

ORDINANCE NO. 2021-35

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, AMENDING RULES OF PROCEDURE, A SOCIAL MEDIA POLICY, A WEBSITE POLICY, AND A CODE OF CONDUCT FOR CITY COUNCIL MEMBERS AND CERTAIN OTHER PERSONNEL, WITH RELATED PROVISIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS:

1. The attached Rules of Procedure, Social Media Policy, Website Policy, and Code of Conduct of the City of Iowa Colony, Texas, (herein called "the Policies") are hereby adopted and are incorporated herein in full.

2. Without limiting the generality of the foregoing, Subsection II, A of the Policies is amended in the attached Policies to read as follows:

A. **Regular City Council Meetings:** Regular City Council Meetings will be held on the third Monday of each month, except as otherwise herein provided. However, if the regular Council meeting date is a City holiday, then the regular meeting that month will be on the fourth Monday of the month. However, the regular Council meeting in January 2022, will be on January 10, 2022. Meetings will begin at 7:00 P.M., unless previously adjusted by Council action, and will be held in the Council Chambers at the City Hall Building, unless previously adjusted per Section 3.09, City Charter.

3. The Policies hereby adopted replace the Rules of Procedure, Social Media Policy, Website Policy, and Code of Conduct of the City of Iowa Colony, Texas adopted on August 16, 2021, and the Policies hereby adopted supplement any other prior policies or ordinances, by any name, of the City of Iowa Colony.

4. If any part of this ordinance or the attached Policies, of whatever size, is ever declared invalid or unenforceable for any reason, the remainder of this ordinance shall remain in full force and effect.

5. This ordinance shall be effective immediately upon its passage, approval, and adoption.

PASSED AND APPROVED ON THE FIRST READING ON OCTOBER 18, 2021.

PASSED, APPROVED, AND ADOPTED ON THE SECOND AND FINAL READING ON NOVEMBER 15, 2021.

CITY OF IQWA COLONY

By: 
MICHAEL BYRUM-BRATSEN,
MAYOR

ATTEST:


KAYLEEN ROSSER,
CITY SECRETARY

Iowa Colony/Ordinances/Rules of Procedure (10-13-21)



ATTACHMENT:

**RULES OF PROCEDURE,
SOCIAL MEDIA POLICY,
WEBSITE POLICY,
AND CODE OF CONDUCT
FOR
CITY OF IOWA COLONY**

Rules of Procedure
Social Media Policy
Website Use Policy
Code of Conduct

For

Adopted by the Iowa Colony City Council
TBD



**CITY OF
IOWA
COLONY**

TABLE OF CONTENTS

	<u>PAGE</u>
I. POWERS, JURISDICTION, FUNCTIONS AND LIMITATIONS_____	1
II. MEETINGS_____	3
A. Regular City Council Meetings_____	3
B. Special City Council Meetings_____	3
C. Council Work Sessions_____	3
D. Between Regularly Scheduled City Council Meetings_____	3
E. Public Notification of Meetings_____	3
F. Executive Session Meetings_____	4
G. Pre-Meeting Information_____	5
H. Recesses and Adjournments_____	5
I. Presiding Officer_____	6
J. Quorum and Majority Votes_____	6
1. Quorum_____	6
2. Majorities_____	6
K. Attendance, Absences and Removals_____	6
L. Agendas_____	7
1. Preparation_____	7
2. Review_____	7
3. Format_____	7
M. Public Participation at Meetings_____	9
N. Minutes_____	10
O. Councilmember Decorum_____	10
III. LEGISLATION_____	11
A. The Legislative Process_____	11
B. Effective Date of Legislation_____	11
C. Emergency Legislation_____	11
D. Copies of Ordinances and Resolution_____	11
IV. MOTIONS_____	12
V. COUNCIL WORK SESSIONS/COMMITTEES_____	13

A.	Council Work Sessions_____	13
B.	Committee of the Whole_____	13
C.	Outside Committees_____	13
VI.	COMPENSATION AND EXPENSES_____	14
VII.	IN-SERVICE TRAINING_____	14
VIII.	CITY ATTORNEY AND OTHER LEGAL COUNSEL_____	15
IX.	COUNCIL/ADMINISTRATION COMMUNICATIONS_____	16
X.	INVESTIGATIONS_____	17
XI.	BOARDS AND COMMISSIONS_____	17
XII.	CONFLICTS OF INTEREST AND ETHICS_____	17
XIII.	COMPLAINTS_____	17
XIV.	EVALUATION OF CITY OFFICIALS_____	18
XV.	SUSPENSION OR WAIVER OF THE RULES OF COUNCIL_____	19
XVI.	SOCIAL MEDIA GUIDELINES AND STANDARDS FOR COUNCIL_____	19
XVII.	CODE OF CONDUCT – CITY COUNCIL, BOARDS AND COMISSION_____	24

I. POWERS, JURISDICTION, FUNCTIONS AND LIMITATIONS

Except as otherwise provided under the City Charter, all legislation and other powers of the City are vested in the Council. The Council has the power to enact ordinances, resolutions, and other measures to carry out municipal functions involving the City's departments, divisions, offices, boards, commissions, officers, and employees (Section 3.07, City Charter).

Councilmembers have power and may exercise that power only when Council is in session. Councilmembers and the Council itself are not bound by any statement or action taken by individual members, City officials, or employees unless in accord with Council action.

Individual Councilmembers shall not direct any City official or employee to perform services or take action related to City operations (Section 4.02b City Charter). Only as a body does Council have power to direct City operations and that direction is executed through the City Manager.

Some specific Council functions include:

- (a) Remove from any office or position of employment in the city government, any officer or employee or member of any board or commission, unless that person reports to the city manager.
- (b) Establish, consolidate or abolish administrative departments.
- (c) Adopt the budget of the city.
- (d) Authorize the issuance of bonds by a bond ordinance.
- (e) Inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs.
- (f) Provide for any boards and commissions and appoint the members thereof. Such boards and commissions shall have all powers and duties now or hereafter conferred and created by this Charter, by city ordinance, or by law.
- (g) Adopt and modify the zoning plan and the building code of the city.
- (h) Adopt and modify the official map of the city.
- (i) Adopt, modify and carry out plans for urban renewal and economic development.
- (j) Adopt, modify and carry out plans proposed by the planning commission for the replanning, improvement and redevelopment of any area or district which may have been destroyed in whole or in part by disaster.
- (k) Regulate, license and fix the charges or fares made by any person, firm or corporation owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire or the transportation of freight for hire on the public streets and alleys of the city.
- (l) Provide for the establishment and designation of fire limits and prescribe the kind and character of buildings or structures or improvements to be erected therein, and provide for the erection of fireproof buildings within said limits, and provide for the condemnation of dangerous structures

or buildings or dilapidated buildings, or buildings calculated to increase the fire hazard and prescribe the manner of their removal or destruction within said limits.

- (m) Set the salaries and compensation of the city officers and employees, within the budget, and except to the extent that the Council delegates that authority to the City Manager.
- (n) May provide for sanitary garbage disposal and other public utilities, and set fees and charges therefor, and provide penalties for failure to pay such fees and charges.
- (o) Exercise exclusive dominion, control and jurisdiction in, upon, over and under the public streets, avenues, sidewalks, alleys, highways, boulevards and public grounds of the city and provide for the improvement of same as provided in Texas Transportation Code Chapter 313, or any applicable law, as now or hereafter amended.
- (p) Compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City of Iowa Colony.

(Section 3.07, City Charter)

The city council shall determine its own rules of procedure and may compel the attendance of its members. A majority of the qualified members of the city council shall constitute a quorum to do business and the affirmative vote of a majority of those qualified shall be necessary to adopt any ordinance or resolution. Minutes of the proceedings of all meetings of the city council shall be kept, to which any citizen may have access at all reasonable times, and which shall constitute one (1) of the archives of the city. The vote upon the passage of all ordinances and resolutions shall be taken by the "ayes" and "nays" and entered upon the minutes, and every ordinance or resolution, upon its final passage, shall be kept in the permanent records of the city, and shall be authenticated by the signature of the presiding officer and the person performing the duties of the city secretary.

(Section 3.10, City Charter).

II. MEETINGS

- A. **Regular City Council Meetings:** Regular Council City Meetings will be held on the third Monday of each month unless the day falls on a City holiday. If such a conflict occurs, the meeting schedule may be adjusted to a date as soon as practical after the holiday. Meetings will begin at 7:00 P.M. (unless previously adjusted by Council action) and will be held in the Council Chambers at the City Hall Building (unless previously adjusted per Section 3.09, City Charter).
- B. **Special City Council Meetings:** Special meetings shall be called upon request of the Mayor, City Manager, or any two members of the Council with at least twenty-four (24) hours' notice to the Mayor and each Councilmember. Councilmembers and the Mayor may waive receipt of notice of a special meeting either prior or subsequent to the meeting. The member or members calling the meeting will, through the City Secretary, notify the media and other individuals that have requested notification of the time, place and purpose of any special meeting. (Section 3.09, City Charter)
- C. **Council Work Sessions:** Council Work Sessions are working committee meetings of Council and are not utilized for legislative action or other formal Council actions appropriate to Regular or Special City Council Meetings. Council Work Sessions generally will be held in the Council Chambers at the City Hall Building. Council Work Sessions may be called for any purpose at dates and times by the Mayor, City Manager or any two (2) Councilmembers upon at least twenty-four (24) hours' notice to the Mayor and each Councilmember. Councilmembers and the Mayor may waive receipt of notice of a special meeting either prior or subsequent to the meeting. The member or members calling the meeting will, through the City Secretary, notify the media and other individuals that have requested notification of the time, place and purpose of any special meeting.
- D. **Between Regularly Scheduled City Council Meetings:** Councilmembers are to be informed of incidents involving the City that, in the judgment of the City Manager or City Attorney may require immediate consideration by the Council. A Council meeting may be the means required for conveying information regarding these incidents. In addition, Councilmembers are to be informed at the onset of incidents which may eventually require budgetary or policy decisions by Council.
- E. **Public Notification of Meetings:** The City Secretary will make public notice of all Regular or Special City Council Meetings, Council Work Sessions, and other meetings of Council in accordance with state open meeting requirements of such meetings or sessions. This public notice will include the date, time, place, and purpose for the meeting or session. This

public notice will be done in the following manner:

1. Posting of the public notice at the City Hall building.
2. Posting of the public notice on the City of Iowa Colony official website.
3. Posting of the public notice on the City of Iowa Colony official social media accounts (if any). Posting on social media will have no legal impairment or effect on the public notice statutes.
4. Distribution of the public notice by email via the Internet through an electronic distribution list maintained by the City Secretary that includes media outlets and individual members of the public who have requested notification in advance (see below).

The public may also obtain notice of the date, time, place, and purpose of all Regular or Special City Council Meetings, Council Work Sessions, and other meetings of Council by contacting the Office of the City Secretary.

Any person may obtain advance notification of all Council and boards and committee meetings by signing up on the City's website.

- F. **Executive Session Meetings:** Meetings in Executive Session shall be closed, private, and confidential; and shall be held in accordance with 551, Subchapter D Texas Government Code. These meetings are to be noted on the agenda of regular or special meetings, when practicable. Any individual Councilmember may motion that Council recess to Executive Session when circumstances are such that satisfactory answers or useful discussion may be provided only in Executive Session. A motion, to include the general purpose of the Executive Session as specified in Texas Revised Code 121.22 and passed by a majority or unanimous vote (depending on the purpose of the Executive Session), is required for Council to recess to Executive Session if it not otherwise specified on the agenda.

All other Council meetings must also comply with the requirements of Texas Revised Code Section 121.22 as described above.

Minutes of the Executive Session discussions shall not be kept. Neither shall any participant record the proceedings of the any Executive Session by any electrical or mechanical device.

The minutes of the Regular City Council Meetings or Special City Council Meetings, as well as Council Work Sessions and other Council meetings, should reflect the general subject matter of discussion held in Executive Session authorized under Division G of the Section 121.22 of the Texas Revised Code. In addition, the aforementioned minutes should reflect the vote on the motion to go into Executive Session and the commencement and termination times of the Executive Session meeting.

Discussion in Executive Session is confidential. No participant shall compromise the confidentiality of an Executive Session.

- G. **Pre-Meeting Information:** Three (3) business days prior to scheduled City Council Meetings, Council Work Sessions, or other Council meetings, Councilmembers are to be furnished a meeting packet with information germane to the meeting agenda items. This meeting packet will include background information on the agenda items and/or copies of proposed ordinances and resolutions, historical information, and any additional relevant information on the agenda items. The agenda will normally be finalized on the Thursday immediately preceding each meeting; however, proposed agenda items must be submitted to and approved by the City Manager on the Monday immediately preceding each meeting by 5:00 P.M. The City Attorney will also be provided all of this information to allow for proper legal review.
- H. **Recesses and Adjournments:** City Council Meetings, Council Work Sessions, or other Council meetings may be adjourned or recessed to another time, date in accordance with the Open Meetings Act. Short recesses (5-15 minutes) may be designated by the Presiding Officer during regular or special meetings without a vote of Council. Other recesses require a simple majority vote of Council. With no objection from the Council, the Presiding Officer may adjourn the meeting without a vote.

I. **Presiding Officer:** The Mayor presides over Regular City Council Meetings, Special City Council Meetings, Council Work Sessions, or other Council meetings; however, in the absence of the Mayor, the Mayor Pro Tem presides (Section 3.05b , City Charter). In the absence of the Mayor and the Mayor Pro Tem or at the discretion of the Mayor or Mayor Pro Tem, the Council may elect a Councilmember to serve as Presiding Officer for that meeting provided a Council quorum is present. The Mayor is a member of Council and has voting rights on all issues in Regular City Council Meetings or Special City Council Meetings The Mayor Pro Tem serves as a Councilmember with all voting and other rights accorded that position (Section 3.05, City Charter).

J. **Quorum and Majority Votes:**

1. Quorum: A majority of qualified members of the City Council shall constitute a quorum for the purpose of transaction of business. No action of the City Council, except as specifically provided in this Charter, shall be valid or binding unless adopted by the affirmative vote of a majority of the City Council present and qualified to act. (Section 3.09, City Charter).

2. Majorities: Majorities are based on the total number of Councilmembers, including the Mayor who may vote, holding office (not simply those present). Therefore, majorities are calculated, in normal situations, using the number seven (7) as denominator. Thus, four (4) constitutes a simple majority, five (5) a two-thirds (2/3) majority, and six (6) a three-fourths (3/4) majority.

K. **Attendance, Absences, and Removals:** Councilmembers are required and expected to attend all Regular City Council Meetings and Special City Council Meetings. Absences from Council meetings may be excused for reasonable cause. All absences from meetings will be communicated through the City Secretary's Office. For the official record purposes, a motion of Council to excuse a member's absence must be passed by a simple majority vote.

If any member of the City Council is absent from three (3) consecutive regular meetings, without explanation acceptable to a majority of the remaining members of the City Council, his or her office shall be deemed and declared vacant by resolution at the next regular meeting of the City Council. The City Council shall convene a public hearing before exercising its authority under this provision and permit the Council member to be heard regarding absences. (Section 3.06 City Charter).

A Councilmember or the Mayor may be expelled from a Council meeting for disorderly conduct or violation of the Rules of Council by a vote of a two-thirds (2/3) majority of Councilmembers. Expulsions are considered unexcused absences.

L. **Agendas:**

1. Preparation: The City Manager shall prepare or designate an appropriate department head or City employee to prepare items for inclusion in the official agenda of all City Council meetings and meetings of all boards and commissions. The City Manager may also solicit input from Councilmembers and the Mayor for the agendas for future Council meetings. Any two (2) Councilmembers may also compel an item to be placed on the agenda for Council Work Sessions as described under Section II, C. of this document.

2. Review: Council may be previously apprised and informed of all proposed legislation/motions and/or other matters of significance on the agendas through Council Work Sessions, other Council meetings, or written communications from the City Manager or the City Secretary (except for emergency situations) or as otherwise determined by Council.

3. Format:

A. Regular City Council Meetings of Council will follow this format unless changed by any five (5) Councilmembers:

1. Call the Meeting to Order
2. Pledge of Allegiance (US and Texas flags)
3. Invocation (as appropriate)
4. Special Presentations/Announcements *
5. Citizens Comments
6. Council Comments and Reports

7. Staff Reports
8. Regular Agenda
9. Consent Agenda for ordinance second readings (as appropriate)
10. Consent Agenda for other items.
11. Executive Session
12. Post Executive Session agenda items
13. Adjournment

Usually reserved to accommodate departments, non-profit or citizen groups whose purpose is to make a short, formal presentation or receive a proclamation.

****** Citizens wishing to reserve time to speak must complete a Citizens Comments Request.

B. Council Work Sessions will normally follow this format:

1. Call the Meeting to Order
2. Citizens Comments ******
3. Work Session Topics of Discussion
4. Executive Session (as appropriate)
5. Adjournment

M. **Public Participation at Meetings:** The Presiding Officer (Mayor or Mayor Pro Tem) of Regular or Special City Council Meetings, Council Work Sessions, or other Council meetings will recognize persons requesting to be heard. If the topic to be discussed is not on the agenda, it may not be discussed under Citizens Comments (in accordance with Open Meetings statutes). Members of the public desiring to speak at Regular City Council Meetings and Special City Council Meetings must request time using the Citizens Comments Request form. Members of the public desiring to speak at Council Work Sessions or other Council meetings must request time using the Citizens Comments Request form. Citizens granted time to speak may do so following recognition by the Presiding Officer. Individuals wishing to speak are asked to abide by the following procedures:

5. Wait to speak until recognized by the Presiding Officer.
6. Approach the podium and state your name and address.
7. Address remarks to the Presiding Officer.
8. Limit comments to subject under discussion (if speaking on an agenda item).
9. Limit comments to three (3) minutes.
10. Avoid complaints and/or remarks directed against individual employees or Councilmembers. (These types of complaints and/or remarks will be ruled out of order by the Presiding Officer and should be handled instead through the proper procedures for filing complaints).

Public statements on agenda items by other than properly registered or properly recognized citizens will generally not be allowed during the discussion and/or decision of such agenda items. Public statements will be accepted during public hearings, citizens' comments agenda time, and at other times as allowed by the Presiding Officer.

- N. **Minutes:** The minutes shall record actions taken at the meeting and shall not be a verbatim transcript of what is said at the meeting. Council may, by a simple majority vote, direct that more detailed minutes be kept for all or part of a meeting.
- O. **Councilmember Decorum:** During all official meetings of the Council, whether Committee Meetings, Council Work Sessions, Regular City Council Meetings, or Special City Council Meetings, the members of Council in attendance will represent the City in a professional manner by directing their comments to the business of the Council and the policy implications of such business. Members are encouraged to dress at the meetings in a manner that respects the office, the institution, and the people present.

Disparaging comments about a specific member of Council's personhood, political affiliations, or matters of a personal nature will be ruled out of order by the Presiding Officer. For repeated offenses, the Presiding Officer shall put the question of whether the offender shall be removed from the meeting which shall be determined by a vote of three-fourths (3/4) of Councilmembers then present (excluding the offender) without debate.

In no way is this section designed to eliminate the natural and appropriate disagreement or communication of such disagreements between Councilmembers on particular views, positions, directions, or political and/or philosophical positions of individual Councilmembers. Additionally, this section is not designed to limit any First Amendment rights of individual Councilmembers in their private or political capacities outside of official City meetings.

III. LEGISLATION

- A. **The Legislative Process:** Actions of the Council are by ordinance, resolution, or motion. A motion is used to make or approve appointments of personnel, to conduct the business of Council in procedural matters, to conduct elections required by Council, and for other similar matters provided by the Charter. All motions of Council require seconds. Voting records by individual Councilmembers on each item voted on are to be kept by the City Secretary.

Article 3 of the City Charter prescribes procedures that must be adhered to in regard to legislation. The City Attorney assures that any proposed legislation fulfills all legal requirements.

- B. The City Council shall legislate by ordinance only, and the enacting clause of every ordinance shall be "Be it ordained by the City Council of the City of Iowa Colony, Texas...." Each proposed ordinance shall be introduced in the written or printed form required for adoption. Each ordinance shall contain a title or caption that identifies the subject(s) addressed in the ordinance. General appropriation ordinances may contain various subjects and accounts for which monies are to be appropriated. After adoption, an ordinance shall not be amended or repealed except by the adoption of another ordinance amending or repealing the original ordinance. Copies of any proposed ordinance, in the form required for adoption, shall be furnished timely to the City Council. Copies of the proposed ordinance, in the form required for adoption, shall be available at the City offices and shall be furnished to the public upon request to the City Secretary from and after the date on which such proposed ordinance is posted as an agenda item for a City Council meeting and, if amended, shall be available and furnished in amended form for as long as the proposed ordinance is before the City Council.
- C. Unless otherwise required by law, every ordinance shall become effective upon adoption or at any later time(s) specified in the ordinance, except that every ordinance imposing any penalty, fine or forfeiture shall become effective only after the caption has been published once after adoption, in a newspaper designated as the official newspaper of the City.

Emergency Legislation: The conditions for emergency ordinances shall comply with the provisions of Section 3.10.d.3 of the City Charter.

- D. **Copies of Ordinances and Resolutions:** The City Secretary shall provide copies of ordinances and resolutions adopted by Council to persons requesting such copies. Copies of proposed ordinances and resolutions shall also be provided to persons requesting such copies. The City Secretary shall charge the established rate in the Iowa Colony Public Records Policy for such copies. Per the Charter, copies shall be provided on the website.

IV. MOTIONS

Unless there is a conflict with these Rules of Council or the City Charter, Roberts Rules of Order will be used as general guidance during Council meetings. The following specific procedures shall be followed during Council meetings:

Motion to Reconsider: Motions to reconsider an approved item must be made before adjournment of that session of Council for those items of legislation that are effective immediately; motions to reconsider other legislation must be made prior to the close of the next following regular meeting of Council. A motion to reconsider may be made only by a Councilmember who voted with the prevailing side. A motion to reconsider, being laid on the table, may be taken up and acted upon at any time when the Council is engaged in the transaction of other business. No motion to reconsider may be made more than once on any matter and the same number of votes is required to reconsider the action of Council as was required to pass or adopt the matter (**requires majority vote**).

V. **COUNCIL WORKSESSIONS/COMMITTEES**

- A. **Council Work Sessions:** Council Work Sessions are working committee meetings of Council and are not typically utilized for legislative action or other formal Council actions appropriate to Regular or Special City Council Meetings. The Council Work Sessions shall consist of the Mayor and all of the Councilmembers. Council Work Sessions shall be supported by the the City Attorney, and City Staff as directed by the City Manager.

All Council Work Sessions shall comply with the requirements of Texas Revised Code Section 121.22 under Texas's Open Meetings Act.. It shall be the responsibility of the Office of the City Secretary to ensure and/or prepare written minutes of all such meetings and to maintain a copy of all meeting notices, information, and minutes in the Office of the City Secretary's records.

- B. **Special Committees:** The Mayor may appoint temporary special committees, unless objected to by Council, as may be appropriate to gather information, conduct surveys, make findings and recommendations on proposed legislation, or perform other specified tasks. The work of the special committees shall be confined to specific assignments and these committees shall have only the authority granted by Council. These special committees shall be temporary and terminate upon presentation of their final reports to the Council. All special committees appointed by the Mayor shall be advisory only. The Mayor shall be a non-voting ex-officio member of all special committees. A Special Committee Chair will be elected by the members of the special committee to act as the Presiding Officer of meetings of the special committee. The Special Committee Chair shall advise the Mayor of all committee meetings at the same time that members are notified of such meetings.

All special committee/subcommittee meetings shall comply with the requirements of Texas Revised Code Section 121.22 under the Texas's Open Meetings Act. It shall be the responsibility of each such Chair to advise the Office of the City Secretary of all scheduled meetings so that public notice can be given. It shall also be the responsibility of the Office of the City Secretary to ensure and/or prepare written minutes of all such meetings and to maintain a copy all meeting notices, information, and minutes in the Office of the City Secretary's records.

- C. **Council Appointments to Outside Committees:** For those Councilmembers selected to serve as individual representatives of City Council on outside committees or organizations, ongoing reports shall be provided to City Council in a timely manner. Representation of City Council on outside committees or organizations should be made by a motion of Council and approval by a simple majority vote of Council.

VI. COMPENSATION AND EXPENSES

Councilmembers shall be reimbursed their actual expenses incurred in the performance of authorized travel on official business of the City for approved training seminars, conferences, etc. Policies for reimbursement of employee expenses will also be utilized by elected officials. The mode of travel and types of expenses covered (meals, tips, lodgings, fees, materials, etc.) for Council must first be approved by the Mayor before such expenses are reimbursable. The Mayor's mode of travel and types of expenses covered (meals, tips, lodgings, fees, materials, etc.) must first be approved by the Mayor Pro Tem before such expenses are reimbursable. Those who use a personal vehicle during authorized travel will be reimbursed at the same rate as that authorized for City employees. Travel vouchers requesting reimbursement for approved travel expenses shall be submitted to the Office of the City Secretary after approval by the Mayor (or Mayor Pro Tem for the Mayor's travel expenses) for processing by the Finance Department.

VII. IN-SERVICE TRAINING

The Mayor and Councilmembers may avail themselves of educational opportunities by attendance at professional meetings, conferences, educational institutions, and purchases of information that enhance a Councilmember's ability to perform Council duties. The Finance Department will process payment for any advance registration expenses and councilmembers shall be reimbursed for any other expenses.

VIII. CITY ATTORNEY AND OTHER LEGAL COUNSEL

No legal services shall be performed by the City Attorney except as authorized by the City Charter and City Council, or as requested by the City Manager, , and Senior City Staff. City Council, through the Council Work Sessions or any other Council meetings as determined by City Council, shall be responsible for administration and management of the City Attorney. All administrative matters involving the City Attorney shall be brought before the appropriate Council meeting including the Council Work Session Conflicts of interest shall be resolved between City Attorney and City Council through the appropriate Council meeting including the Council Work Sessions.

The City Attorney shall attend all Council meetings, including Executive Sessions, unless unable to do so because of a conflict in court scheduling or other business related to the conduct of official business, unless excused by the City Manager. The City Attorney shall attend meetings of other City bodies when, in the City Attorney's judgment, the subject matter at those meetings is such that a presence is required or appropriate. The chairs of City boards, committees, and commissions generally should request, through the City Manager or applicable senior staff, the attendance of the City Attorney at any meetings, if necessary. Communication will also be forwarded to City Council by the City Manager regarding the attendance of the City Attorney regarding such meetings.

Preliminary drafts of legislation should be submitted to the City Attorney for review as part of the legislative process established in these Rules of Procedure. In addition, the City Attorney will draft legislation at the specific direction of the City Manager, the City Secretary, or from Council meetings and shall review all legislation for legal form and propriety.

The City Attorney will provide Council, the City Manager, and the City Secretary with copies of each significant legal document issued; however, entire briefs, etc. too bulky for reproduction will not be reproduced in their entirety except upon request or will be provided in electronic format.

The Council may employ additional legal counsel to provide supplemental legal services and to represent the City. These services are to be paid for from the City's legal budget or other accounts developed for that purpose.

IX. COUNCIL/ADMINISTRATION COMMUNICATIONS

Official communications between Council or its individual members and City officers and employees are to be conducted through the City Manager.

Requests to the City Manager for routine information, which involve minimal extra work by City Staff, can be handled without approval of Council as a whole (for example; a copy of existing information, brief project status reports, opinions, etc.).

The City Manager may determine that a request for information is not routine or will require more than minimal effort, in which case the requesting Councilmember will be informed and has the option of taking the matter before the entire Council for consideration. Similarly, routine complaints or requests received by the City Manager from elected officials will be handled promptly without Council approval.

On matters pending before Council, any new information that is developed by the City Staff will be shared by the City Manager with all Councilmembers prior to the discussion of the matter. Additionally, all Councilmembers inquiries to the City Attorney for non-routine requests (greater than three hour of work) shall be approved by a majority of Council before the work begins and will be detailed on the City Attorney's billing statements.

If a request for new information on matters not presently before Council is received that would suggest the issue would be a policy matter for the entire Council to consider, the City Manager shall inform all members of Council and seek approval for the City Staff work necessary to respond to the request (with majority approval of Council necessary). Requests for information or reports which will interrupt the established day-to-day utilization of City Staff time must be approved and authorized by Council. If the request is approved, all information compiled will be shared with all Councilmembers.

In order to assure that the City Manager's time is directed to implementing a common agenda reflecting the wishes of Council, a goal setting session shall be held not less than every two (2) years. The City Manager shall report progress on the goals not less than three (3) times per year.

X. INVESTIGATIONS

Council may make investigations in coordination with the City Manager into the affairs of the City and the conduct of any City office, department, division, board, commission, or committee. Such investigations must be authorized by a majority of the Councilmembers. Councilmembers who request such investigations shall bring the request and the reasons for the request to Council. Such investigations shall be carried out within parameters established by the City Charter, federal and state law, and in consultation with the City Attorney. (Section 3.12, City Charter)

XI. BOARDS AND COMMISSIONS

Council is empowered to create City boards and commissions, in addition to those established by the City Charter. Council also appoints members to City boards and commissions. A simple majority vote of Councilmembers currently holding office at the time of appointment is required to appoint.

All Boards, Committees and Commissions shall adhere to these Rules of Procedure, where applicable.

XII. CONFLICTS OF INTEREST AND ETHICS

Councilmembers are subject to all Texas and local statutes and federal and state law regarding conflicts of interest, criminal misbehavior, ethics, and financial disclosure by municipal officials (Chapter 171, Local Government Code, V.T.C.A.). Members of Council shall abstain from voting on and the formal discussion of any motion or issue wherein the member might have a conflict of interest. Members having conflicts are expected to notify other members of the conflict as soon as such conflict becomes evident. Statutory conflicts of interest must be filed as an affidavit with the City Secretary.

XIII. COMPLAINTS

Complaints against employees are to be made to the City Manager and handled in accordance with the City Employee Handbook. Complaints against Councilmembers, the City

Manager, the City Attorney, the Municipal Court Judge, or members of City boards or commissions appointed by Council are to be made to the Mayor. Complaints against the Mayor are to be made to the Mayor Pro Tem. Complaints are required to be in writing.

Upon receipt of a complaint against the City Manager, the City Attorney, the Municipal Court Judge, or members of City boards or commissions appointed by Council, the Mayor or Mayor Pro Tem shall distribute a copy of the complaint to all members of the City Council. All actions taken to investigate and resolve the complaint shall be documented as a matter of record. The Mayor or Mayor Pro Tem will complete a written response as soon as possible advising the initiator and the City Council of the disposition of the complaint. In those cases where resolution requires longer than ten (10) business days, an interim written response and target date for completion will be provided to the initiator of the complaint and the City Council.

Oral complaints against individual employees by the public or Councilmembers at City Council Meetings are out of order. The Presiding Officer shall rule the complaint out of order and explain the proper procedure for filing complaints.

The above are not to be construed to deny the rights of the public to criticize, state dissatisfaction, or complain about Council or City services, but to protect individuals from public censure without the chance to answer specific complaints.

XIV. EVALUATION OF CITY OFFICIALS

It shall be the responsibility of Council to provide a written evaluation of the performance of the City Manager and the City Attorney. There shall be a formal Executive Session discussion of these evaluations by Council prior to the finalization of these evaluations. The Mayor or the Mayor Pro Tem shall consolidate and present final evaluations to all City Officials. The City Manager and City Attorney have the right to have their evaluation in public outside of an Executive Session. The request for a public evaluation must be provided in writing to the Mayor, City Secretary and City Attorney.

XV. SUSPENSION OR WAIVER OF THE RULES OF PROCEDURE

Council may suspend or waive the adopted Rules of Procedure, in full or in part, for a specified time by a motion. The motion to suspend or waive the Rules of Procedure must be properly seconded and approved by a simple majority vote of Councilmembers currently holding office.

XVI. SOCIAL MEDIA GUIDELINES AND STANDARDS FOR COUNCIL

These Guidelines and Standards apply to City Councilmembers (“Elected Officials”) that may maintain and use web pages, websites, blogs, and social networking sites (collectively “Internet Platform”) as a site for discussion of city issues as opposed to a site for personal use.

Elected Official’s Internet Platforms are not controlled by the City of Iowa Colony. The City does not require or promote such sites, nor provides web space or access (links) for such sites through any official City channels. Communications on Elected Official’s Internet Platforms are not created, received, maintained or used by the City. Nor are they meant to document the organization, functions, policies, decisions, procedures, operations, or other activities of the City or its Council as a whole.

Social Media Guidelines

1. The site should NOT appear to be an official City internet platform.
2. The site should have a disclaimer predominantly featured on the site, such as:

This is a private page under the sole control of _____. The comments expressed by me are my own and do not reflect the opinions and/or position of the City of Iowa Colony or its officers and employees. This page is not sanctioned or monitored by the City. This Page cannot be used for service of any legal notice, administrative notice or any other legal process directed to the City. As this site is not monitored by the City, do not use this site to request City records.

3. Elected Officials should NOT promote their private Internet

Platforms at official City meetings or in official City correspondence.

4. If the Internet Platform is interactive (allows third parties to post) the site should expressly provide that it is not intended to be a public forum and that posts that are vulgar, off topic, hate speech etc. will be deleted according to a posted policy advising of such. A sample provision is:

I reserve the right to remove or edit any posts that are unlawful, threatening, libelous, defamatory, obscene, pornographic, invasive of privacy, infringing of intellectual property rights, or otherwise violate any law. This includes comments or content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, genetics, status with regard to public assistance, national origin, physical or intellectual disability, or sexual orientation. Spam, links to other sites, information that is clearly off topic, and/or apparent spamming or trolling will be removed.

Social Media Standards

1. Elected Officials should not disclose information that is considered privileged or confidential. By way of example, such information may include but is not limited to certain city employee personnel information, non-public information from criminal investigations and business trade secrets.
2. Elected Officials should be honest and accurate when posting information or news, and should quickly correct any mistakes, misstatements and/or factual errors in content upon discovery.
3. Elected Officials should never represent themselves as a spokesperson for the City Council, board, committee, or commission.
4. Elected Officials should consider the potential impact of social media statements prior to posting.

5. Elected Officials should not post information about matters involving pending or threatened litigation, items that are or may be appealed to them in their official capacity or to City boards or commissions.
6. Elected Officials should not use internet platforms to communicate with city employees about City-related matters.
7. Elected Officials should not “tag” a matter to a City employee’s personal internet platform site.
8. Elected Officials should be mindful of the risks of electronic communication in relation to the Texas Public Records Laws and the Open Meeting Law; communication between elected officials should be avoided on internet platforms.
9. Elected Officials should not reference any document(s) as a basis for making an official decision unless that document is available through the City as a public record.
10. Removing a user’s comment or post because the person is criticizing some government action is not advisable.
11. When an Elected Official desires to have a matter posted to an Official City Internet Platform, the Elected Official shall provide the item or link to the City Secretary, and upon approval, will then be forwarded to the designated person in charge of the City Internet Platform.

XVIII Website Use Policy

City Related Information and Events.

The City of Iowa Colony maintains a website. Its use is primarily for city related information. The information provided is to provide specific information to readers. Examples of the type information to be provided includes but is not limited to the following:

1. Official city documents such as the City Charter, ordinances, resolutions,

proclamations.

2. Planning documents such as the Comprehensive Plan, Water and Wastewater Master Plan.
3. Maps such as the City Map, Zoning and Land Use Maps, Thoroughfare Maps, city limits and ETJ.
4. Calendars of city sponsored or related events such as meeting announcements fulfilling the Open Meetings posting requirements, agendas.
5. Emergency Management information including major weather, health issues, emergency declarations.
6. Job announcements.
7. City Departmental information for all city departments.

Noncity sponsored events or promotions.

It is recognized there are limited methods of dispersing information of a general community nature. It is also recognized there are numerous community events that are not necessarily sponsored by the City of Iowa Colony, but that have a community significance or impact. Therefore, the city may allow non-city sponsored events to be advertised on the "Events" section of the website following the approved procedures outlined.

1. Qualified events shall be city-wide and designed for everyone in the community to participate. Examples of such events include those designed to commemorate national holidays, state holidays, other significant events, programs, or projects.
2. Qualified events shall be for non-profit purposes.
3. Excluded events shall include but not be limited to
 - a. Garage sales.
 - b. HOA sponsored events solely for attendance by residents in a single or specific subdivision.
 - c. Realty promotions.
4. Before an event can be placed on the website, an application, provided on the website, must be completed. Application shall include the name of the person or group sponsoring the event, the name, place, date and time of the event, and a description of the purpose of the event. It must be signed by a person, or persons responsible for the event with their contact information.

5. Approval of placement of the event advertisement onto the website must be granted by the City Manager.

Events Calendar

The City will maintain complete editorial control over all material present on the online calendar, and reserves the right to change, add, or remove content without notice. Information posted on the online calendar is limited to those events occurring within the city or its ETJ only unless the event can be reasonably construed as significantly benefiting residents. Any posted event must meet the following criteria:

- The primary function of organizations and person(s) sponsoring an event must not be inconsistent with the mission and vision of the City of Iowa Colony.
- The event must be available to the general public unless otherwise restricted by federal or state law or local ordinance.

The online events calendar will provide the following disclaimer:

- In order to provide visitors with certain information, this website provides information to events hosted by organizations not affiliated with the City of Iowa Colony. Posting the event does not constitute an endorsement of the content, viewpoint, accuracy, opinions, policies, products, services, or accessibility of that event or the hosting organization or person(s). Attendance to that event, or any other function or publication (electronic or print) produced or distributed by the hosting organization or person(s) is entirely at your own risk.

Outside Websites

Outside websites are defined as any website that is not maintained by the City of Iowa Colony or that the City of Iowa Colony lacks control over any part, including but not limited to content or security of the website. The following outside websites are permissible for the City of Iowa Colony to link to:

- Governmental, educational, and other non-profit organizations.
- Organizations with some relationship to the City of Iowa Colony (including but not limited to: organizations contracting with the City of Iowa Colony, organizations sponsoring City activities or programs, and organizations participating in City of Iowa Colony activities or programs).
- Regionally recognized organizations with a focus on tourism.

The following outside websites are not permissible for the City of Iowa Colony to link to:

- Any websites that are deemed by the City Manager to be in conflict with the City of Iowa Colony policies
- Candidates for local, state, or federal offices
- Organizations whose principal purpose is to advocate for or against a candidate, legislative, or regulatory measure
- Corporate or other for-profit organizations unless they fit any of the criteria stated above
- Individual or personal home pages
- Websites with pornographic, obscene, or indecent content
- Any illegal act, unless depicted in a public service announcement for the health, safety or welfare of the community.
- Any messages that are deemed inconsistent with or contrary to the vision or mission of the City of Iowa Colony or its policies and procedures, including sexual or other prohibited harassment or discrimination policies and workplace violence.

Outside websites that do not meet the following quality requirements will not be linked to or will be removed from the City of Iowa Colony website if already present:

- The website is not managed in a professional manner
- Not operational or generally available
- Not maintained or regularly updated
- Provides inaccurate information
- Contains illegal or inappropriate content.

XVIII Code of Conduct

Policy Statement

The citizens and businesses of Iowa Colony are entitled to have fair, ethical and accountable local

government, which has earned the public's full confidence in integrity. In keeping with the City

of Iowa Colony's commitment to treasuring our past while forging our future, the effective functioning of democratic government therefore requires that:

Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
Public officials be independent, impartial and fair in their judgment and actions;
Public office be used for the public good, not for personal gain; and

Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Iowa Colony City Council has adopted a Code of Conduct for members of the City Council and of the City's boards and commissions to assure public confidence in the integrity of local government and its effective and fair operation.

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 Iowa Colony and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the Iowa Colony City Council, boards and commissions of Texas and the City of Iowa Colony in the performance of their public duties. These laws include but are not limited to: the United States and Texas constitutions; the Iowa Colony City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, open processes of government, and City ordinances and policies.
2. **Conduct of Members.** The professional and personal conduct of members 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, boards and commissions, the staff or public. Members should dedicate themselves to the highest ideals of honor and integrity in all public and personal relationships.
3. **Respect for Process.** Members shall perform their duties in accordance with the processes and rules of order established by the City Council and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff, even when the member has voted in the minority.
4. **Conduct of 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. They shall refrain from interrupting other speakers, making personal comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.
5. **Conduct Business in Open.** Members shall conduct business in open and publicized meetings in order to be transparent to the citizens of Iowa Colony Iowa Colony. It is recognized that certain exceptions are made by the State for closed sessions and any action as a result of that type of meeting will be addressed in the open session as noted on the agenda. Communications made during a public meeting or closed session are subject to the Texas Public Information Act. Members will not use "electronic communication devices" to communicate either internally or externally during meetings.
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. Members will not withhold information that is pertinent to the decision-making process.

7. **Communication.** Members shall publicly share substantive information that is relevant to a matter under consideration by the Council or boards and commissions, which they may have received from sources outside of the public decision-making process. Members will not withhold information that is pertinent to the decision-making process.
8. **Comply with the Law.** Members shall comply with the laws of the nation, the State of Texas and the Iowa Colony City Charter.
9. **Use of Electronic Devices.** Members will not use electronic devices other than what is necessary for conducting business during a meeting. Members will not text, email, make phone calls, use social media, and play games during the course of a meeting. Members shall not communicate or participate in a discussion with a quorum of the city council relative to city business via electronic mail, text or other social media tool. Use of personal emails, cell phones or computers may subject members to Public Information Act disclosure requirements.
10. **Smoking or Use of Tobacco Products.** Members will not smoke or use tobacco products, electronic cigarettes and/or smokeless tobacco during the course of a meeting.
11. **Use of Alcohol.** Members shall not be impaired due to the use of alcohol prior to or while conducting city business within our outside of a formal meeting.
12. **Conflict of Interest.** In order to assure their independence and impartiality on behalf of the common good members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship which may give the appearance of a conflict of interest. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts, and they shall abstain from participating in deliberations and decision-making where conflicts may exist, because these areas WILL exist. When these issues arise, it is simply imperative that we mitigate those issues appropriately.
13. **Gifts and Favors.** Members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office that are 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 judgement or action or give the appearance of being compromised.
14. **Confidential information.** Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial or other private interests. A member shall not intentionally or knowingly disclose any confidential information gained by reason of said official position concerning the property, operations, policies or affairs of the city.
15. **Use of Public Resources.** Members shall not use public resources not available to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

16. **Representation of Private Interests.** In keeping with their role as stewards of the public interest, member of the City Council shall not appear or speak specifically on behalf of the private interests, including both private and nonprofit entities, of third parties before the Council or any board, commission or proceeding of the City in, nor shall members of boards or commissions 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.
17. **Advocacy.** Members shall represent the official policies or positions of the City Council, board or commission 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 Iowa Colony, nor will they allow the inference that they do.
18. **Policy Role of Members.** Members shall respect and adhere to the Council-Manager structure of the Iowa Colony City government, as outlined by the Iowa Colony City Charter. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, commissions and City staff. Except as provide by the City Charter, members therefore shall not interfere with the administrative functions of the City or the professional duties of the City staff, nor shall they impair the ability of staff to implement Council policy decisions.
19. **Independence of Boards and Commissions.** Because of the value of the independent advice of boards and commissions to the public decisionmaking process, members of the City Council shall refrain from using their positions to unduly influence the deliberations or outcomes of board and commission proceedings.
20. **Positive Workplace Environment.** Members shall support the maintenance of a positive and constructive workplace environment for City employees and for citizens and businesses dealing with the City. Members shall recognize their special role in dealing with City employees to in no way create the perception of inappropriate directions or comments to City staff.
21. **Political Endorsements.** When publicly endorsing a candidate for any elected office, members will not use their title as a councilperson, board or commission members nor use a City meeting forum to endorse a candidate. Council is prohibited from endorsing any candidate for City elections as it is deemed inappropriate.
22. **Implementation.** As an expression of the standards of conduct for members expected by the City, the Iowa Colony Code of Conduct is intended to be self-enforcing. It therefore is most effective when members are thoroughly familiar with it and embrace its provisions. For this reason, code of conduct standards shall be included in the regular orientations for candidates for City Council, applicants to boards and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they read and understood the City of Iowa Colony Code of Conduct and Rules of Procedure. The City Council shall consider recommendations from boards and commissions and Council members and update this document as necessary.

23. Compliance and Enforcement. The Iowa Colony Code of Conduct expresses standards of ethical conduct expected for members of the Iowa Colony City Council, boards and commissions. 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 their government in Iowa Colony. The chairs of board and commissions and the Mayor have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Conduct and these Rules of Procedure are brought to their attention. The second in line, when the Mayor's or chair's actions come into question, would assume the duty of intervening. The City Council may impose sanctions on members whose conduct does not comply with this Code of Conduct or these Rules of Procedure, such as reprimand, formal censure, loss of seniority or committee assignments.