comments: If you are unable to attend a meeting and would like to submit written comments regarding a specific agenda item, email City Secretary Toshia Kimball at tkimball@lucastexas.us by no later than 3:30 pm the day of the meeting. The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made. Any requests received after 3:30 pm will not be included at the meeting.

Call to Order

- Roll Call
- Determination of Quorum
- Reminder to turn off or silence cell phones
- Pledge of Allegiance

Citizen Input

1. Citizen Input.

Community Interest

Pursuant to Section 551.0415 of the Texas Government Code, the City Council may report on the following items: 1) expression of thanks, congratulations or condolences; 2) information about holiday schedules; 3) recognition of individuals; 4) reminders about upcoming City Council events; 5) information about community events; and 6) announcements involving imminent threat to public health and safety.

2. Items of Community Interest.

Consent Agenda

All items listed under the consent agenda are considered routine and are recommended to the City Council for a single vote approval. If discussion is desired, an item may be removed from the consent agenda for a separate vote.

3. Consent Agenda:
 - A. Approval of the City of Lucas Quarterly Investment Report ended March 2024.
 - B. Approval of the City of Lucas Quarterly Investment Report ended June 2024.
 - C. Approval of setting the date for the public hearing regarding the City of Lucas Fiscal year 24/25 budget for August 15, 2024.
 - D. Approval of the minutes of the June 20, 2024, City Council meeting.

Regular Agenda

4. Discuss the proposed City of Lucas budget for Fiscal Year 24/25. (**Presenter: City Manager John Whitsell, Finance Director Liz Exum**)
5. Discuss and consider updates to R#2023-05-00397 Lucas City Council Rules of Order and Procedures (**Presenter: Mayor Pro Tem Debbie Fisher**)

Executive Session

6. Executive Session: An Executive Session is not scheduled for this meeting.

As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.
7. Reconvene from Executive Session and take any action necessary as a result of Executive Session.
8. Adjournment.

Certification

I do hereby certify that the above notice was posted in accordance with the Texas Open Meetings Act on the bulletin board at Lucas City Hall, 665 Country Club Road, Lucas, TX 75002 and on the City's website at www.lucastexas.us on or before 5:00 p.m. on July 12, 2024.

Toshia Kimball, City Secretary

In compliance with the American with Disabilities Act, the City of Lucas will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services should be directed to City Secretary Toshia Kimball at 972.912.1211 or by email at tkimball@lucastexas.us at least 48 hours prior to the meeting.



City of Lucas City Council Agenda Request July 18, 2024

Item No. 01

Requester: Mayor Dusty Kuykendall

Agenda Item Request

Citizen Input.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas City Council Agenda Request July 18, 2024

Requester: Mayor Dusty Kuykendall

Agenda Item Request

Items of Community Interest.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas

City Council Agenda Request

July 18, 2024

Item No. 03

Requester: Finance Director Liz Exum
City Secretary Toshia Kimball

Agenda Item Request

Consent Agenda:

- A. Approval of the City of Lucas Quarterly Investment Report ended March 2024.
- B. Approval of the City of Lucas Quarterly Investment Report ended June 2024.
- C. Approval of setting the date for the public hearing regarding the City of Lucas Fiscal Year 24/25 budget for August 15, 2024.
- D. Approval of the minutes of the June 20, 2024, City Council meeting.

Background Information

NA

Attachments/Supporting Documentation

- 1. Investment Report quarter ended March 2024.
- 2. Investment Report quarter ended June 2024.
- 3. Minutes of the June 20, 2024, City Council meeting.

Budget/Financial Impact

NA

Recommendation

City staff recommends approval of the Consent Agenda.

Motion

I make a motion to approve the Consent Agenda as presented.

**CITY OF LUCAS
QUARTERLY INVESTMENT REPORT**

Quarter Ended

March, 2024

Bank Account Name	Rating	December 31, 2023	March 30, 2024	Changes	Total Portfolio
ANB Pooled Cash	AAAm	\$6,484,333.03	\$5,109,366.59	-\$1,374,966.44	11.75%
Interest Rate		0.11%	0.11%	0.00%	
ANB - Reserve General Fund	AAAm	\$4,000,000.00	\$4,000,000.00	\$0.00	9.20%
Weighted Average Life/Days (Balances assumed to have a one day maturity)		1	1		
Total Bank Accounts		\$10,484,333.03	\$9,109,366.59	-\$1,374,966.44	20.95%

Pools

Logic - General Fund	AAAm	\$6,669,783.70	\$6,761,460.94	\$91,677.24	15.55%
Logic - Water Fund	AAAm	\$7,935,808.38	\$8,044,887.34	\$109,078.96	18.50%
Logic 2017 CO - Water Fund	AAAm	\$439,759.79	\$445,804.33	\$6,044.54	1.03%
Logic 2019 CO - General Fund	AAAm	\$6,412,451.25	\$6,500,591.41	\$88,140.16	14.95%
Logic 2019 CO - Water Fund	AAAm	\$1,577,374.82	\$1,599,056.13	\$21,681.31	3.68%
Logic West Lucas Road	AAAm	\$2,758,997.00	\$2,796,919.85	\$37,922.85	6.43%
Logic America Rescue Plan (ARPA)	AAAm	\$2,190,801.57	\$2,220,914.48	\$30,112.91	5.11%
Interest Rate		5.5411%	5.4733%	-0.0678%	
Weighted Average Life/Days (Balances assumed to have a one day maturity)		1	1	0	
Lone Star Invest - General Fund	AAAm	\$2,198,903.21	\$2,228,201.35	\$29,298.14	5.12%
Lone Star Invest- Water Fund	AAAm	\$823,567.23	\$834,540.43	\$10,973.20	1.92%
Interest Rate		5.3538%	5.3305%	-0.0233%	
Weighted Average Life/Days (Balances assumed to have a one day maturity)		1	1	0	
Tex Pool - Debt Service Fund	AAAm	\$2,019,275.95	\$2,949,372.76	\$930,096.81	6.78%
Interest Rate		5.3694%	5.4733%	0.1039%	
Weighted Average Life/Days (Balances assumed to have a one day maturity)		1	1	0	
Total Pools		\$33,026,722.90	\$34,381,749.02	\$1,355,026.12	79.05%

Total Bank Acct. and Pools		\$43,511,055.93	\$43,491,115.61	-\$19,940.32	100.00%
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The invested portfolio of the City of Lucas is in compliance with the Public Funds Investment Act and the City's Investment Policy and Strategies.


Joni Clarke - City Manager


Liz Exum - Finance Director

**CITY OF LUCAS
QUARTERLY INVESTMENT REPORT**

Quarter Ended

June 2024

Bank Account Name	Rating	March 30, 2024	June 30, 2024	Changes	Total Portfolio
ANB Pooled Cash	AAAm	\$5,109,366.59	\$3,710,182.91	-\$1,399,183.68	7.72%
Interest Rate		0.11%	0.11%	0.00%	
ANB - Reserve General Fund	AAAm	\$4,000,000.00	\$4,000,000.00	\$0.00	8.32%
Weighted Average Life/Days (Balances assumed to have a one day maturity)		1	1		
Total Bank Accounts		\$9,109,366.59	\$7,710,182.91	-\$1,399,183.68	16.04%

Pools

Logic - General Fund	AAAm	\$6,761,460.94	\$6,853,374.78	\$91,913.84	14.26%
Logic - Water Fund	AAAm	\$8,044,887.34	\$8,154,247.86	\$109,360.52	16.96%
Logic 2017 CO - Water Fund	AAAm	\$445,804.33	\$451,864.47	\$6,060.14	0.94%
Logic 2019 CO - General Fund	AAAm	\$6,500,591.41	\$6,588,959.09	\$88,367.68	13.71%
Logic 2019 CO - Water Fund	AAAm	\$1,599,056.13	\$1,620,793.33	\$21,737.20	3.37%
Logic West Lucas Road	AAAm	\$2,796,919.85	\$2,834,940.56	\$38,020.71	5.90%
Logic America Rescue Plan (ARPA)	AAAm	\$2,220,914.48	\$1,295,993.01	-\$924,921.47	2.70%
Logic West Lucas Road - RTR	AAAm	\$0.00	\$7,607,890.14	\$7,607,890.14	15.83%
Interest Rate		5.4733%	5.4105%	-0.0628%	
Weighted Average Life/Days (Balances assumed to have a one day maturity)		1	1	0	
Lone Star Invest - General Fund	AAAm	\$2,228,201.35	\$2,258,805.03	\$30,603.68	4.70%
Lone Star Invest- Water Fund	AAAm	\$834,540.43	\$845,640.59	\$11,100.16	1.76%
Interest Rate		5.3305%	5.3308%	0.0003%	
Weighted Average Life/Days (Balances assumed to have a one day maturity)		1	1	0	
Tex Pool - Debt Service Fund	AAAm	\$2,949,372.76	\$1,844,726.18	-\$1,104,646.58	3.84%
Interest Rate		5.4733%	5.3161%	-0.1572%	
Weighted Average Life/Days (Balances assumed to have a one day maturity)		1	1	0	
Total Pools		\$34,381,749.02	\$40,357,235.04	\$5,975,486.02	83.96%

Total Bank Acct. and Pools		\$43,491,115.61	\$48,067,417.95	\$4,576,302.34	100.00%
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The invested portfolio of the City of Lucas is in compliance with the Public Funds Investment Act and the City's Investment Policy and Strategies.



 John Whitsell - City Manager



 Liz Exum - Finance Director



MINUTES

CITY COUNCIL REGULAR MEETING

June 20, 2024 | 6:30 PM

Council Chambers

City Hall | 665 Country Club Road, Lucas, Texas

City Councilmembers Present:

Mayor Dusty Kuykendall
Mayor Pro Tem Debbie Fisher
Councilmember Chris Bierman
Councilmember Brian Stubblefield
Councilmember Neil Peterson
Councilmember Tim Johnson
Councilmember Phil Lawrence (videoconference)

City Staff Present:

City Manager John Whitsell
City Secretary Toshia Kimball
CIP Manager Patrick Hubbard
Public Works Supervisor Jeremy Bogle
Communications Specialist Joshua Menhennett
Deputy Daniel Brown

City Councilmembers Absent:

Mayor Dusty Kuykendall

The regular City Council meeting was called to order at 6:30 pm.

Citizen Input

1. Citizen Input

There were no members of the public wishing to address the City Council.

Community Interest

2. Items of Community Interest

Mayor Pro Tem Fisher gave items of community interest including:

- July 4th
- Lucas Farmers Market
- City of Lucas Public Budget Workshop
- Public Lands Trail Cleanup

Consent Agenda

3. Consent Agenda:

- A. Approval of the minutes of the June 20, 2024, City Council meeting.

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Stubblefield, to approve the Consent Agenda as presented. The motion passed unanimously by a 6 to 0 vote.

Regular Agenda

4. Consider authorizing the City Manager to negotiate and enter into a contract with Four Star Excavating to Pressure Test Osage Lane Lift Station Force Main and

approaching \$54,400 from Restricted Cash Osage Lift Station account 51-1001-76 to account 21-8210-490-131 Osage Lane Lift Station.

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence to approve authorizing the City Manager to negotiate and enter into a contract with Four Star Excavating to Pressure Test Osage Lane Lift Station Force Main and appropriating \$54,400 from Restricted Cash Osage Lift Station account 51-1001-76 to account 21-8210-490-131 Osage Lane Lift Station. The motion passed unanimously by a 6 to 0 vote.

Public Hearing

- 5. Conduct a public hearing and consider the adoption of Resolution R 2024-06-00557 authorizing an application to the Texas Parks and Wildlife Local Park Grant Program for ballfield drainage improvement at Kenneth R. Lewis Park.**

Mayor Pro Tem Fisher opened the public hearing at 6:52 p.m.

There were no members of the public wishing to speak.

Mayor Pro Tem Fisher closed the public hearing at 6:55 p.m.

MOTION: A motion was made by Councilmember Bierman, seconded by Councilmember Stubblefield to adopt Resolution R 2024-06-00557 authorizing an application to the Texas Parks and Wildlife Local Park Grant Program for ballfield drainage improvement at Kenneth R. Lewis Park. The motion passed unanimously by a 6 to 0 vote.

Executive Agenda

- 6. Executive Session:**

As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.

There was no executive session during this meeting.

- 7. Reconvene from Executive Session and take any action necessary as a result of the Executive Session.**

There was no executive session during this meeting.

- 8. Adjournment.**

MOTION: A motion was made by Councilmember Johnson, seconded by Councilmember Lawrence, to adjourn the meeting at 7:09 pm. The motion passed unanimously by a 6 to 0 vote.

APPROVED:

ATTEST:

Mayor Dusty Kuykendall

Toshia Kimball, City Secretary



City of Lucas

City Council Agenda Request

July 18, 2024

Requester: City Manager John Whitsell
Finance Director Liz Exum

Agenda Item Request

Discuss the proposed City of Lucas budget for Fiscal Year 24/25.

Background Information

NA

Attachments/Supporting Documentation

1. Budget workshop binder has been sent under separate attachment.

Budget/Financial Impact

NA

Recommendation

NA

Motion

No motion required; this item is for discussion purposes only.



City of Lucas City Council Board Request July 18, 2024

Requester: Mayor Pro Tem Debbie Fisher

Agenda Item Request

Discuss and consider updates to R#2013-05-00397 Lucas City Council Rules of Order and Procedures.

Background Information

This resolution passed in 2013 and outlines the processes and procedures the Lucas City Council operates under.

Attachments/Supporting Documentation

- A. R#2013-05-00397
- B. City of Desoto adopted Rules and Procedures
- C. City of Sachse proposed Rules and Procedures

Budget/Financial Impact

NA

Recommendation

Review adopted rules from other cities and suggest appropriate updates to our processes and procedures. Provide direction to staff to bring back changes on consent at a future City Council meeting.

Motion

NA

RESOLUTION # R-2013-05-00397
[Rules of Order and Procedures]

WHEREAS, the Home Rule Charter does not provide a procedure for the agenda preparation; and

WHEREAS, the City Council has determined that it is in the best interest of all concerned to establish guidelines for the preparation of the agenda for City Council meetings and an orderly process for citizen participation; and

WHEREAS, the City Council has determined that establishing a procedure for allowing routine business to be placed on a Consent Agenda would expedite the business matters of the Council.

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

SECTION I - DEFINITIONS

1. Regular Meeting - a meeting of the City Council to conduct its business as set forth in the Home Rule Charter will be held on the first and third Thursday of each month unless otherwise scheduled by City Council.
2. Special Meeting - a meeting of the City Council that is not a Regular Meeting. Per the Home Rule Charter Section 3.14 (2) a Special Meeting shall be called by the Mayor or a majority of the Councilmembers upon provision of public notice in accordance with State Law.
3. Work Session - a meeting of the City Council called for the purpose of exchanging information about the public business or policy. No action is taken by Council during Work Sessions.
4. Agenda Packet - supporting documentation for agenda items.
5. Routine Business - items of normal city business including: canvassing an election, authorizing a contract, zoning which has previously been discussed at a public hearing, approval of minutes, grant deeds, grant of easements, final reading and adoption of ordinances, auditor's reports, standard subdivision agreements, calls for bids, reports of administrative actions and proposals, leases and agreements approved in principle, and rescheduling or cancelling regular meetings.

SECTION II – AGENDA PREPARATION

1. Regular Meeting agendas should be posted by the Friday before said meeting by 5:00 p.m. but in no case later than 72 hours before the scheduled time of the meeting as provided by State Law.
2. Requests for placing an item on the agenda shall be submitted, in writing, to the City Secretary no later than the Tuesday of the week before said meeting by 12:00 p.m.

Items placed on the agenda must be of sufficient clarity to enable the general public to determine the nature of the issue for consideration and the type of Council action required, if any.

The request and documentation will be reviewed by the City Manager and Mayor prior to being placed on the agenda. If the City Manager and/or Mayor determines that additional clarity and/or supporting documentation is necessary for the agenda item, they shall notify the requestor and may, at their discretion, delay the inclusion of the item in the meeting agenda to the next regular scheduled meeting agenda. The requested item may not be delayed from inclusion on the agenda for more than 1 meeting.

3. Items may be placed on the agenda by the following:
 - a. The Mayor or any Councilmember, as provided for in Section II, 2.
 - b. The City Manager, City Secretary, and City Attorney for items dealing with the operations or administration of their respective job functions.
 - c. Citizens desiring to have Council discuss an issue should seek the concurrence of the Mayor or a Councilmember that the item should be discussed. The Mayor or Councilmember may then request that the item be placed on the agenda in conformance with subsection II.3.a.

SECTION III – CONSENT AGENDA

Routine business which is brought before Council will be consolidated under the heading “Consent Agenda”. All items appearing under Consent Agenda shall be approved, adopted, accepted, or enacted by one motion and one vote of Council. Items may be removed from the Consent Agenda by the Mayor and/or Councilmember(s) for separate discussion and action.

SECTION IV – CITIZEN INPUT DURING MEETINGS

1. CONDUCT

- a. Conversations between or among audience members should be conducted outside the meeting room. Attendees will refrain from loud private conversations while Council is in session. Attendees shall not address the Council except as provided herein.
- b. Placards, banners or signs will not be permitted in the Council Chambers or in any other room in which the City Council is meeting. Exhibits, displays and visual aids used in connection with presentations to the Council are permitted.
- c. Only City Councilmembers, city staff, and scheduled consultants may step to the dais. If information or documents need to be presented to the Council, it must be provided to the City Secretary who shall distribute such material.
- d. All remarks and questions shall be made to the Mayor or Council as a whole, and not to individual Councilmembers.

2. COMMENTS

- a. Any person who wishes to address the Council must first register with the City Secretary by submitting a completed “Request to Speak” form. This form may also be used by citizens to show their support or opposition to an agenda item without having to address the Council.

Groups coming to address the Council are encouraged to select representatives in order to conserve speaking time and reduce repetitive or redundant comments.

Regular Meetings: Citizen Input is allowed on posted agenda items when those items are addressed in the meeting. Other public comments are heard at the beginning of the meeting.

Special Meetings and Work Sessions: Citizen Input may be allowed on posted agenda items only. (See Sec. II. 7.) Council may set time limits on Citizen Input as necessary.

- b. In accordance with the Texas Open Meetings Act, the Council cannot take action on or discuss any subject brought up during Citizen Input; however,

the Mayor or Council may add the issue to a future Council agenda or refer it to the proper city department for action.

- c. Comments will be heard prior to deliberations by the Council. Persons wishing to speak on any agenda item must submit a Request to Speak form prior to the beginning of discussion on that item. Each person shall be recognized by the Mayor, and will be allowed to speak one time for each agenda item listed on their Request to Speak form.
- d. When their name is called to speak, each person shall come to the designated microphone, state their name and address, limit their presentation to three (3) minutes and restrict the comments to the subject being discussed. The Mayor may allow a speaker to exceed the three minute time limit if the information presented is of value to the discussion and does not unduly prolong the meeting. A majority of Council may also allow a speaker to continue after the Mayor has announced the end of the speaker's time.
- e. If a speaker's comments will be longer than three (3) minutes, the Council encourages remarks to be prepared in writing and provided to each member through the City Secretary.
- f. During Public Hearings the applicant will be allowed a maximum of ten (10) minutes to make a presentation and five (5) minutes for rebuttal if necessary. The Mayor or a majority of Council has the right to adjust or extend times as necessary to ensure a fair and open hearing.
- g. The Mayor has the responsibility and duty to rule a speaker out of order if the comments made are of a personal nature, or are in any other manner disruptive to the orderly conduct of business of the Council. If the Mayor does not act promptly, a "Point of Order" motion from any Councilmember can request the Mayor to call the speaker out of order. If the Mayor still does not act, the Councilmember may call for a "Point of Privilege" and move for a vote of the Council to restrict the speaker. A majority vote of the Council will require the Mayor to immediately rule the speaker out of order.

SECTION V – ATTENDANCE

Any member of Council who misses a meeting will contact the Mayor, City Manager or City Secretary prior to the meeting or as soon as practical with the reason for the absence.

SECTION VI – MISCELLANEOUS

1. Call to Order - The Mayor, or in the absence of the Mayor, the Mayor Pro-tem shall call the meeting to order. In the absence of the Mayor and Mayor Pro-tem, the City Secretary shall call the meeting to order and a temporary presiding officer shall be elected.
2. Conflict of Interest - A Councilmember prevented from voting due to a conflict of interest shall leave the meeting during the debate, shall not vote on the matter, and shall otherwise comply with current state law, and ordinances concerning conflicts of interest.

SECTION VII

This Resolution shall supercede any preceding Resolutions regarding City Council agenda preparation and conduct of meetings.

PASSED AND APPROVED this 2nd day of May, 2013.



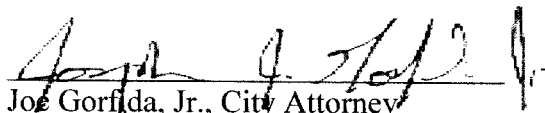
Rebecca Mark, Mayor



ATTEST:


Kathy Wingo, TRMC, MMC
City Secretary

APPROVED AS TO FORM:


Joe Gorfida, Jr., City Attorney
(JJG/05-03-13/60527)

CITY OF DESOTO

City Council Rules and Procedures



DeSoto

— *So much to love* —

Revised January 3, 2023
Adopted by Resolution 23-02

PURPOSE

The purpose of this policies and procedures manual is to assist the City Council by documenting accepted policies and guide members of the City Council in their actions.

OVERVIEW

This policies and procedures manual provide a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of the City Council. Many other laws, plans and documents exist which guide the City Council to certain courses of action and practices including the City Charter, Robert Rules of Order, and the TML Handbook for Mayors and Council members.

CITY COUNCIL DUTIES AND RESPONSIBILITIES

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

The City 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 City 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 City 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, DeSoto Independent School District and other governmental bodies.
3. The City 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 City Council will seek to improve the quality and image of the City.
5. The City Council will always be committed to promote and protect the best interest of all its citizens and entire community.

SECTION I: AUTHORITY

A. CHARTER

1. The City of DeSoto Charter Sections Article II; Section 11 provide that the City Council shall determine its own rules of order and procedures. 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.
2. The City of DeSoto Charter Article XII; Section 13, provides that the City Council shall appoint a Citizens Charter Review Commission at least every five (5) years. State law further provides that the City Council on its own motion may also submit a proposed amendment to the qualified voters for their approval at an election. In the event the City Council submits a proposed amendment to the Charter on its own motion, the Council shall hold at minimum of one (1) public hearing prior to acting on an ordinance or resolution submitting such amendments to the qualified voters. The public hearing shall allow an opportunity for the public to be heard on the proposed amendments.

B. COUNCILMEMBER APPOINTMENTS AND ASSIGNMENTS

1. At the commencement of the City Council year in June, the Mayor appoints, and the City Council confirms, Councilmember appointments to outside agencies, committees, task forces, boards, commissions, and liaison appointments. 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.
2. Election of Mayor Pro Tem: Pursuant to Charter Article II; Section 7, the City Council shall elect from its members one person to serve as Mayor Pro Tem on an annual basis at the first regular meeting following the general city election or run-off election if such occurs. Upon election, the Mayor Pro Tem shall in the absence or disability of the Mayor perform the Mayor's duties.
3. Absence of Mayor and Mayor Pro Tem: When the Mayor and Mayor Pro Tem are absent from any meeting of the City Council, the members present shall choose another member to act as Mayor Pro Tem and that person shall, for the duration of the meeting, have the powers of the Mayor.

C. MAYOR TO ACT AS COUNCIL CEREMONIAL REPRESENTATIVE

1. According to the City Charter Article II; Section 7, 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.

D. MAYOR ISSUANCE OF PROCLAMATIONS, COMMENDATIONS AND CONGRATULATORY LETTERS

1. It is the policy of the Mayor to consider requests for proclamations for certain events, causes, or achievements when such proclamations positively impact the City and convey an affirmative message to DeSoto residents. Proclamations, mayoral commendations and congratulatory letters may be issued at the Mayor's discretion for purposes including but not limited to, public awareness, education, civic and cultural celebrations. Councilmembers may also request such proclamations, commendations and congratulatory letters be issued provided they meet the purpose herein. The Mayor retains the sole right to determine if a proclamation, commendation, or congratulatory letter will be issued or denied and, if a Mayoral Proclamation will be presented at a City Council Meeting. The Mayor may issue proclamations that are not presented at a City Council Meeting but presented to the requestor in a different forum.

SECTION II: ORDER OF BUSINESS

A. GENERAL ORDER

1. City Council meetings will be generally conducted in the following order, unless otherwise specified:

REGULAR MEETING AGENDA
CALL TO ORDER
REGULAR SESSION/CALL TO ORDER
INVOCATION
PLEDGE OF ALLEGIANCE
ITEMS OF COMMUNITY INTEREST
CITIZENS APPEARANCES
CONSENT AGENDA
PUBLIC HEARINGS REGULAR AGENDA
EXECUTIVE SESSION AND RESULTING POTENTIAL ACTION (*AS NEEDED*)
ADJOURNMENT OF REGULAR SESSION

An Executive Session may be held at any time during a meeting or work session consistent with applicable State law.

2. Topical Work Session meetings will be generally conducted in the following order, unless otherwise specified:

WORK SESSION AGENDA
CALL TO ORDER
PRESENTATIONS AND RECOGNITIONS
DISCUSSION TOPICS
EXECUTIVE SESSION AND RESULTING POTENTIAL ACTION (*AS NEEDED*)
ADJOURNMENT OF TOPICAL WORK SESSION

B. CONSENT AGENDA

1. The Consent Agenda shall contain routine, non-controversial items that require City Council action but need little or no City Council deliberation.
2. Agenda items removed from the Consent Agenda by the request of Councilmembers or staff will be considered after approval of the entire Consent Agenda.

C. ITEMS OF COMMUNITY INTEREST

1. Members of the City Council have the opportunity to notify others of community events, functions and other activities limited to 2 minutes for each speaker and only during regular Council Meetings. There will also be an opportunity to briefly comment on City Council business, City operations, projects and other items coming before the City Council.

D. STANDARD ADJOURNMENT

1. The City Council establishes 10:00 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 10:30 p.m. . If agenda items remain after the 10:00 p.m. adjournment, a special meeting may be scheduled or the items deferred until the next regular meeting. Deferred items will appear first on the regular agenda of the next meeting.

SECTION III: CITY COUNCIL AGENDA PROCESS

A. ESTABLISHING THE CITY COUNCIL MEETING AGENDA

1. The City Manager shall establish a preliminary City Council meeting agenda based on the policy direction of the Mayor and City Council and specific items of business that may require action by the City Council. The City Manager shall review the preliminary agenda with the Mayor prior to finalizing the final meeting agenda. The agenda shall be posted in accordance with State law.
2. Agendas shall be posted according to State Law or within such other times as established by the City Council which do not conflict with State Law.
3. The City Manager or members of the City Council may place an item on the Work Session or Regular Agenda for discussion and/or consideration.

For an item to be included on a Work Session, requests must be submitted to an email dedicated for such purpose prior to posting. The City Manager and City Secretary shall acknowledge receipt of the request. Requests for Work Session items shall be scheduled at the next available Work Session in the order in which they are submitted by Councilmembers and/or the City Manager. If necessary, the City Manager or Mayor may discuss with the requesting Councilmember the delay of a Work Session agenda item for purposes of managing the workshop agenda and

allowing staff adequate time to prepare for the item. The City Manager shall distribute the list of upcoming scheduled Work Session topics to the City Council no less than monthly.

Requests by Councilmembers for the Regular Agenda must be made by at least two (2) members of City Council and submitted to an email dedicated for such purpose to the City Manager's Office no later than noon (12:00 p.m.) on the Tuesday, two (2) weeks before the City Council meeting. The City Manager and City Secretary shall acknowledge receipt of the request. The City Manager may discuss with the requesting Councilmember the delay of the agenda item. A Councilmembers' item requested should, at minimum, be placed on the Work Session agenda for discussion within the next four (4) meetings following the request unless otherwise determined by the Mayor and City Manager. Such determination will be communicated to the requesting Councilmember.

B. PARLIAMENTARY PROCEDURES

1. Discussion on agenda items will be initiated following introduction by the Mayor, explanatory comments by staff, and a motion and a second for or against the proposal.
2. 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.
3. Robert's Rules of Order will determine the precedence of motions and the general conduct and composition of meetings except as otherwise provided herein or by State law.

C. CITIZENS APPEARANCES

1. The Mayor may enforce the three (3) minute rule during Citizens' Appearances. 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.
2. Citizens requesting to speak on topics not scheduled on the night's agenda will speak during the Citizens Appearances portion. Citizens must complete a speaker card and submit the card to the ambassador table prior to the start of the Council Meeting at 6:00 p.m. An announcement will be made prior to the beginning of the meeting.
3. All citizens requesting to speak on a Regular Agenda item must complete a speaker card and submit the card to the ambassador table prior to the item on the agenda.
4. When Public Hearings are listed on the posted agenda, citizens wishing to speak during the Public Hearing must complete a speaker card and submit the card to the ambassador table prior to the item on the agenda.

5. Public comment shall not be accepted during a City Council Work Session. A councilmember may request that the Mayor recognize a person to speak during a work session if the councilmember believes the person has pertinent, factual information that is directly relevant to the City Council's discussion. The Mayor, at his/her discretion, may ask the person to speak.

D. MINUTES

1. The City Secretary will keep Action minutes for all City Council meetings where City Council takes official action and description minutes for all Citizens Appearances and Public Hearings.
2. 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.
3. Any questions regarding minutes shall be directed to the City Secretary prior to the City Council meeting.

SECTION IV: COUNCIL MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT

A. CITY COUNCIL ORIENTATION

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

B. TRAINING AND PROFESSIONAL DEVELOPMENT

1. Upon initial appointment, within 90 days of taking the oath of office or assuming duties, all Councilmembers shall be required to watch the Texas Public Information Act and the Texas Open Meetings Act training videos as well as conduct ethics training as provided by the City Secretary. They are also required to attend or otherwise obtain ethics training annually every July.
2. In addition to the required open government training, Councilmembers are encouraged to attend the annual conference of the Texas Municipal League (TML); therefore, the City Secretary shall budget appropriate funding for all Councilmembers to attend this conference. Councilmembers are also encouraged to utilize other TML trainings to become knowledgeable in City topics related to their positions. The City Secretary shall also budget appropriate funding for other TML trainings for Councilmembers to attend. This funding for the TML Conference and other TML trainings will not be taken from

that amount provided for individual training otherwise provided herein.

3. The annual allocation to the Mayor and City Council Members for travel and training will be established in the approved budget. That budget will be allocated twenty two percent (22%) to the Mayor and thirteen percent (13%) to each Council Member. All eligible travel and training expenses will be reimbursed or paid from this allocation up to his/her budgeted allocation. Unused allocation will not roll forward to a future budget year.
 - All of the City's financial policies relating to training and travel expense reimbursement shall apply to the Mayor and Councilmembers.
 - The use of training and travel allocations for the Mayor and City Council will be maintained, monitored, and tracked by the City Secretary.
 - A Councilmember may contribute from their allocation to another Councilmember by submitting an allocation transfer request to the City Secretary who will update the available allocations of each Councilmember based upon that request.
4. City funds may only be used for City-related training and/or travel. Councilmembers are required to submit a justification for their training and/or travel, which shall be reviewed and approved by the City Secretary. If a training/travel request is denied by the City Secretary, the Councilmember may appeal the decision to the Mayor. The Mayor's decision shall be final. If the Mayor's training/travel request is denied by the City Secretary, the appeal shall be made to the Mayor Pro Tem.
5. Training opportunities include conferences hosted locally or in other cities/states and online educational seminars where the topic is applicable to the functions of City government. Travel and training funds will not be used for credit classes at a college, university, or other institution designed to provide post-secondary degrees. Councilmembers are encouraged to select training events from the following providers:
 - Texas Municipal League
 - North Central Texas Council of Government
 - National League of Cities
 - Other providers deemed as appropriate by the CityCouncil.
6. Additional travel expenditures for the Mayor and/or a Councilmember chosen to represent the City Council, relating to attending a special event or otherwise representing the City shall be made only after having been placed on the agenda of a regular City Council meeting and acted upon by motion, second, and favorable majority vote.

SECTION V: CITY COUNCIL- STAFF RELATIONS

A. COMMUNICATION WITHSTAFF

1. The City Council should contact City employees through the City Manager. Councilmembers should refrain from giving orders or direction to any subordinate of the City Manager, either publicly or privately. Work assignments and policy direction should come from the elected body as a whole and not from individual members.
2. 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).

B. AGENDA QUESTIONS

1. Questions arising from Councilmembers after receiving the agenda should be presented to the City Manager for staff consideration prior to the City Council meeting. The additional information will be distributed to all Councilmembers.
2. Any request for additional information shall be provided to the entire City Council as expeditiously as possible prior to any meeting to ensure appropriate review.
3. The City Manager shall designate appropriate staff to address each agenda item and shall see that it is adequately prepared and presented to the City Council.

C. PRESENTATIONS TO CITY COUNCIL

1. All presentations for Work Session and Regular Meeting shall be provided each Friday preceding the City Council Meeting at which they will be discussed, unless an emergency condition makes it necessary to deliver the communications on a subsequent day. These presentations shall include presentations by third party.
2. Presentations for Special Meetings shall be provided to the City Council prior to the date of the meeting.
3. Presentations should be professional, timely, and allow for discussion of options for resolving the issue. Staff shall make it clear that no City Council action is required, present the staff recommendation, or present the specific options for City Council consideration.

D. PROBLEM RESOLUTION

1. If the City Manager or staff time is being dominated or misdirected by a Councilmember or in any conflict arising between staff and City Council, the City Manager shall:
 - a. Visit with the Councilmember and discuss the problem and/or impact on City Manager or staff time;
 - b. If unresolved, ask the Mayor to arbitrate a resolution to the issue;
 - c. If still unresolved, ask the Mayor to present the concerns to the City Council.
 - d. If the unresolved issue is with the Mayor, ask the Mayor Pro Tem to arbitrate a resolution to the issue.
 - e. If still unresolved issue involves the Mayor, ask the Mayor Pro Tem to present the concerns to the City Council.

E. STAFF CONDUCT

1. The City Manager is responsible for the professional and ethical behavior of the City

Staff. All staff members shall show each other, City Council, and the public respect and courtesy at all times.

SECTION VI: BOARDS/COMMISSIONS

A. BOARD/COMMISSIONS APPOINTMENTS

1. The Mayor shall appoint Councilmembers to serve as liaisons.
2. All City Councilmembers, with the exception of the Mayor, may serve at the City Council pleasure as liaisons to all the boards and commissions of the City for a period of one (1) year. Liaison assignments are made following the annual Municipal General Election. Liaison assignments shall not be limited to any particular number of terms. Councilmembers may request changes to their liaison assignments by notifying the Mayor of their request at least 30 days prior to the Municipal General Election.
3. Councilmembers are strongly encouraged, rather than required, to attend all meetings of their selected boards and/or commissions. If there is a scheduling conflict between the regular meetings of a board and/or commission and the liaison where the liaison is unable to attend, the liaison may speak with the board and/or commission chair to request consideration to move the regularly scheduled meetings to a time that allows the liaison and board/commission members to attend.
4. Each Councilmember may submit a quarterly report to the entire City 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 City Council.
5. Councilmembers serving as liaisons to boards and/or commissions shall have the following roles and responsibilities:
 - Provide updates on City Council actions and activities that are of importance to a board or commission.
 - Regularly meet with the board or commission chair to discuss board or commission effectiveness in topics such as meeting decorum, member attendance, alignment with City Council goals, and development of future board members.
 - Provide reports to the City Council through the City Secretary on board or commission activity.
 - For fairness and transparency, including due process for applicants making requests that will ultimately be decided on by the entire City Council, Councilmembers serving as liaisons to a board and/or commission shall not attempt to influence votes taken by a board or commission where that action will then advance to the City Council for consideration. Influence may include, but is not limited to, speaking in favor or against a particular item, requesting that the applicant make changes to his/her proposed item, requesting board or commission members to vote in favor or against a proposal, or implying City Council desire for a board or commission action to pass or fail. Board and/or commission members are to be free from Councilmember influence when considering action on an item to be advanced to the City Council for consideration.

B. BOARD AND COMMISSION TRAINING

1. Upon initial appointment, within 90 days of assuming duties, all board and/or commission members shall be required to watch the Texas Public Information Act and the Texas Open Meetings Act training videos as provided by the City Secretary.

C. OTHER BOARDS

1. The City Council may create boards and commissions to assist in the conduct and operation of the City government with such duties as the City Council may specify. Such duties may not be inconsistent with the City Charter or City Code. Such boards and commissions shall cease to exist when abolished by the City Council.
2. The City Council may appoint citizen advisory committees as the need may arise. Any committee so created shall cease to exist upon the completion of its purpose or when abolished by the City Council.
3. The Mayor may, as the need arises, appoint intra-City Council committees.
4. Any committee so created shall cease to exist upon the completion of its purpose or when abolished by the Mayor.

SECTION VII: CENSURE POLICY

- A. Two (2) or more City Councilmembers may file a written notice of censure against another City Councilmember with the City Secretary. The written notice shall set forth the allegation(s) of conduct and City Charter provisions which the accused Councilmember shall have allegedly violated. A copy shall be delivered to all Councilmembers. A written response to the allegation(s) may be filed by the accused Councilmember ten (10) days after receipt thereof. A copy of the notice of censure and response thereto shall be delivered to each Councilmember within two (2) days after the response is filed.
- B. On the first regularly called meeting of the City 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 City 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.
- C. The accused City Councilmember has the right to be represented by legal counsel and present witnesses relative to the allegation(s).
- D. 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.

- E. 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 (5) members of the City Council shall be required to sustain the censure of the Councilmember.

SECTION VIII: PROCEDURES ADMINISTRATION

A. BIENNIAL REVIEW OF CITY COUNCIL PROCEDURES

- 1. The City Council will review and revise the City Council Rules and Procedures as needed, and at a minimum, every two (2) years

B. ADHERENCE TO PROCEDURES

- 1. 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 City Council's adopted procedures.

SECTION IX: COUNCIL DISTRICT MEETINGS

A. COUNCIL DISTRICT MEETINGS

A Council District Meeting is defined as a community meeting that is supported by City staff called by a Councilmember on City issues identified by that Councilmember. A Council District Meeting must be open to the public and advertised generally for all members of the DeSoto community. A Council District Meeting cannot contain campaign activity and should not be scheduled after the last day of filing for a municipal election if that Councilmember is up for re-election.

B. CITY SUPPORT FOR COUNCIL DISTRICT MEETINGS

- 1. The Councilmember shall contact the City Manager to request staff support to address subjects proposed to be included in the meeting agenda at least sixty (60) days in advance of the proposed meeting date. The City Manager will assign staff based upon availability and expertise. Staff support will be limited to discussing existing DeSoto operations and issues that are before the City Council in addition to general marketing, communication, and flyer development. Staff will not be required to perform new research or policy development for the meeting. Councilmembers are encouraged to utilize City facilities for Council District Meetings, which will be provided without rental fees to the Councilmember for this purpose.
- 2. Councilmembers are not allotted City funds for costs associated with Council District Meetings.

3. Councilmembers are required to submit a meeting request form detailing the event, requested staff attendance, and an estimated number of hours of staff support for the Council District Meeting. The request form shall be reviewed and approved by the City Manager. If a meeting request, or any portion thereof, is denied by the City Manager, the Councilmember may appeal the decision to the Mayor. The Mayor's decision will be final.

4. City staff support will be provided for up to two (2) Council District Meetings per Councilmember per fiscal year. To coordinate staff participation, Councilmembers are requested to submit their proposed schedule to the City Secretary, including the proposed discussion topics, by September 15 for the upcoming fiscal year (October 1 through September 30). At a minimum, Council Members are requested to submit Council District Meeting dates at least sixty (60) days in advance of the meeting date.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACHSE, TEXAS,
ADOPTING THE CITY OF SACHSE CITY COUNCIL RULES OF ORDER AND
PROCEDURE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, Sachse Home Rule Charter Section 3.13 provides that the City Council shall determine its own order of business and procedure; and,

WHEREAS, the City Council has been presented with the City Council Rules of Order and Procedure attached hereto as Exhibit "A," and upon review, find that such Rules of Order and Procedure allows for the City Council meetings to be conducted efficiently and consistently, provides guidelines for effectively dealing with the public, and are intended to expedite and facilitate the transaction of the business of the City Council; and

WHEREAS, the City Council desires to adopt the City Council Rules of Order and Procedure attached as Exhibit "A;"

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

SECTION 1. That the City Council of the City of Sachse, Texas, adopts the City Council Rules of Order and Procedure attached hereto as Exhibit "A."

SECTION 2. That all provisions of the Resolution of the City of Sachse, Texas, in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this Resolution shall remain in full force and effect.

SECTION 3. That this Resolution shall become effective immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Sachse, Texas, on this the ____ day of _____, 2024.

APPROVED:

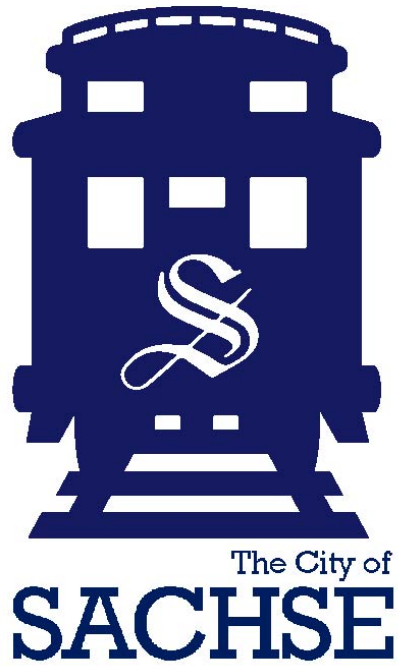
Jeff Bickerstaff, Mayor

ATTEST:

Leah K Granger, City Secretary

EXHIBIT "A"

**CITY COUNCIL
RULES OF ORDER AND PROCEDURE**



CITY COUNCIL RULES OF ORDER AND PROCEDURE

Approved by Resolution No. _____ on _____, 2024

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1. AUTHORITY

1.1 CHARTER

The City of Sachse Charter Sections 3.13 provide that the City Council shall determine its own rules of order of business and procedures for meetings. 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 MAYOR TO ACT AS COUNCIL CEREMONIAL REPRESENTATIVE

Pursuant to Charter Section 3.05, 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 absence of the Mayor and Mayor Pro Tem, the Mayor will select another Councilmember to assume the responsibility.

1.3 COUNCILMEMBER PARTICIPATION IN COMMUNITY ACTIVITIES

From time to time, Councilmembers 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.

1.4 COUNCILMEMBER APPOINTMENTS AND ASSIGNMENTS

In June of each calendar year the City Council confirms by majority vote, Councilmember appointments to outside agencies, committees, task forces, boards and commissions, and liaison appointments to City 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.

Council liaisons may attend, but are not required to attend, the meetings of the boards or commissions to which they have been appointed as liaison. Board and commission members may contact their Council liaison concerning items of concern or interest with regard to their appointed board.

1.5 REQUESTS FOR RESEARCH OR INFORMATION

Councilmembers may request information or research from staff 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, the City Manager may present that request to the full City Council prior to proceeding. Councilmembers may similarly request information from the City Attorney, City Secretary, and Municipal Judge. If significant staff resources are required, the City Attorney, City Secretary, or Municipal Judge will ask the City Manager to place the request on a City Council agenda for approval prior to any action.

2. COUNCIL MEETINGS

2.1 PRESIDING OFFICER

Consistent with Charter Section 3.05, the Mayor shall be the presiding officer at all meetings of the Council. The Mayor shall vote on all matters coming before the Council unless there is a Conflict of Interest pursuant to Chapter 171 of the Local Government Code requiring recusal. The Mayor shall have no power of veto.

The Mayor shall have the authority to preserve order at all City Council meetings, enforce the rules of the City Council and to determine the order of business under the rules of the Council.

a. Mayor Pro Tem

Pursuant to Charter Section 3.05, the Council shall elect from among the Councilmembers a Mayor Pro Tem who shall temporarily perform the duties of Mayor in case of the absence or inability of the Mayor to perform the duties of office, and who shall for such time be vested with all powers belonging to the Mayor. In such an event, the Mayor Pro Tem does not assume the office of Mayor, and no vacancy is created in the office of the Mayor or the Mayor Pro Tem. The Mayor Pro Tem shall be selected after each election and shall serve for a period of one year.

b. Absence of Mayor and Mayor Pro Tem

In case of the absence of both the Mayor and the Mayor Pro Tem, the remaining Council members shall select one of their members to act in place of the Mayor.

2.2 ESTABLISHING THE CITY COUNCIL MEETING AGENDA

The City Manager shall establish a preliminary City Council meeting agenda based on the policy direction of the Mayor and City Council and specific items of business that require action by the City Council. If a Councilmember requests the City Manager to place an item on the City Council meeting agenda that does not fall within the scope of the current City Council goals or policy direction, the Councilmember may submit a written agenda request to the mayor accompanied by written support of two other Councilmembers for the placement of that item on the agenda. The item requested by the Councilmember shall be placed on the next available Council meeting agenda.

2.3 REGULAR MEETINGS

Consistent with Charter Section 3.09, all meetings of the City Council shall be held in the City Hall Council Chambers, or any other location designated by the City Council, and at such times as prescribed by ordinance. The Council shall meet regularly at least twice each month unless cancelled by the City Council. All meetings of the City Council shall be held in accordance with the Texas Open Meetings Act.

The City Council shall adopt a meeting schedule for the year that outlines anticipated meetings, observed holidays, and planned Council recesses. The adopted schedule does not preclude any emergency meetings that may need to be held, and the adopted schedule may be changed in accordance with the Texas Open Meetings Act.

2.3 SPECIAL MEETINGS

Consistent with Charter Section 3.09, special meetings may be called at any time by the Mayor or by three members of the City Council. The City Secretary shall post notice thereof as provided by State law. Special meetings may be held at any location in the City as long as such meetings are conducted in accordance with State law.

2.4 EMERGENCY MEETINGS

In case of emergency or urgent public necessity which shall be expressed in the notice of the meeting, an emergency meeting may be called in accordance with the Texas Open Meetings Act.

2.5 EXECUTIVE SESSIONS

The City Council may meet in a closed Executive Session in accordance with the Texas Open Meetings Act, at any time during any meeting or any time otherwise authorized by State law, to consider or discuss any matter that is authorized by State law to be discussed in closed Executive Session.

Councilmembers may not disclose the nature of discussion from a closed Executive Session unless required by State law. Disclosure of the discussion from a closed Executive Session is a violation of the City's Code of Ethics.

2.6 QUORUM

Charter Section 3.10 states four of the seven-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 City Charter or State law.

2.7 NOTICE OF MEETINGS

Notice of meetings and the agenda for all City Council meetings shall be posted by the City Secretary on the City's official bulletin board and website pursuant to the requirements of the Texas Open Meetings Act.

2.8 MINUTES

In accordance with the provisions of Charter Section 3.13, action minutes of City Council meetings will be kept. Action minutes include final motions with votes, they are not required to include discussion points or summaries. 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 meeting. The Mayor and Councilmembers present shall be required to vote on the approval of the minutes, even if absent at the meeting for which the minutes pertain.

b. Recording of Meetings

Video or digital recordings of proceedings are maintained by the City Secretary for six months after approval by the City Council or for such other period as may be required by law.

3. RULES OF CONDUCT

3.1 GENERAL PROCEDURE

These rules, consistent with the City Charter and any applicable City Ordinance, statute, or other legal requirement, shall govern the proceedings of the City Council.

3.2 AUTHORITY OF THE PRESIDING OFFICER

Subject to appeal to the full City Council, the Mayor shall have the authority to prevent the misuse of motions, the abuse of any privilege, or the obstruction of business of the City Council by ruling any such matter out of order. In so ruling, the Mayor 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.

3.3 MAYOR TO FACILITATE COUNCIL MEETINGS

In the role of presiding officer, the Mayor will assist the City Council in maintaining focus on agenda discussions and deliberations and ensuring the efficiency of the meeting, in adherence to the Open Meetings Act.

3.4 OBTAINING THE FLOOR, ORDER OF SPEAKERS, AND COUNCIL COMMENTS

The Mayor has been delegated the responsibility to control the debate, the order of speakers, and to ensure each Councilmember has an opportunity to speak.

- a. 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.
- b. Speakers will generally be called upon in the order of the request to speak.
- c. 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.
- d. Councilmembers will govern themselves as to the length of their comments and shall be mindful of other Councilmembers' right to speak. Councilmembers should avoid repetitive comments and be concise.
- e. Councilmembers will limit their comments to the subject matter, time, or motion being currently considered by the City Council in adherence to the Open Meetings Act.

3.5 MOTIONS

Motions may be made by any member of the City Council, including the Mayor or the then presiding officer, provided that before the Mayor or the then presiding officer offers a motion, 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.

a. Procedures for Motions

The following is the general procedure for making motions:

- i. A Councilmember who wishes to make a motion should do so through a verbal request to the Mayor.
- ii. A Councilmember who wishes to second a motion should do so through a verbal request to the Mayor.
- iii. 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.
- iv. Once the matter has been fully discussed and the Mayor calls for a vote, no further discussion will be allowed.
- v. 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.

b. Examples of Motions

The following motions are as examples of possible motions. Councilmembers may word motions in any common manner provided such motions and intended action are clear. The Mayor, or then presiding officer, will confirm that each of the Councilmembers understand the motion prior to calling for a vote on the motion.

Motion to Approve or Deny

A motion to approve or deny is a proposal to take a specific action. The maker of the motion may state “I make a motion to approve/deny Agenda Item #” or may state the recommended motion (under state law, certain motions require specific language in which case staff will provide the specific motion in the packet with the specific language that must be used), or such person may state the agenda caption although it is not necessary.

Motion to Approve with Amendments

A motion to approve a specific action may include amendments recommended by a board, city attorney, another Councilmember, or staff. The maker of the motion may state “I make a motion to approve Agenda Item # with the following amendment(s)...” or state recommended motion or the agenda caption with the amendment included.

Withdrawal of Motion

A withdrawal of motion indicates a motion may be withdrawn or modified by the Councilmember who originally made the motion at any time prior to its passage. If a motion is

withdrawn the Councilmember who originally made the motion, or another Councilmember, may then make a motion to be seconded by another Councilmember.

Motion to Continue a Public Hearing

The City Council may continue a public hearing to a date time certain unless state law provides otherwise. The maker of the motion may state “I make a motion to continue the public hearing to xxx date at xxx time.”

Motion to Refer or Postpone

The City Council may not be able to complete its discussion of an agenda item, may require the City staff to provide further information, or require the matter to be reconsidered by another applicable board. In such event, the City Council may postpone consideration of the agenda item to a date time certain or subsequent council meeting (or for example, until such time as City staff can provide the requested information) or refer the matter back to the applicable board to reconsider the agenda item.

3.6 VOTING

a. Abstention

- i. In accordance with Charter Section 3.12, no member of the City Council shall be excused from voting except on matters involving the consideration of such member’s own official conduct, or where the member’s financial interests are involved, unless otherwise required by law.
- ii. If a Councilmember abstains because of a legal conflict of interest, such member 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.”
- iii. When the Mayor or a Councilmember abstains because of a legal conflict of interest, the Mayor or such Councilmember must file an affidavit with the City Secretary stating the nature and extent of the conflict prior to the discussion of the applicable agenda item. The Mayor, City Manager, or City Secretary shall briefly state, on the record, the nature of the conflict of the Councilmember. State law requires the inclusion of this information in the public record. A Councilmember with a legal conflict of interest shall excuse themselves from the dais and meeting room for that portion of the Council meeting and may return once the Council has completed its discussion and any action upon the applicable agenda item.

b. Tie Votes

A tie vote results in a “take no action” outcome. In such an instance, any member of the City Council may offer another motion for further consideration and action. If there is not an affirmative vote, the result is a “take no action” outcome. If the matter involves an appeal and an affirmative vote does not occur, the decision appealed stands as decided by the decision-making person or body from which the appeal was taken, unless otherwise stated by law.

c. Charter or Statute Voting Requirements

Some actions taken by the City Council require more than a simple majority vote of the Councilmembers present for approval as may be required by City Ordinances, the Charter, or State law. City staff will inform City Council when such vote is required.

3.7 NON-OBSERVANCE OF RULE

These rules are intended 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 validity of any action taken by the City Council.

4. PUBLIC HEARINGS

4.1 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 make a presentation and provide comments, testimony, and/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 Mayor or presiding officer has the authority to limit the time allowed for the applicant or appellant's comments when deemed necessary for the efficiency of the meeting.
- d. Councilmembers may ask questions of the applicant and/or appellant.
- e. The Mayor opens the Public Hearing.
- f. Public input is received by City Council.
- g. The Mayor closes the Public Hearing.
- h. The City Council deliberates on the issue.
- i. If the City Council raises new issues through deliberation and seeks to take additional public comments/testimony, the Public Hearing must be reopened. At the conclusion of the public testimony, the Public Hearing is again closed.
- j. The City Council deliberates and takes action on the item.
- k. The Mayor announces the final decision of the City Council.

4.2 PUBLIC DISCUSSION AT HEARINGS

When a matter for Public Hearing comes before the City Council, the Mayor will open the Public Hearing after the staff and applicant presentations. 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 hearing, no matter what the subject matter, is not a question-and-answer period. Speakers must address their comments to the City Council. Councilmembers should not address members of the public individually or answer/ask questions (other than the applicant or the applicant's representative) during a public hearing. After all members of the public who requested to speak have spoken and the public hearing is closed, the City staff, Mayor, or Councilmembers may respond to any questions or issues raised by members of the public. The Mayor may also ask the applicant to respond specifically to new issues or questions raised during the Public Hearing.

a. Public Member Request to Speak

Any person wishing to speak at a Public Hearing scheduled on the agenda shall complete a Public Comment Card prior to the matter being reached 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.

b. Time Limits

All persons wishing to speak on the matter shall be limited to three minutes each. The applicant or appellant (or representatives) are not limited to three minutes.

The Mayor has the authority to extend or limit any of the enumerated time allocations based on the complexity of the item and the number of persons wishing to speak on the item with consideration to equal time for all sides of the matter and efficiency of the meeting.

c. Materials for Public Record

- i. Speakers are prohibited from displaying materials or information, the applicant or appellant (or representatives) may provide materials to the City Secretary for approval and display during their presentation period. Written materials may be provided to the City Council at the meeting. Nine copies shall be provided to the City Secretary as the speaker approaches to speak. Copies will be distributed to the City Council and City Manager after the meeting unless distribution is requested by the Mayor during the speaker's comments. All such materials presented will be retained by the City Secretary's Office as part of the record in accordance with the requirements of State law.
- ii. Petitions will only be acknowledged in accordance with the City Charter or State law. Otherwise, petitions will be accepted with a Public Comment Card and noted for the record.

d. 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 City Council.

4.2 CONTINUANCE OF HEARINGS

Any Public Hearing being held by the City Council may, by motion, be continued to a subsequent meeting date and time certain.

5. ADDRESSING THE CITY COUNCIL

Pursuant to Charter Section 8.01, all meetings of the City Council shall be open and public in accordance with the Texas Open Meetings Act. The public shall have a reasonable opportunity to be heard at meetings of the City Council other than emergency meetings or closed Executive Session as allowed by State law.

5.1 RIGHT TO SPEAK

Texas Government Code Section 551.007 requires the City Council to allow the public to address the City Council prior to the City Council taking action on an item listed on the meeting agenda for action. The right of the public to speak does not include items on the agenda listed for discussion only.

5.2 PUBLIC COMMENTS ON AGENDA ITEMS

The Public Comment portion of the City Council meeting is scheduled at the beginning of the meeting to allow the public to address the City Council regarding any item of business not formally listed on the agenda or agenda items with no action or public hearing. Members of the public may comment on any topic in which the subject matter is within the jurisdiction of the City Council.

5.3 PUBLIC COMMENT CARDS

All speakers shall complete a Public Comment Card and submit it to the City Secretary prior to the meeting. Public Comment Cards may be submitted online no later than 4 p.m. or in person before the meeting begins.

Public Comment Cards may also be submitted by those who do not wish to speak but desire their comments to be a part of the record. A person may indicate such person's comments and support or opposition for an agenda item on a Public Comment Card. A card submitted online will be provided to the Mayor and acknowledged at the appropriate portion of the meeting. Public comments will be referenced for the record by including the speaker's name, city of residence, and subject title.

5.4 PUBLIC COMMENT PROCEDURES

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

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

5.5 TIME LIMITS

Public comments shall be limited to three minutes each. This applies to speakers during the Public Comment section of the agenda, public hearings, and to comments made on agenda items with action. The time limit does not apply to presenters, applicants, or appellants.

The Mayor has the authority to extend or limit any of the time allocations based on the complexity of the item/topic and the number of persons wishing to speak on the item/topic with consideration to equal time for all sides of the matter and efficiency of the meeting. All public comments on agenda items with action will be heard prior to deliberation of the item as designated under the Public Comments on Agenda Items section.

5.6 REPETITIOUS COMMENTS PROHIBITED

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.

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. The Mayor has the authority to extend the time allocation for a designated spokesperson.

5.7 MATERIALS AT CITY COUNCIL MEETINGS

Speakers are prohibited from displaying materials or information. Written materials may be provided for City Council at the meeting. Nine copies shall be provided to the City Secretary as the speaker approaches to speak. Copies will be distributed to the City Council and City Manager after the meeting unless distribution is requested by the Mayor during the speaker's comments. All such materials presented will be retained by the City Secretary's Office as part of the record in accordance with the requirements of State law.

5.8 NO COUNCIL DELIBERATION

Comments should be directed to the Mayor and City Council. The Texas Open Meetings Act prohibits the City Council from discussing or taking action on items that are not posted on the agenda. The Mayor or City Manager may provide specific factual information, recite an existing policy, refer the matter or speaker to a City staff person, or schedule the item for discussion on a future agenda in response to the public comments.

A person who wants to speak and address the City Council regarding an item listed on the agenda for action shall complete a Public Meeting Appearance Card prior to the commencement of the meeting and present it to the City Secretary. The citizen may either speak during the Citizen Comments portion of the meeting or when the item is reached on the agenda after being recognized by the Mayor or presiding officer.

5.9 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.

All City Council meeting attendees shall observe the same rules of propriety, decorum, and good conduct applicable to members of the City Council. Any person in violation may be subject to removal from the meeting for disruptions or any security concerns.

Resolution No.: _____

6. PROCEDURES ADMINISTRATION

6.1 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.

6.2 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.

6.3 CITY ATTORNEY AS PROCEDURE ADVISOR

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.



City of Lucas City Council Agenda Request July 18, 2024

Requester: City Council

Agenda Item Request

Executive Session: An Executive Session is not scheduled for this meeting.

- A. As authorized by Section 551.071 of the Texas Government Code, the City Council may convene into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney regarding any item on the agenda at any time during the meeting. This meeting is closed to the public as provided in the Texas Government Code.

Background Information

The meeting is closed to the public as authorized by Section 551.071 of the Texas Government Code.

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA



City of Lucas City Council Agenda Request July 18, 2024

Requester: City Council

Agenda Item Request

Reconvene from Executive Session and take any action necessary as a result of the Executive Session.

Background Information

NA

Attachments/Supporting Documentation

NA

Budget/Financial Impact

NA

Recommendation

NA

Motion

NA