



AGENDA
WATAUGA CITY COUNCIL
SPECIAL MEETING
SATURDAY, AUGUST 1, 2020
HURST CONFERENCE CENTER
1601 CAMPUS DRIVE, MEETING ROOMS 1-2
HURST, TX 76054
8:00 AM

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a **Special City Council Meeting** of the City of Watauga, Texas will be held at which time the following subjects will be discussed and may be acted upon.

COVID-19 PRECAUTIONS

The operation of a municipality is an Essential Service. The Texas Governor's Order, with the guidance of DSHS Commissioner Dr. Hellerstedt, allows all persons in Texas to obtain essential services, but directs the public to do so by minimizing in-person contact with people who are not in the same household and direct the implementation of social distancing, good hygiene, environmental cleanliness and sanitation. Therefore, the following social distancing rules apply to the public attending this meeting:

- 1) Any member of the public attending the meeting shall maintain a six-foot distance from others (except for those you live in the same household). City Staff and City Officials shall practice social distancing to the extent able without interfering in the ability to carry out the essential governmental functions to be conducted at this meeting.
- 2) Members of the public wishing to enter the meeting rooms and attend this meeting must wear a face covering (i.e. a cloth mask that effectively covers the mouth and nose with more than one layer of fabric) or equivalent device.
- 3) Attendance in the meeting rooms will be limited to allow for the public in attendance to practice social distancing. Seating may be assigned.
- 4) Coughs and sneezes must be covered with a cloth or tissue, which should then be properly disposed of or washed, and shall not be exposed to others.
- 5) Public courtesies such as handshakes or other greetings shall be respectfully avoided.
- 6) Any member of the public approaching city representatives, whether they be city staff or elected or appointed officials must maintain six-foot social distancing.

Any person who fails to comply with the COVID-19 Precautions may be removed from the meeting.

EXPANDED OPPORTUNITY FOR PUBLIC COMMENT OR PUBLIC TESTIMONY:

The City shall continue to allow expanded opportunities for members of the public who do not attend to participate in Public Comment and Public Testimony. Such participation will be allowed when recognized upon the Mayor's announcement.

ANYONE WHO DOES NOT ATTEND BUT DESIRES TO COMMENT ON A MATTER NOT ON THE AGENDA OR TESTIFY ON A MATTER ON THE AGENDA AT THIS MEETING MUST SEND THEIR COMMENT IN WRITING USING THE FORM AT www.cowtx.org/publiccomment NO LATER THAN ONE (1) HOUR PRIOR TO THE MEETING.

All written comments must comply with applicable decorum rules for comments made during a public meeting of the Watauga City Council to be read into the record. Up to three minutes shall be allotted for each written or oral comment to be read/spoken into the record of the meeting. All timely written comments will be read into the record of the meeting at the appropriate time during the meeting. While reasonable efforts will be taken to gather comments received within the hour prior to the meeting or received during the meeting, all such comments are considered untimely and may not be recognized and read during the meeting.

CALL TO ORDER

ROLL CALL

PUBLIC TESTIMONY Members of the public are invited and encouraged to attend all public meetings of the City Council that are not closed to the public in accordance with the Texas Open Meetings Act. It is the desire of the City Council that citizens actively participate in the City's governance system and processes. Public input to the City Council is encouraged during the Public Testimony, Public Hearings, or Action Item sections of a meeting agenda. Individuals desiring to speak during Public Testimony shall be called upon to speak only after completing a Request to Speak form attached hereto as Annex E. The Request to Speak form for Public Testimony shall be submitted to the administrative staff prior to speaking. Individuals desiring to speak on an agenda item or during a public hearing shall submit the Request to Speak form prior to the introduction of that respective item by the Chair. Once the form is received by administrative staff, the individual shall be recognized and called upon by the Chair prior to speaking. Any public testimony must occur prior to formal action being taken by the City Council. The Chair shall have the power to suspend citizen comments at any time during the meeting to preserve the order and efficiency of the meeting. Reasonable time limitations may be placed on public testimony by the presiding officer in order to conduct an efficient and effective public meeting.

ACTION ITEMS

1. Discuss and provide direction to the City Manager on employee benefits and Paid Time Off options
Marcia Reyna, Human Resources and Civil Service Director
Andrea Gardner, City Manager
2. Discuss and provide direction to the City Manager on utility matters to include senior discounts, utility deposits and utility rates
Andrea Gardner, City Manager
3. Discuss and provide direction to the City Manager on merchant and bank fees recovery
Andrea Gardner, City Manager

4. City Manager update on Council assigned goals for April 2020 through March 2021

Andrea Gardner, City Manager

5. Update, discuss and provide direction to the City Manager regarding the Police and Library facility projects

Andrea Gardner, City Manager

6. Discuss and provide direction to the City Manager on the City's Strategic Plan for FY 2020 -2030

Andrea Gardner, City Manager

7. Discuss and provide direction to the City Manager and City Attorney on Council Rules and Council Conduct

Andrea Gardner, City Manager

George Hyde, City Attorney

8. Discuss and provide direction to the City Manager and City Attorney to draft an ordinance creating selection criteria for City of Watauga Boards, Committees and Commissions

Council Member Downey

Council Member Neal

Andrea Gardner, City Manager

Mayor Miner

EXECUTIVE SESSION

The City Council may announce that it will adjourn the public meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code to discuss any matter as specifically listed on this agenda and/or as permitted by Chapter 551 of the Texas Government Code.

The City Council will convene in executive session pursuant to (Texas Open Meetings Act), Chapter 551 of Texas Government Code, Section 551.074 Personnel Matters, which allows the following:

1. Pursuant to Section 551.071 to deliberate and seek legal advice from the City Attorney regarding Empower Texans Foundation, Inc. v. The City of Watauga, et al and City of McAllen, Texas, et al v. State of Texas, et al
2. Pursuant to Section 551.074 to deliberate upon the duties of the City Attorney

RECONVENE

The City Council will return to open session for possible discussion and action as a result of the Executive Session.

ADJOURNMENT

Meeting Notices and Reservation of Rights

adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code if the requisite information is otherwise posted; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code (as applicable) when determined necessary by the to address a subject matter on the agenda. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city council, boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the city council, boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that city council, body, board, commission or committee subject to the Texas Open Meetings Act.

NOTICE

THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (817) 514-5825, OR FAX (817) 514-3625.

I, Andrea Gardner, City Secretary for the City of Watauga, hereby certify that this agenda was posted on the bulletin boards at City Hall, 7105 Whitley Road, Watauga, Texas, on Tuesday, July 28, 2020, before 5:00 p.m., in accordance with Chapter 551 of the Texas Government Code.

Andrea Gardner

Andrea Gardner, City Secretary





AGENDA MEMORANDUM

DATE: July 9, 2020

TO: Honorable City Council Members

FROM: Sandra Gibson, CGFO, CGFM, Director of Finance

THROUGH: Andrea Gardner, City Manager

SUBJECT: Discuss and provide direction to the City Manager on utility matters to include senior discounts, utility deposits and utility rates

BACKGROUND/INFORMATION:

The City's Utility Fund is an enterprise fund and is meant to be self-supporting. This agenda item provides for information on utility deposits and refunds, senior discounts, and the need for regular rate reviews for the fund.

FINANCIAL IMPLICATIONS:

N/A

RECOMMENDATION/ACTION DESIRED:

This item does not require a recommendation as it is a presentation/report.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Utility Deposits Senior Discounts and Rate Study Strategic Retreat 8-1-2020

REVIEWED BY:

Sandra Gibson, CGFO, CGFM, Director of Finance

Karrie Marling, Legal

George Hyde, Legal

Andrea Gardner, City Manager

Approved as to form for inclusion on Agenda

Approved - 7/26/2020

Approved - 7/27/2020

Approved - 7/28/2020

Final Approval - 7/28/2020



UTILITY DEPOSITS, SENIOR DISCOUNTS AND RATE STUDY

AUGUST 1,
2020





UTILITY DEPOSITS

○REASON FOR UTILITY DEPOSITS:

In setting up a new account, the Utility is essentially issuing customer credit since services are used before they are paid for.

○Chapter 42-83, CITY OF WATAUGA CODE OF
ORDINANCES

CURRENT DEPOSITS REQUIRED FOR ACCOUNT ESTABLISHMENT IN WATAUGA

Deposit Category	Current Fee
Owner – Water Deposits	\$150.00
Renter – Water Deposits	\$200.00
Commercial Deposits	
¾"	\$250.00
1"–1½"	\$250.00
2"	\$1,200.00
4"	\$3,000.00
6"-8"	\$7,400.00
Multifamily – ¾" per unit	\$250.00

FEE SCHEDULE, CHAPTER 12-42, CHAPTER 42, SCHEDULE B

ORDINANCE #2019-024 (NOVEMBER, 2019) AMENDED SECTION 42-83(B) OF CHAPTER 42 OF THE CODE OF ORDINANCES TO PROVIDE AUTOMATIC DEPOSIT REFUNDS

- Account must be in good standing for two (2) years
- Action made refunds of deposits automatic (eliminated need for written request)
- City refunded 3,002 accounts, totaling \$202,510 in December, 2019
- With fewer deposits on file, there is increased risk of non-payment on final bills and potential for increase of bad debt to City.
 - In 2019, 58% of customers did not pay the final bill issued (after deposit on account applied).
 - The balance due on these accounts totaled \$40,357 and were sent to the City's collection agency (MVBA) for further collection activities.

ACTIVITY SINCE COUNCIL ACTION TO AUTO REFUND DEPOSITS

- Total of 343 accounts totaling \$27,755 have been refunded for the period January 1, 2020 – June 30, 2020.
 - These auto refunds occur monthly during the billing process for eligible accounts.
- For the period between January – March 2020, the City sent \$9,027 to bad debt.
- In 2020 only 4 accounts were accounts finalized that did not have deposits on file to be applied.
 - *\$553 was sent to bad debt for these accounts.*
 - *The City expects this amount to increase over time as more and more customers that leave the City do not have deposits on file to be applied to their final bill.*

MANY OTHER CITIES DO NOT REFUND DEPOSITS UNTIL THE FINAL BILL IS ISSUED.

CITIES SURVEYED	FINAL BILL ONLY	2 YEARS OF EXCELLENT PAY HISTORY & "REQUEST ONLY"
BEDFORD WATER DEPARTMENT		X
NORTH RICHLAND HILLS WATER DEPARTMENT	X	
SAGINAW WATER DEPARTMENT	X	
HALTOM CITY WATER - FATHOM		X
ROANOKE WATER DEPARTMENT	X	
LAKE WORTH WATER DEPARTMENT	X	
KELLER WATER DEPARTMENT	X	
HURST WATER DEPARTMENT		X
EULESS WATER DEPARTMENT	X	



DIRECTION NEEDED

- Provide for discussion and direction on continuation of automatic refund of utility deposits



UTILITY SENIOR DISCOUNTS

○The City currently provides a \$5.00 discount for both water and wastewater services per Over 65 resident accounts (owner and rental properties)

○The City currently has 1,486 customer accounts that receive the discount of \$10.00/month

○Discounts provided to Over 65 customers total \$178,000 annually

○Chapter 12-42, (a)(1)(b), & Chapter 12-42, (b)(1)

STATUTES RELATED TO SENIOR UTILITY RATE DISCOUNTS

In 1975, The Texas Legislature enacted the Public Utility Regulatory Act (PURA) and created the Public Utility Commission of Texas (PUC) to provide statewide regulation of the rates and services of electric and telecommunications utilities. The PUC regulates electric, telecommunication, and water and sewer utilities, implements respective legislation, and offers customer assistance in resolving consumer complaints in Texas

Per the Texas Water Code, the regulatory authority shall ensure that every rate made, demanded, or received by any utility or by any two or more utilities jointly shall be just and reasonable. In establishing a utility's rates, the regulatory authority may authorize the utility to establish reduced rates for a minimal level of service to be provided solely to a class of elderly customers 65 years of age or older to ensure that these customers receive that level of service at more affordable rates.(Texas Water Code 13.182(b-1), However, while the regulatory authority shall allow the Utility to establish a fund to receive donations to recover the costs of providing the reduced rates, ***a utility may not recover these costs through charges to the utility's other customer classes.***

Per Texas Government Code section 1502.057, the rates charged for services provided by a utility system must be equal and uniform.



DIRECTION NEEDED

- Provide for discussion and direction on providing senior discounts

UTILITY RATE STUDY



○ Why conduct a Rate Study?

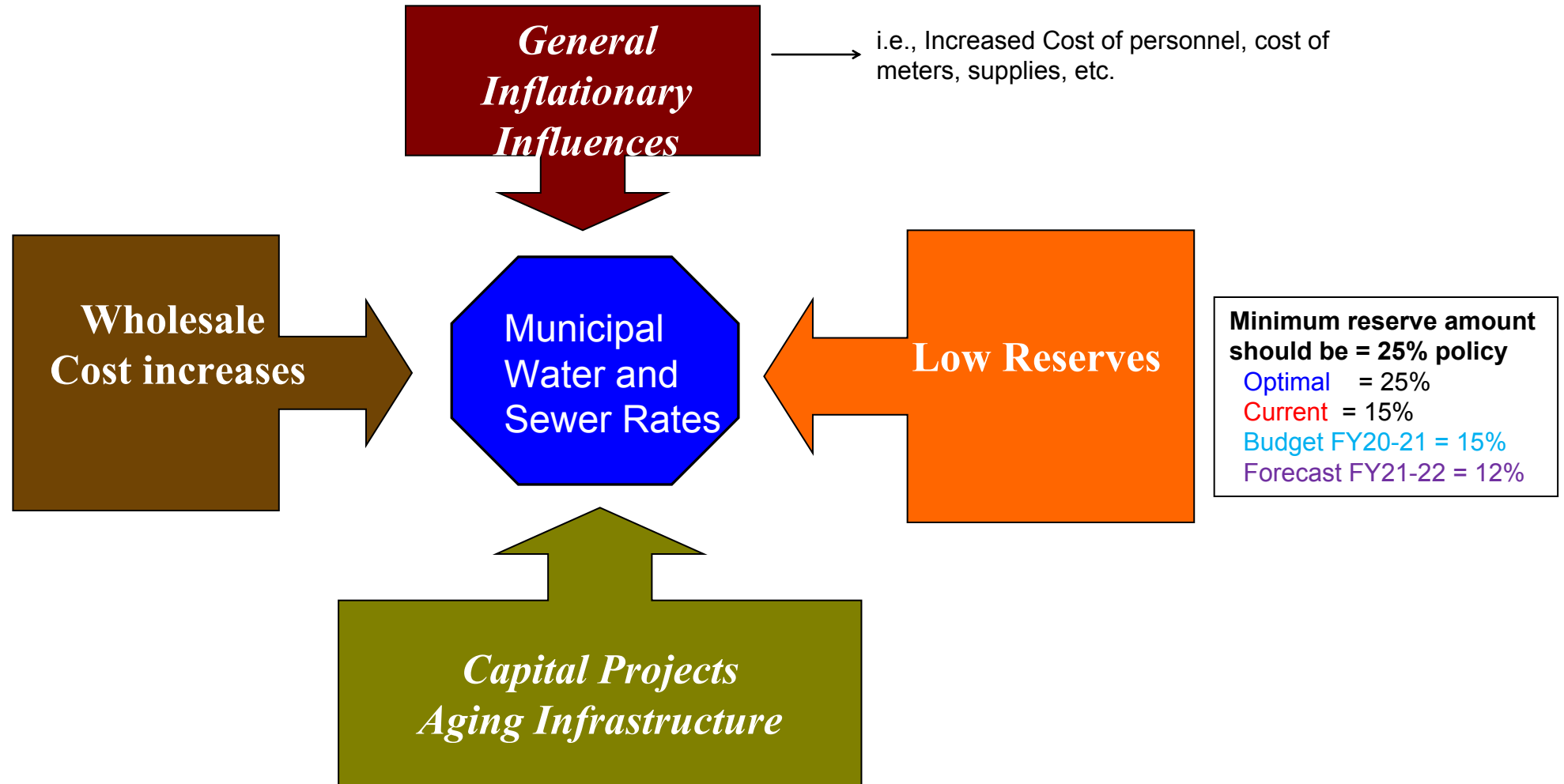
Rate studies determine if current rates are sufficient to cover operational and capital project costs in a fair and equitable manner.

Regular review and adjustment of rates are necessary to avoid the need for large increases in rates.

○ Last rate increase effective 9-1-2019 (base rate increase)

○ Chapter 12-42, Chapter 42

Challenges Facing the City



Water and Sewer Fund water and sewer rates should be set to provide for total cost recovery

CITY IS CURRENTLY CONTRACTING WITH WATERWORTH, A WEB-BASED ANALYTICS PLATFORM THAT ALLOWS FOR LONG-RANGE FINANCIAL MODELING AND OPTIMIZATION OF RATES



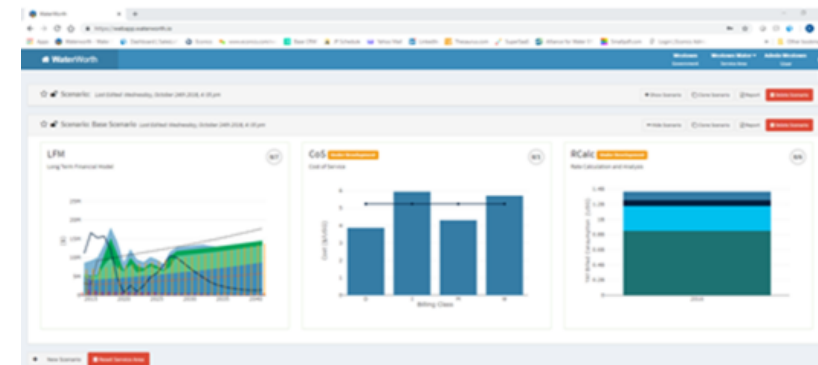
Tell a better story



See the big picture with operating and capital costs, revenue and reserves all in one interactive dashboard.



Explain with pictures



Have better conversations with elected officials and the public about capital spending, borrowing and setting rates.

Cost components for review



Variable Costs

- 💧 **Wholesale water purchases and wastewater treatment**

💧 **Fixed Costs**

- 💧 **Personnel***
- 💧 **Supplies and equipment***
- 💧 **Maintenance of water and sewer lines***
- 💧 **Debt Service payments associated with water and sewer improvements***

*variable elements to these categories

Current Watauga Rates and Rate Structure

WATER RATES – BASE AND VOLUME

Volume Category* cf	Meter Size	Base Rate	Volume Rates Per 100cf
0-267	3/4"	\$17.70	\$5.01
0-345	1"	\$23.93	\$5.01
0-460	1.25"	\$31.93	\$5.01
0-937	1.5"	\$65.10	\$5.01
0-1300	2"	\$84.56	\$5.01
0-2400	3"	\$154.58	\$5.01
0-4000	4"	\$256.49	\$5.01
0-10,000	6"&8"	\$653.65	\$5.01

CURRENT WASTEWATER RATES

Base Charges

Current

Residential \$19.36

Commercial \$19.36

Volume Rates

Res.&Comm. \$ 2.99

*volume included in based rate charged

CURRENT UTILITY ACCOUNTS BY METER SIZE/CLASS

METER SIZE	IRRIGATION	WATER	SENIOR	TOTAL
3/4"	14	4,888	1,486	6,388
1"	41	1,875		1,916
1 1/4"		5		5
1 1/2"				
2"	24	96		120
3"	1	2		3
4"		3		4
6 & 8"		1		1
			TOTAL	8,356

RECOMMENDATION FROM STAFF

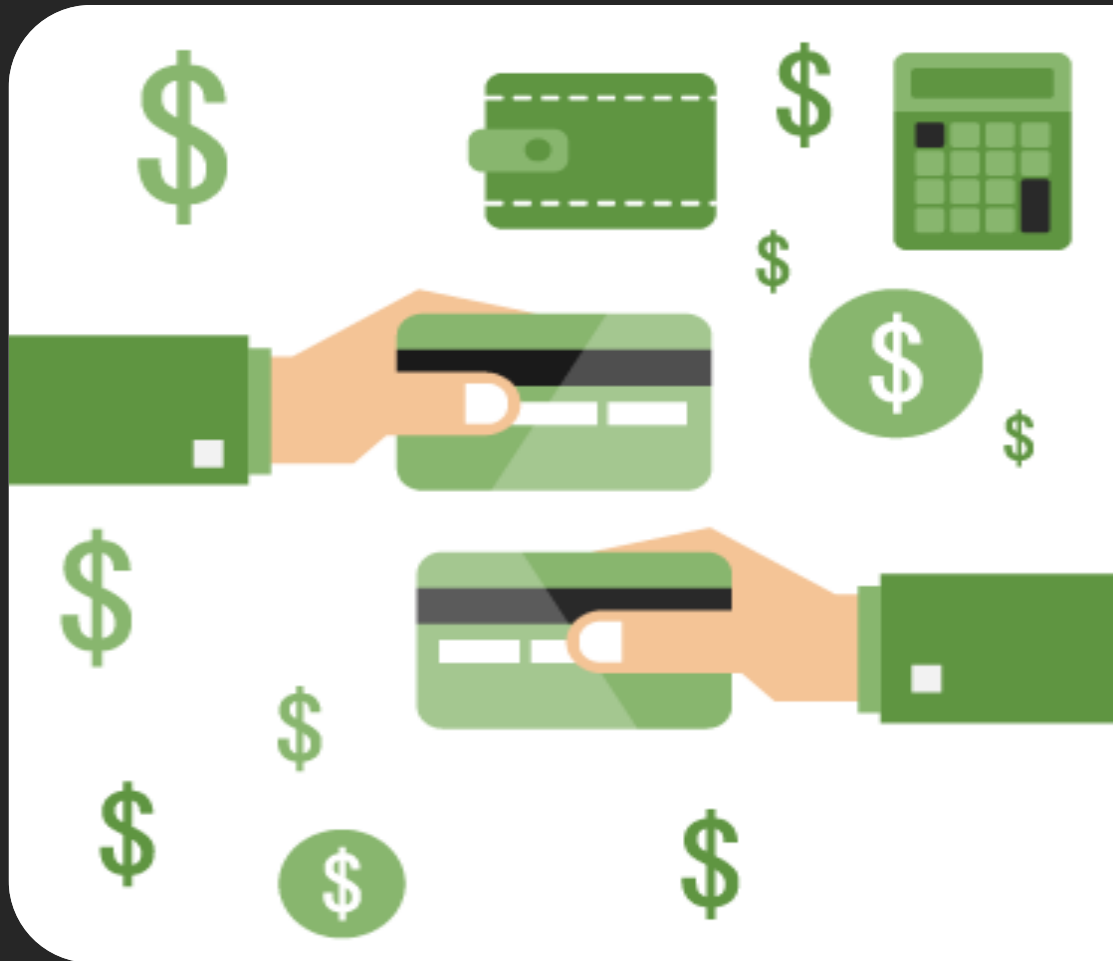
- Continue to develop long term utility rate model (Waterworth)
- Staff to present recommendations and model in Spring, 2020



DIRECTION FROM COUNCIL

Discussion and direction on continuation of rate modeling and presentation of results to Council.





**CREDIT CARD
MERCHANT
SERVICES
FEE
RECOVERY**

AUGUST 1, 2020



MERCHANT FEES

○Merchant Fees

Background:

The City accepts Visa and Mastercard and is charged a processing fee by each of these providers. The amount charged to the City varies based on each type of card (typically a percentage of the transaction amount plus a flat fee) and the payment network fee.

CITY OF WATAUGA MERCHANT FEES FOR CREDIT CARDS BY DEPT.

Merchant Services Transactions and Fees

Department	#Transactions	Fees
		July 2019-June 2020
Animal Services	469	\$907
Library	860	\$740
Park & Rec	1,211	\$1,373
Public Works	2,878	\$9,422
Combined Court	1,869	\$10,285
Combined Utility	50,607	\$92,695
Total:	57,894	\$115,422

The City recovers approximately \$17,000 annually for payments made through the online payment portal for Court and Utility payments.

CHAPTER 12-2 FEE SCHEDULE, CHAPTER 2(H)

- The City's fee schedule allows for a convenience fee of \$1.75/transaction for on-line payments. \$1.25/transaction is paid to Tyler Technologies for providing the online payment service portal which is linked to the customer's account.
- The remaining \$0.50/transaction is retained by the City. The City averages about \$17,000 in recovery of merchant fees annually from this fee.
- As the use of credit cards increases, the City will see a corresponding increase in fees paid for merchant services.

LEGAL CONSIDERATIONS

- Title 4, Subtitle C, Section 132.002 (b) of the local government code allows for the governing body of a municipality to authorize a municipal official who collects fees, fines, court costs, or other charges to collect reimbursement for processing the payment by credit card.
- Section 132.003(b) states the governing body shall set the reimbursement fee in an amount that is reasonably related to the expense for processing the payment by credit card. The fee cannot exceed 5% of the amount of the payment.



DIRECTION NEEDED

- Provide for discussion and direction for staff on pursuing merchant fee cost recovery.



AGENDA MEMORANDUM

DATE: July 9, 2020

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

SUBJECT: City Manager update on Council assigned goals for April 2020 through March 2021

BACKGROUND/INFORMATION:

During the annual evaluation, the Council assigned goals to the City Manager for completion prior to the next annual evaluation in March 2021.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

City staff respectfully recommends the City Council accept the update provided.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. City Manager goals

REVIEWED BY:

Approved as to form for inclusion on Agenda



WATAUGA PUBLIC LIBRARY



WATAUGA PUBLIC LIBRARY



WATAUGA PUBLIC LIBRARY



WATAUGA PUBLIC LIBRARY



WATAUGA PUBLIC LIBRARY



WATAUGA PUBLIC LIBRARY



New
Library

Watauga
Community
Center

City of Watauga, Texas

Potential Bond Election Workshop

December 9, 2019



Mark M. McLiney
SENIOR MANAGING DIRECTOR



MEMBER: FINRA/SIPC
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Andrew T. Friedman
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Bond Capacity Analysis – Historical Tax Base Growth

<u>Tax Year</u>	<u>Taxable Assessed Value</u>	<u>Growth %</u>
2019	1,534,755,654.00	13.73%
2018	1,349,511,853.00	12.05%
2017	1,204,339,182.00	6.41%
2016	1,131,752,348.00	15.43%
2015	980,506,743.00	-10.91%
2014	1,100,539,712.00	3.87%
2013	1,059,536,431.00	12.05%
2012	945,615,206.00	-10.99%
2011	1,062,354,928.00	10.98%
2010	957,220,067.00	
Average		5.85%

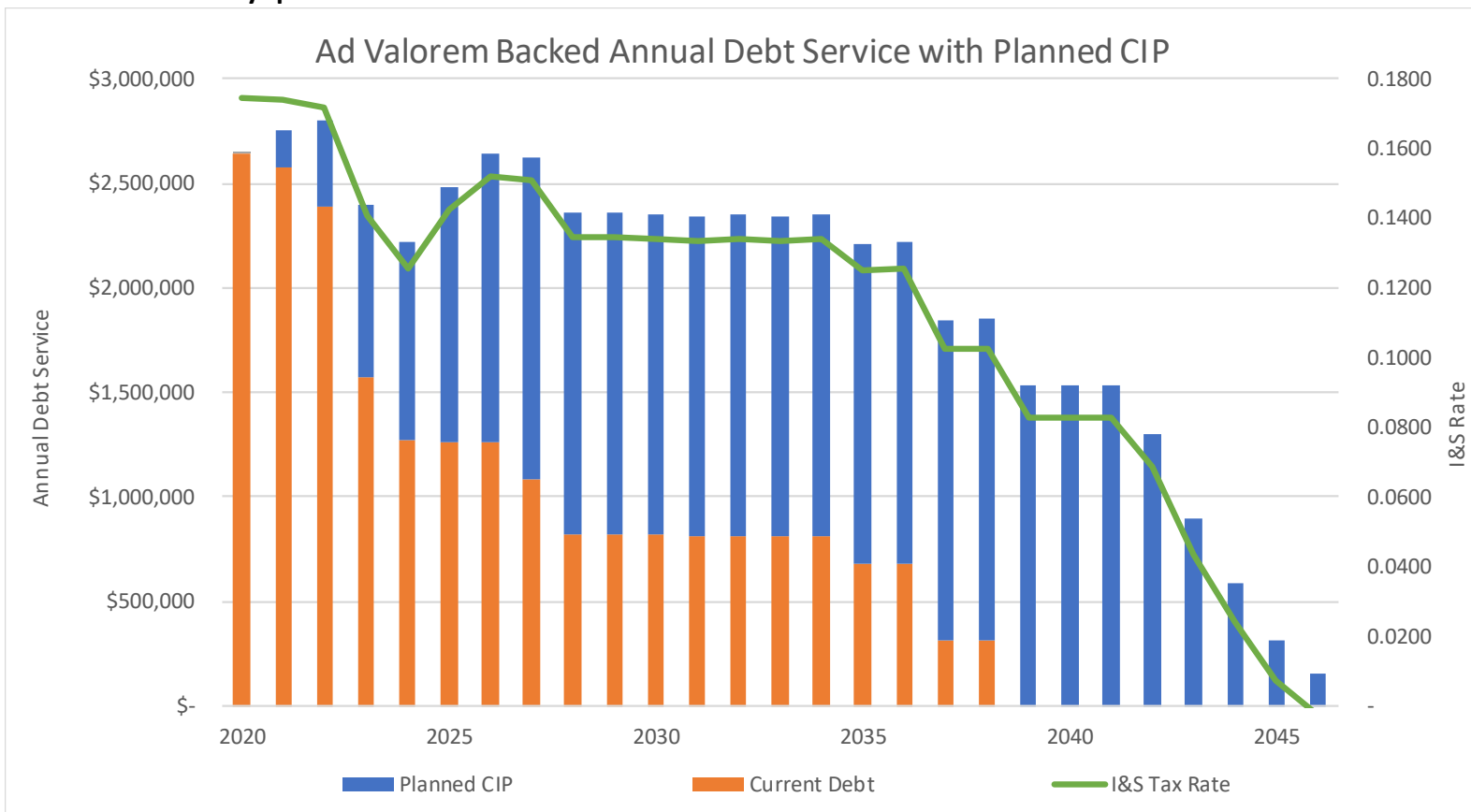
The City has grown at an average rate of 5.85% annually over the past 10 years.

The Bond Capacity and Tax Rate Impact Analysis has conservatively assumed 5% growth in 2020, 3% growth in 2021, 2022 and 2023 with NO growth thereafter

Conservative estimates in AV growth, Interest Rate on Bonds combined with a decreasing debt burden provides capacity to issue and support new debt service while minimizing the I&S tax rate increase required

Ad Valorem Debt Portfolio with Capital Improvement Plan ("CIP") Projects and Capital Outlay

Based on previously discussed assumptions, the City will **NOT** need to raise its I&S tax rate from its current level of \$.1746/\$100 to pay for the projects contained in the City's Capital Improvement Plan and in fact has additional capacity for debt beyond what is currently planned.



Planned Capital Improvement Plan Projects

The City's capital improvement plan outlines various projects related to the Street and Park Improvements and the Fire Station Improvements that are also slated to be funded over the next several years and must be considered along with the potential voter authorized projects. The Capital Outlay plan outlines vehicle and equipment needs over the next several years.

Project	Cost	Funding Date
Fire Station Planning and Design and Ambulance Purchase	\$500,000	January 2020
Fire Station Addition, Street Improvements, Park Improvements, Capital Outlay	3,155,000	August 2021
Street Improvements, Capital Outlay	5,535,000	August 2022
Street Improvements, Park Improvements and Capital Outlay	3,975,000	August 2023
Street Improvements and Capital Outlay	3,585,000	August 2024
Street Improvements	1,905,000	August 2025
Street Improvements	<u>2,015,000</u>	August 2026
Total	\$20,670,000	

Capital

Potential Bond Projects Discussion and Options

The City plans to issue the voter approved bonds in increments to more efficiently fund the project and minimize interest resulting from the debt.

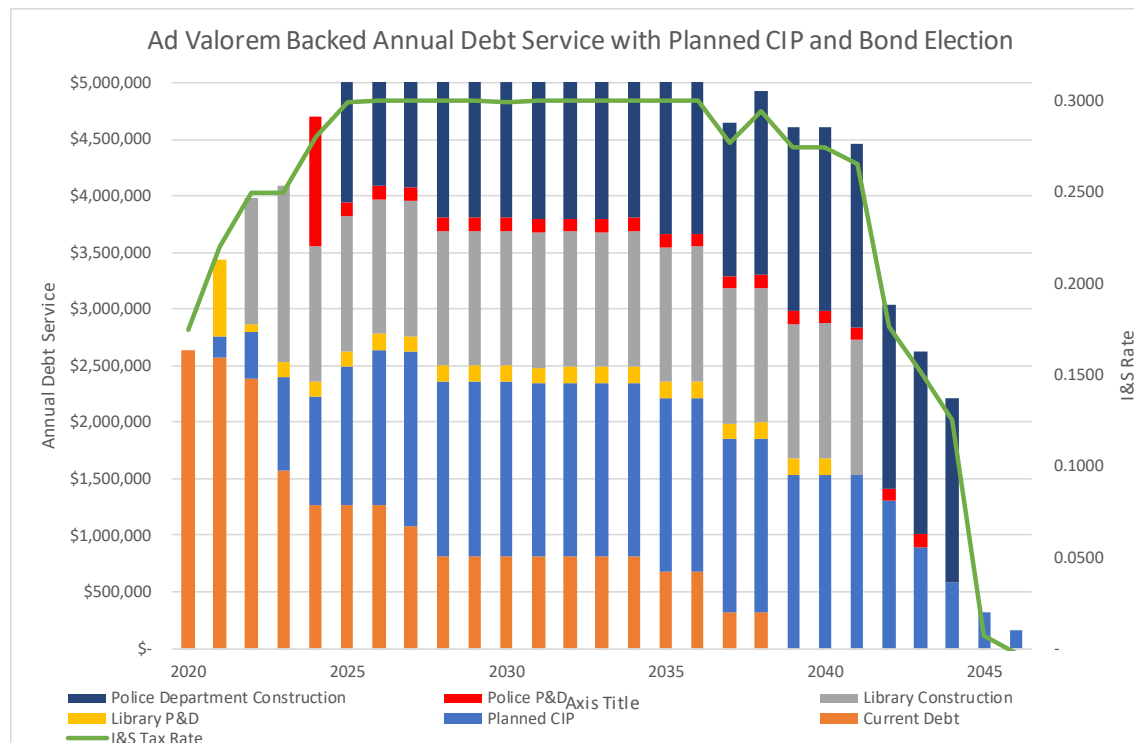
Scenario 1: Capital Improvement Projects, Capital Outlay, Voter approved Library, Police Station

Project	Cost	Funding Date
Library Planning and Design	\$2,500,000	August 2020
Library Construction	\$16,700,000	August 2021
Police Department Planning and Design	\$2,500,000	August 2023
Police Department Construction	<u>\$16,600,000</u>	August 2024
Total	\$38,300,000	

Library and Police project costs are estimates adjusted for inflation based on the 2019 needs assessment analysis.

Scenario 1: Ad Valorem Debt Portfolio with CIP Projects, Capital Outlay and Voter Approved Library and Police Station

The City will need to raise its I&S tax rate to \$0.30/\$100 valuation from its current level of \$.1746/\$100 to pay for the Capital Improvement Plan projects as well as the voter approved projects (Library and Police Station). This represents a tax rate increase of roughly \$0.125/\$100 valuation. If growth outpaces assumptions, interest rates are lower than expected, and/or project costs are lower than anticipated, the tax rate impact could be less than shown.



Scenario 1: Homeowner Impact – Voter Approved Library and Police, Capital Improvement Projects and Capital Outlay

The following table details the expected tax increase on homes of various values (net of exemptions). *These are estimates and are subject to changes in the City's assessed valuations.*

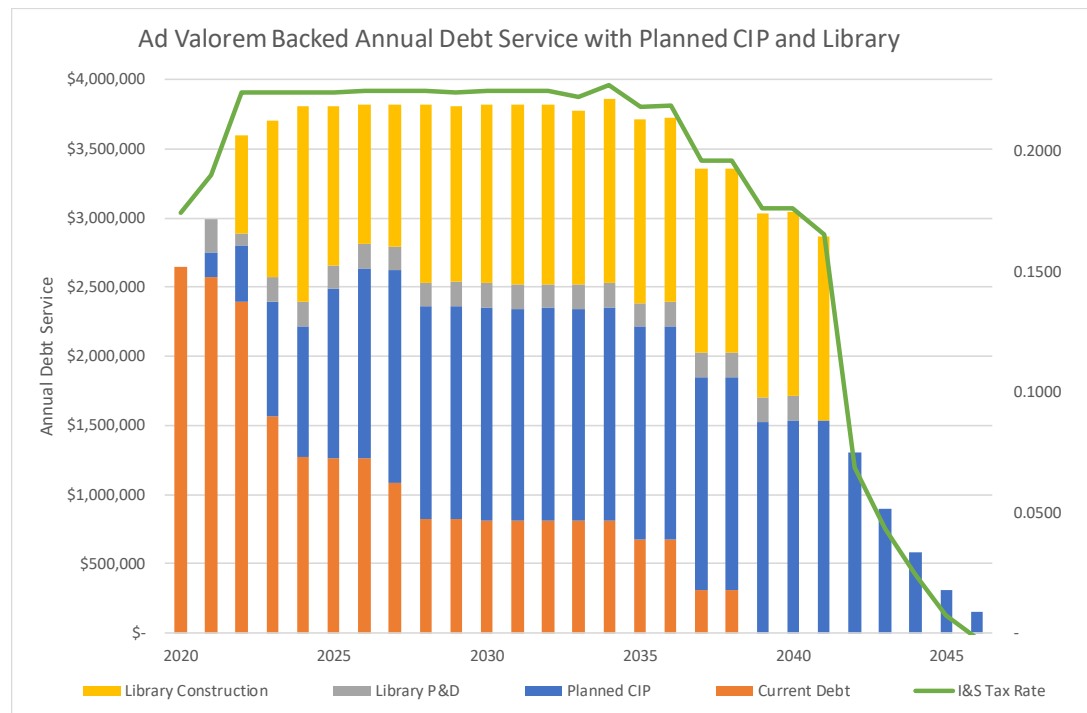
The tax increases would begin to go into effect for tax year 2020 and reach its maximum impact in 2025 when the I&S rate increases to \$0.30/\$100.

Homeowner Impact		
Home Value*	Monthly	Annual Tax
	Tax	Increase
\$ 100,000	\$ 10.50	\$ 126.02
150,000	15.75	189.03
200,000	21.00	252.04
250,000	26.25	315.04
300,000	31.50	378.05
350,000	36.76	441.06

* Net of exemptions

Scenario 2: Ad Valorem Debt Portfolio with CIP Projects, Capital Outlay and Voter Approved Library

The City will need to raise its I&S tax rate to \$0.225/\$100 valuation from its current level of \$.1746/\$100 to pay for the Capital Improvement Plan projects as well as the voter approved Library project. This represents a tax rate increase of roughly \$0.05/\$100 valuation. If growth outpaces assumptions, interest rates are lower than expected, and/or project costs are lower than anticipated, the tax rate impact could be less than shown.



Scenario 2: Homeowner Impact – Voter Approved Library, CIP Projects and Capital Outlay

The following table details the expected tax increase on homes of various values (net of exemptions). *These are estimates and are subject to changes in the City's assessed valuations.*

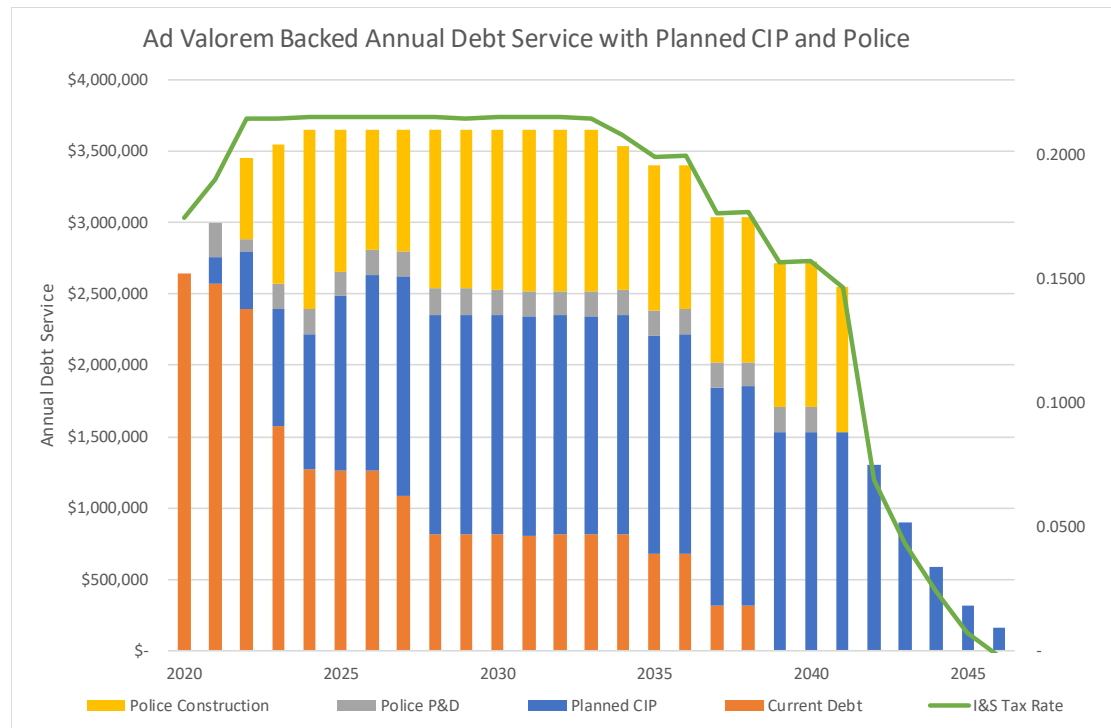
The tax increases would begin to go into effect for tax year 2020 and reach its maximum impact in 2021 when the I&S rate increases to \$0.225/\$100.

Homeowner Impact					
		Monthly	Annual Tax		
Home Value*		Tax	Increase		
\$	100,000	\$	4.42	\$	53.09
	150,000		6.64		79.64
	200,000		8.85		106.19
	250,000		11.06		132.74
	300,000		13.27		159.28
	350,000		15.49		185.83

* *Net of exemptions*

Scenario 3: Ad Valorem Debt Portfolio with Voter Approved Police Department, CIP Projects & Capital Outlay

The City will need to raise its I&S tax rate to \$0.215/\$100 valuation from its current level of \$.1746/\$100 to pay for the Capital Improvement Plan projects as well as the voter approved Police Department project. This represents a tax rate increase of roughly \$0.04/\$100 valuation. If growth outpaces assumptions, interest rates are lower than expected, and/or project costs are lower than anticipated, the tax rate impact could be less than shown.



Scenario 3: Homeowner Impact – Voter approved Police Station, CIP, and Capital Outlay

The following table details the expected tax increase on homes of various values (net of exemptions). *These are estimates and are subject to changes in the City's assessed valuations.*

The tax increases would begin to go into effect for tax year 2020 and reach its maximum impact in 2021 when the I&S rate increases to \$0.215/\$100.

Homeowner Impact		
Home Value*	Monthly	Annual Tax
	Tax	Increase
\$ 100,000	\$ 3.38	\$ 40.59
150,000	5.07	60.88
200,000	6.76	81.17
250,000	8.46	101.47
300,000	10.15	121.76
350,000	11.84	142.05

* Net of exemptions

Bond Election Timing

Calling a Bond Election

State Law dictates that bond elections can only be held on the two uniform election dates (May and November) each year.

The below timetable is for the May 2020 uniform election date:

Event	Date
City Council adopts ordinance calling bond election	Monday, February 10, 2020
Election Date	Saturday, May 2, 2020
End of election contest period	Friday, June 12, 2020
Certified Values made available by TAD	Monday, July 27, 2020
Sell first series of bonds	Monday, August 31, 2020
City Council adopts 2020 Tax rate	Monday, September 14, 2020
First payment due on new bonds	Monday, February 1, 2021

Mark M. McLiney
SENIOR MANAGING DIRECTOR



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AGENDA MEMORANDUM

DATE: July 21, 2020

TO: Honorable City Council Members

FROM: Andrea Gardner, City Manager

SUBJECT: Discuss and provide direction to the City Manager on the City's Strategic Plan for FY 2020 -2030

BACKGROUND/INFORMATION:

The City Council approved the City's FY 2018-19 Strategic Plan by Resolution No. 18-02-26-04 on February 26, 2018. The City Council approved the City's FY 2019-20 Strategic Plan by Resolution No. 19-04-08-02 on April 8, 2019.

The City Council discussed updates to the City's Strategic Plan during the FY 2019 Council Retreat held on September 21, 2019 and on October 14, 2019, approved the FY 2020-2030 Strategic Plan by Resolution No. 2019-023.

The agenda item allows for an update on the plan by the City Manager and direction and feedback from the Council regarding any needed updates to the existing 10 year plan.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

City staff recommends the City Council review the attached presentation and provide direction to the City Manager for updating the City's Strategic Plan for FY 2020 -2030.

ATTACHMENTS/ SUPPORTING DOCUMENTATION:

1. Strategic Plan Update

REVIEWED BY:

Andrea Gardner, City Manager

Final Approval - 7/28/2020

Approved as to form for inclusion on Agenda



Strategic Plan Update

August 1, 2020

Strategic Plan History

Adoption of Resolution No. 18-02-26-04, approving the City's Strategic Plan for Fiscal Year 2018-19, on February 26, 2018.

Workshop held on February 4-5, 2019

- Council completed an environmental scan, completed a SWOT analysis and consolidated issues for the development of a Strategic Plan.

Adoption of Resolution No. 19-04-08-02, approving the City's Strategic Plan for Fiscal Year 2019-20, on April 8, 2019.

Discussed the City's Strategic Plan at the September 2019 Council Retreat and decided to change from a single year plan to a ten-year plan.

Adoption of Resolution 2020-023, approving the City's Strategic Plan for Fiscal Years 2020-2030, on October 14, 2019.

Planning Issue: Maintain financial strength of the City

Strategic Initiative	Due Date	Status
Maintain sound fiscal management practices and review those practices, policies and procedures to ensure the City's bond rating is maintained or improved on an annual basis.	October 2020	The City's confirmed bond rating is AA. City Council approved the Comprehensive Financial Policies in August 2019 and an annual review is scheduled for August 2020.
Continue to review and evaluate the City's potential to participate in the Opportunity Zone program on an annual basis.	October 2020	The review for FY 2020 occurred as part of the Comprehensive Plan Update process. Additionally, the City Manager recently completed an economic development certification course with this item discussed. Expectations are the program is likely to be eliminated.

Planning Issue: Maintain financial strength of the City

Strategic Initiative	Due Date	Status
Continue to seek grant opportunities for programs and projects on an annual basis.	October 2020	City staff has submitted several grant applications for various departments and will continue the practice.

Planning Issue: Develop a sustainable economic development effort

Strategic Initiative	Due Date	Status
Develop a tax abatement policy within two years.	October 2021	Staff will work with the new Board to develop such a policy.
Prepare and approve a ballot measure election to return the ¼ cent sales tax to economic development use in May 2020 election.	May 2020	The May 2020 election was postponed to November 2020 due to COVID-19. The City Attorney provided a legal recommendation to present to the voter's consideration to reauthorize the sales tax for street maintenance in November 2020 followed by a reallocation from street maintenance to economic development in May 2021. The due date should be adjusted to June 2021.
Identify and implement a budget strategy for economic development.	January 2020	WEDC Budget was prepared with a strategy for economic development in mind.

Planning Issue: Expand public safety through non-enforcement efforts

Strategic Initiative	Due Date	Status
Evaluate lighting options that will create improvements in safety for Watauga residents and visitors within 10 years.	October 2030	Staff currently working on developing a plan to include lighting options.

Planning Issue: Strengthen future planning

Strategic Initiative	Due Date	Status
Complete an update to the Comprehensive Plan every ten years.	October 2020	Comprehensive Plan update was approved by City Council in April 2020.
Conduct a review of City ordinances and develop a five-year schedule for updating ordinances within one year.	October 2020	The City Manager submitted an ordinance review scheduled to the City in March 2020 and was approved by Council. A request to amend this initiative to require an annual scheduled be submitted for council approval as legal expenses are incurred for developing and implementing.
Complete ordinance rewrites within five years.	October 2024	Staff will continue to present ordinance rewrites to the Council for consideration.

Planning Issue: Strengthen future planning

Strategic Initiative	Due Date	Status
Prepare an ordinance to include on the May 2020 ballot, a general obligation bond proposition for the construction of a new police facility and library.	May 2020	Council discussed this matter during the December 2019 Workshop and the January 2020 Regular meeting with direction to begin an educational campaign with citizens regarding the need. City staff began developing a citizen engagement plan through Civil Space in March/April 2020, but due to COVID-19 and other issues, the matter has been suspended.
Prepare and submit for Council a permit process and any required ordinance revisions for short term rental properties.	May 2021	City staff plans to incorporate into the ordinance rewrite schedule to include the regulations and hotel occupancy tax.

Planning Issue: Strengthen future planning

Strategic Initiative	Due Date	Status
Prepare for further review a phased-in program for a Street Maintenance Program and associated fee within 6 months.	March 2020	Due to the legal guidance on sales tax reauthorization this matter is on hold.
Develop an on-line (website link) for a street maintenance program be developed within seven years.	October 2027	No progress to date.
Improve the carbon footprint within the City within 10 years.	October 2030	A gradual improvement is planned for the next 10 years.
Review expansion options for the animal control facilities and operations within six years.	October 2026	Staff did work with Architect to include animal facility in the Needs Assessment.

Planning Issue: Strengthen future planning

Strategic Initiative	Due Date	Status
Improve the walkability and bicycling options in the City within ten years.	October 2030	Staff did include in the Comprehensive Plan update changes that will support such projects. Council approved the ILA with the City of Fort Worth for the Arcadia Trail connection in November 2019. Whitley Road 3 from Chapman to near Hightower Drive shall include sidewalks and bike lanes where in some places none existed. Whitley Road 4 includes trails and bike lanes in the ongoing design.
Evaluate the transition to hybrid or electric vehicles within ten years.	October 2030	Staff continues to research the latest development on these vehicles and how to best incorporate.

Planning Issue: Strengthen future planning

Strategic Initiative	Due Date	Status
Continue to evaluate code compliance processes to improve the overall beautification of the City within three years.	October 2023	Code Compliance is working to improve processes.

Planning Issue: Improve the Community Involvement

Strategic Initiative	Due Date	Status
Conduct a citizen survey every three years.	October 2021	Funds will be included in the FY 2021-22 Budget for a citizen survey.
Continue the Watauga 101 Citizens Academy annually	October 2020	The last Academy was completed in December 2019. The Fall 2020 Academy was postponed due to COVID-19 concerns. Will resume once the pandemic is better controlled.
Enhance citizen volunteer opportunities within six years	October 2025	Staff is working to develop a program for Council consideration.

Planning Issue: Improve the Community Involvement

Strategic Initiative	Due Date	Status
Enhance technological options that encourage citizen participation within 10 years	October 2030	City staff is utilizing Webex to conducting virtual Council and WEDC meetings that allows for public participation in a virtual format. Staff helps the Mayor with the weekly videos and virtual town hall meetings. Staff is looking at ways to combine virtual and live meetings together so that virtual participation can occur during live meetings, however this will require additional hardware, specifically a WebEx Room Device solution. Preliminary design and costing has begun.

Planning Issue: Improve the City Brand

Strategic Initiative	Due Date	Status
Develop a marketing strategy within one and half years.	March 2021	Staff will need the assistance of a marketing firm and funding wasn't included in the FY 2021 budget. Staff will continue to develop creative ways to promote and improve the City brand. Recommend adjusting the initiative due date to October 2023.

Planning Issue: Attract, retain and motivate qualified staff

Strategic Initiative	Due Date	Status
Continue to review and revise the recruitment and retention strategy annually.	October 2020	The financial impact of COVID-19 has caused the City to go into a hiring freeze. The City expanded its recruitment strategies using Social Media to advertise Civil Service entrance exams and continues to explore other job search engines such as LinkedIn and Indeed.com. Retention efforts include maintaining affordable health insurance costs and rates.
Evaluate the need to add personnel in the Information Technology Department during each annual budget cycle and Personnel Improvement Plan update.	October 2020	SB2 implementation and COVID-19 will prevent funding from being available to fulfill this initiative.

Planning Issue: Attract, retain and motivate qualified staff

Strategic Initiative	Due Date	Status
Conduct an employee survey every three years.	October 2023	With the purchase of Civil Space, HR and IT will release an EE Survey prior to calendar year end 2021.
Review and prepare a cost benefit analysis for a Paid Time Off program prior to September 2020.	September 2020	Initiative completed and included on the 2020 Retreat Agenda.
Evaluate employee and dependent medical benefits and eligibility options prior to March 2020 to include a single forgiveness option for the proposed emergency room visit penalty.	March 2020	Presentation on health insurance cost control measures was provided to City Council on January 13, 2020. Single forgiveness option not available for fully funded plans. Cost control measures of tobacco user surcharge and not allowing on plan spouses with employer available coverage being implemented effective October 1, 2020.

Proposed Changes to Strategic Plan

After the many Retreat discussions, are there any items the Council would like to include in the Plan for FY 2020-30?

Recommendations from staff:

- Expand public safety through non-enforcement efforts
 - Add “Continue to review and evaluate the need for the Departments to respond to calls for enforcement versus service.” – annual review
 - Add “Evaluate the need for the appropriate response staff or enhanced officer training to sufficiently respond to the growing need for service type calls (ie. Mental health) .” – annual review
 - Add “Develop sworn and civilian positions within the department to respond to specific types of service calls to allow for proper enforcement of laws when applicable and relationship building with specialized partner entities. “ – within 5 years as it will require additional funding
- Attract, retain and motivate qualified staff
 - Add “Continue to review and evaluate the need for the number of sworn staff to respond to calls for enforcement” to be completed by October 2030

Proposed Changes to Strategic Plan

- Improve Community Involvement
 - Add “Continue to review our community outreach programs (ie. Coffee with a Cop, and Citizen’s Police Academy) along with volunteer opportunities and find new ways to engage the community. Due by April 2021

Proposed Changes to Strategic Plan

After the many Retreat discussions, are there any items the Council would like to revise that are currently included in the Plan for FY 2020-30?

Recommendations from staff:

- Planning Issue: Develop a sustainable economic development effort
 - Adjust the due date on goal “prepare and approve a ballot measure election to return the ¼ cent sales tax to economic development in May 2020” to May 2021 based on strategy developed
 - Revise the language for “identify and implement a budget strategy for economic development” to include more specific language. Staff has presented several new programs to the Board that received positive comments and action by the Board but came with public scrutiny.
- Planning Issue: Strengthen Future Planning
 - Adjust the due date on the goal “conduct a review of City ordinances and develop a five-year schedule for updating ordinances within one year. This goal is considered met for a one-year schedule. Developing a five-year schedule has proven difficult since some ordinances require greater review, greater staff and legal involvement and public comment. Recommend “conduct an annual review of City ordinances and present an annual schedule for proposed updates with the entire Code review being completed prior to 7 years”.

Proposed Changes to Strategic Plan

Recommendations continued:

- Adjust the due date for “complete ordinance rewrites within five years” to prior to October 2026 to align with the previous goal.
- Revise the goal wording of “prepare an ordinance to include on the May 2020 ballot, a general obligation bond proposition for the construction of a new police facility and library” to “obtain public input regarding the project, to include budget prior to May 2024.”
- Adjust the due date for the goal “prepare for further review a phased-in program for a Street Maintenance Program and associated fee within 6 months” to October 2023.
- **Planning Issue: Improve the City Brand**
 - Adjust the due date for “develop a marketing strategy within one and half years” from March 2021 to October 2023. Funding isn’t current available for completion. It is expected sale tax revenues will rebound by FY 2023.
- **Planning Issue: Attract, retain and motivate qualified staff**
 - Review and prepare a cost benefit analysis for a Paid Time Off program prior to September 2020. This item is considered completed and should be removed from the plan.
 - Evaluate employee and dependent medical benefits and eligibility options prior to March 2020 to include a single forgiveness option for the proposed emergency room visit penalty. This item is considered completed as of January 2020 and should be removed from the plan.

CITY OF WATAUGA, TEXAS
RESOLUTION NO. 2019-025

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AMENDING THE COUNCIL RULES OF PROCEDURE MANUAL IN ORDER TO ESTABLISH GUIDELINES REGARDING SOCIAL MEDIA USE, DECORUM, AND OTHER STANDARDS OF CONDUCT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Watauga (the “City”) recognizes that public officials have a duty to uphold certain standards of conduct when acting in their official capacity; and

WHEREAS, the City Council Rules of Procedure Manual supplements the Home Rule Charter to ensure that members of City Council adhere to the guidelines established by City Council when conducting City affairs; and

WHEREAS, members of City Council and City staff held a retreat in October 2019, at which City Council determined that the current Code of Conduct contained in the Council Rules of Procedure Manual should be amended to provide guidance in order to better address contemporary issues faced by local government officials.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATAUGA, TEXAS AS FOLLOWS:

I.

The facts and recitations set forth in the preamble of this ordinance are hereby found to be true and correct and adopted herein for all purposes.

II.

The City Council of the City of Watauga, Texas, hereby adopts the amended City Council Rules of Procedure attached hereto as “Exhibit A” and incorporated by reference herein.

III.

This Resolution shall be and is hereby cumulative of all other Resolutions of the City of Watauga, Texas, and this Resolution shall not operate to repeal or affect any such other Resolutions except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Resolution, in which event, such conflicting provisions, if any, in such other Resolutions are hereby repealed.

IV.

If any section, sub-section, sentence, clause, or phrase of this Resolution shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of the Resolution.

V.

This Resolution shall become effective and shall be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon application of law and in accordance with Section 3.13 of the Charter of the City of Watauga, Texas.

PASSED AND ADOPTED by the City Council of the City of Watauga, Texas this the 9th day of December, 2019.

APPROVED:


ARTHUR L, MINER, Mayor

ATTEST:


ANDREA GARDNER, City Secretary

APPROVED AS TO FORM AND LEGALITY:


GEORGE HYDE, Interim City Attorney



**CITY OF WATAUGA
COUNCIL RULES OF PROCEDURE
and Code of Conduct
MANUAL**

As Adopted by Resolution
Resolution No. 2019-025
December 9, 2019

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Section 1 – GENERAL

Parliamentary law and the rules of procedure derived from such law are essential to all deliberative organizations so that they may consider all matters before them in an effective and efficient manner and produce results that are legal and binding. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while at the same time protecting the rights of both the group and each member. **Accordingly, these rules of procedure establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, administrative staff, news media, citizens and visitors.**

In addition to establishing rules of procedure to be followed at council meetings, this document is also intended to provide guidelines for council member conduct outside of council meetings when acting or conducting business as a member of the Watauga City Council.

Section 2 – AUTHORITY

The City Charter of Watauga, Texas [Adopted: January 19, 1980 and last amended ~~May 9, 2015~~ November 5, 2019] provides in Article II (The Governing Body), Section 3.09 (Meetings and rules of procedure) that “The Council shall determine its own rules and order of business...” Thus, this Council Rules of Procedure and Code of Conduct Manual is established. This Council Rules of Procedure and Code of Conduct Manual shall be reviewed by the City Council at least every two years in an open meeting. In the event of any conflict between Texas State law, the City Charter and/or this Rules of Procedures Manual, Texas State law shall prevail and control. In the event of any conflict between the City Charter and this Rules of Procedures Manual, the City Charter shall prevail.

The parliamentary reference for the City Council is the most recent edition of *Robert’s Rules of Order Newly Revised* (RONR) (issued in odd-numbered years). When any issue concerning procedure arises that is not covered by the Rules of Procedure, the City Charter or state law, the Council will refer to RONR, which shall determine such procedural issue. RONR is merely a parliamentary reference and any failure to explicitly follow RONR shall not serve to negate any action taken by the City Council. For clarification purposes, the only way to second a motion is for a City Council Member to state “I second the motion” or a similar phrase.

Section 3 – MEETINGS

3.01. Texas Open Meetings Act

The City Council shall follow the Texas Open Meetings Act.

3.02. Regular Meetings

The City Council shall conduct regular meetings generally on the second Monday of every month. Regular meetings shall generally commence at 6:30 p.m. The regular meetings of the City Council shall be held at City Hall and are open to the public. The dress code for

regular meetings is business casual.

3.03. Workshop Meetings

Workshop meetings may be scheduled by the Mayor, ~~a minimum of three (3) Council Members~~ or by the City Manager. Workshop meetings are normally conducted prior to

regular meetings at 5:30 p.m. but may also be conducted at other times as well. The purpose of a workshop meeting is to exchange information between Council, staff, vendors or other groups. No official action is taken by Council during these meetings, but workshops shall be posted, and are open to the public. The dress code for workshop meetings is business casual.

3.04. Special Meetings

Any additional meetings may be scheduled by the Mayor, a minimum of three (3) Council Members or by the City Manager to occur outside of the second Monday of the month. Such meetings shall be posted and are open to the public. The dress code for special meetings is business casual, subject to modification by the City Council based on the circumstances (i.e. retreat, outdoor tour, etc.).

3.05. Agenda

- a. The Mayor, each City Council Member, with the concurrence of a second Council Member, and the City Manager shall have the right to have matters of city business included on City Council meeting agendas. Agenda items, including any necessary or applicable supporting documents and materials to be included in agenda packets, shall be submitted in written form to the City Secretary at least fourteen (14) days prior to the agenda posting deadline. The agenda posting deadline for Regular City Council Meetings is the Wednesday before the Regular City Council Meeting and the agenda posting deadline for Special City Council meetings is 72 hours in advance of any Special City Council Meeting. The City Secretary will coordinate the placement of items on the agenda. Agenda items may be removed only by the person who initially placed that item on the agenda and such removal shall be made prior to the public posting of the official meeting notice. Agenda packets will be available to the City Council Members no later than 6:00 p.m. the Wednesday before each Regular City Council Meeting, and at least 72 hours in advance of any Special City Council Meeting. Amendments to items and supplemental items may be placed on the Agenda as necessary at the discretion of the City Manager if done so in accordance with the Texas Open Meetings Act
- b. Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the City Attorney in a manner and time sufficient to allow for their review prior to this submittal deadline.
- c. A person other than the Mayor, a Council Member or the City Manager requesting that a matter or item be included on the City Council Meeting Agenda under New Business must complete the form attached hereto as Annex D and submit the same to the office of the City Secretary at least fourteen (14) days prior to the agenda posting deadline for which the request is made. If the Mayor, a Council Member or the City Manager determines that consideration of the item or items is in the best interest of the City, those items shall be placed on the City Council meeting agenda with the Mayor, Council Member or City Manager making the determination being listed as the sponsoring official. The sponsoring official needs to ensure all relevant materials concerning the agenda item are provided to the City Secretary's office at least fourteen (14) days prior to the agenda posting deadline for the City Council Meeting.

- l) Any person wishing to make a presentation that includes video, or another form of electronic media, must provide that information in digital format to the City Secretary's Office no later than three (3) hours prior to the scheduled starting time of the meeting for review by the staff. City staff shall review the information as to form and content. The information shall not contain any statements, graphics or pictures that are offensive or reflect personal attacks on other individuals, the City Council members or City staff. The digital format must be compatible with the City's technology equipment. The presentation will be tested prior to the meeting to ensure that it is compatible with the City's equipment.
- d. All matters of City business (agenda items), including supporting materials, shall be submitted to the City Secretary at least fourteen (14) days prior to the agenda posting deadline. The Mayor or the Mayor Pro-tem, in the Mayor's absence, may make exceptions to this requirement for Special City Council meetings, and in emergency cases, as determined by the Mayor or the Mayor Pro-tem, in the Mayor's absence.
- e. There shall be no limitation as to the number of items that may be placed on the Consent Agenda. However, any council member shall have the right, at any time to request the removal of any item or items from the Consent Agenda. Such item or items shall be moved to New Business for purposes of discussion, debate or action. The Mayor of the City of Watauga, as presiding officer of the meeting, shall honor such a request.
- f. There shall be no limitation as to the number of items under the Action Items category.

3.06. Minutes

Minutes of City Council meetings will be recorded and maintained by the City Secretary. The Minutes will include final motions with voting results. The minutes will also reflect the names of those citizens presenting public comments. Minutes of meetings will generally be submitted to the City Council for approval at the next regularly scheduled meeting.

Section 4 - STANDARDS OF CONDUCT

4.01. Mayor and City Council Members

The Mayor and Council Members shall demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and for the community and citizens being served. Elected officials should exhibit appropriate behavior. The Mayor and all members of the City Council when authorized to vote, have equal votes and the Mayor and all Council Members speak only for themselves.

4.02. Council Relations with the Media

All City press releases, media advisories, story suggestions, or similar items should be submitted through the City Manager or Public Information Officer for distribution.

Any City related business that could garner the attention of the media should be reported as soon as practical to the Mayor. If the Mayor determines the entire City Council should be notified of the matter, the City Manager or his/her designee shall attempt to notify each member of the City

Council as soon after the determination as practical.

4.03. City Staff (During Meetings)

All remarks and questions addressed to the City Council by staff members may be addressed to the City Council as a whole and not to any individual member. City staff shall follow proper parliamentary procedure during meetings. The City Manager and City Attorney shall have the right to participate in all matters coming before the Council. The City Attorney and or City Secretary shall serve as the parliamentarian guide for all meetings. All department heads may take part in discussions of the Council relating to their respective offices, departments or agencies, subject to the provisions of the Texas Open Meetings Act.

4.04. Citizens and Visitors

- a. The presiding officer will ensure that the decorum of the meeting is maintained and is appropriate.
- b. No placards, banners, or signs will be permitted in the City Council chamber or in any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.

4.05. City Council Members Absences, Late Arrival and Conduct During Meetings and Events

- a. Each meeting shall commence with a roll call for City Council members.
- b. Notification of intent to be absent shall be provided in writing to the City Secretary, the City Manager or Presiding Officer prior to the meeting at which the Council Member will not be in attendance.
- c. Notification of a late arrival to a meeting shall be provided via City-issued devices to the City Secretary, City Manager or Presiding Officer prior to the meeting at which the Council Member will arrive late. Once the late member arrives at the meeting, they will join the meeting only when recognized by the chair. This recognition can only take place immediately prior to a new agenda item being brought to the table. The late member is prohibited from participation in or voting on the matter being discussed prior to be recognized.
- d. There shall be no use of personal electronic devices by City Council Members during an official meeting of the Council.
- e. Councilmembers shall, while the council is in session, preserve order and decorum, and no member shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the council, or disturb any member while speaking, or refuse to obey the orders of the council or its presiding officer, except as otherwise provided in these procedures.
- f. Councilmembers shall be prohibited from using profane language during any public

meeting and shall be prohibited from using profane language during any event where the Councilmember is present in any official capacity as a representative of the City of Watauga City Council.

- g. Councilmembers shall be prohibited from using misinformation, hyperbole or exaggeration during the deliberation on any matter during any public meeting.
- h. Councilmembers are expected to always be fair and courteous to fellow councilmembers, appointed officials, employees, vendors, and especially other members of the public. Councilmembers are expected to be capable of expressing themselves and their opinions without the necessity of personal attacks, the use of profanity, the use of hyperbole, and other forms of communicative expression which focus on anything other than the subject matter under deliberation. This City Council policy prohibits the use of such methods as they deteriorate the decorum during public meetings, diminish the character and reputation of the councilmember, foster bullying, and propagate misinformation which can mislead the public and which interferes with the effective and efficient operation of city government.

4.06. Use of Social Media

- a. The City Council recognizes and understands that social media is currently a widely used method to share one's life and opinions with family, friends, co-workers, citizens and around the world. However, use of social media to disseminate information related to the city also presents certain risks and carries with it, certain responsibilities. This policy is enacted to establish a set of minimum expectations regarding the behavior of City Councilmembers to serve as a standard of conduct to guide the members of City Council in making responsible decisions about its members' appropriate conduct when using social media. This policy is designed to avoid the application of arbitrary rules and to ensure protection of constitutionally protected free speech.
- b. In the rapidly expanding world of electronic communication, social media can mean many things. Examples of social media networks are Facebook, Twitter, YouTube, Instagram, Nextdoor, and many others. Social media includes all means of communicating or posting information or content of any sort made accessible to others using the Internet, i.e., this access is not limited to certain devices, accounts, or platforms. Platforms include, by way of example, a website blog, a personal web site or webpage, a social networking account or an affinity web site, web bulletin board, or a chat room, whether or not associated or affiliated with the city or a particular City Councilmember, as well as any other form of electronic communication.
- c. If a Councilmember posts statements, photographs, video, or audio, careful consideration should be had as to whether the post may reasonably be viewed by others as malicious, obscene, threatening or intimidating, whether it disparages officials, employees, members of the public, vendors, suppliers, and any other organizations associated with or doing business with the city, or whether the post might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation, or posts that could contribute to a hostile work environment on the basis of race, color, religion, sex, national origin, ancestry, age, marital status, disability, or any other protected class status in accordance with applicable federal or state law, or posts which violate the City Charter or City policy. A Councilmember that takes an active role, rather than a legislative role, in any city matter may expose oneself to personal liability should a post result in a civil tort against a person or organization, such

as tortious interference with contractual obligation, slander, liable or other civil law violation. Such action interferes with and results in a disruption to city business and may involve the city itself in legal claims, impeding efficient and effective delivery of city services. Any post that is determined by the City Council to be reasonably viewed as malicious, obscene, threatening or intimidating or meant to intentionally harm someone's reputation, or could contribute to a hostile work environment on the basis of race, color, religion, sex, national origin, ancestry, age, marital status, disability, or any other protected class status in accordance with applicable federal or state law, or violate the City Charter or city policy is prohibited.

- d. Councilmembers, when disseminating information related to the City are required to provide accurate and truthful information to the public. Councilmembers have access to all information necessary to carry out their duties as Councilmembers and can reasonably verify any information communicated to the public; therefore, honesty and accuracy is required when posting information related to city business. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched, located and recovered. Never post any information or rumors that you know to be false about the city, fellow elected or appointed officials, employees, members of the public, citizens, vendors, and people working on behalf of the city, as such is prohibited. Communicating misinformation, hyperbole or exaggeration causes citizen and public confusion and substantially impairs the efficient and effective operation of city government as it is obligated to investigate the statements made, correct misinformation and provide accurate and truthful information to the public.
- e. Pursuant to and in accordance with the Texas Public Information Act, and in order to allow the City Manager to fulfill duties to protect and preserve public information imposed by Texas law, any social media post made by a City Councilmember must be collected and preserved by delivering a full and complete copy of any post to the City Manager's Office immediately upon posting, if possible, and no later than 48 hours upon posting otherwise. Failing to do so places the public information at risk of loss due to theft, data corruption or device failure. Failing to notify city administration of information disseminated to the public may significantly impair city operations in the event inquiries are made to city staff without knowledge of the representations made by a Councilmember; therefore, current information is necessary for the efficient and effective operation of city government.
- f. In posting information, City Councilmembers shall maintain the confidentiality of the city and county's internal or confidential information. This may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures, or other business-related communications intended for internal use or that may contain confidential, private, or security information.

- g. Abide by all state and federal laws, including but not limited to privacy laws, personal medical/health information under the Health Insurance Portability and Accountability Act (HIPAA), attorney-client confidentiality, copyright, trade secret or other propriety rights, public records laws, retention laws, fair use laws, financial disclosure laws, and any other laws that might apply to the city in connection with any post.
- h. Knowledge of these use of social media rules are presumed. An assertion that a councilmember did not recognize any post as violative of these policies does not serve as a defense to a claim that a councilmember violated this policy. All Councilmembers are presumed to have carefully read and fully understand the policy and expectations placed upon them as elected officials of the city. All social media postings must be consistent with these policies. Inappropriate postings may include, but are not limited to, discriminatory remarks, harassment, threats of violence, bullying, misinformation and exaggeration of fact (whether known, should have been known, or reasonably ascertained by the councilmember prior to posting such information) regarding matters connected to city business, and further includes any similarly inappropriate or unlawful conduct.

4.07. Enforcement of Decorum and Procedures

The chief of police, or such member of the police department as he may designate, in attendance at a meeting shall be sergeant at arms of the council meeting. The sergeant at arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the council meeting. Upon instruction by the presiding officer, it shall be the duty of the sergeant at arms to either remove or place under arrest any person who violates the order and decorum of a meeting from the meeting place at the direction of the presiding officer.

If the Mayor or the City Council or any councilmember files a complaint that another member of the City Council violated this policy, the Mayor shall place the matter on the next City Council Agenda for consideration and action. At the City Council meeting, the matter shall be called the complaint read out loud and the Councilmember who filed the complaint shall have an opportunity to address the City Council regarding the complaint. Then, the party complained against shall have an opportunity to address the complaint. Then the remaining City Council shall deliberate on the complaint until the question is called. If the city council determines by majority vote that any member of the City Council has violated any of the rules promulgated herein, the council shall direct the City Attorney prepare a Resolution of Censure and such Resolution of Censure, which shall be read out loud for consideration, and shall be read out load again upon passage, and upon passage, shall be posted on all city social media accounts and on the landing page of the City's website where it shall remain for 60 days. Further, the Resolution shall have one final reading at the beginning of the next regular city council meeting after passage. The content of a censure resolution must be approved by a two-thirds vote of all the councilmembers unaffected by the censure. Such censure shall include public criticism and admonition for violating these rules applicable

to City Councilmembers. Any action which brings cause for the City Council to reasonably believe that a violation of the Texas Public Information Act has also occurred by any City Councilmember will be submitted to the Tarrant County District Attorney's Office for review.

Section 5 - DUTIES AND PRIVILEGES OF COUNCIL MEMBERS

5.01. Seating Arrangement

The Mayor shall determine seating of the Council Members.

5.02. Conflict of Interest

A City Council Member prevented from voting by a conflict of interest, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend executive meetings regarding the matter, and shall otherwise comply with the state law and city ordinances to include the City's Ethics Ordinance concerning conflicts of interest including Chapter 171 of the Local Government Code, as now or hereafter amended.

5.03. Voting

Voting, except on procedural motions, shall be accomplished by show of hands of members of the Council or by lighting/electronic device reflecting the ayes and nays. Tabulation of the voting by the Council vote shall be announced in open meetings by the Mayor or his or her duly appointed representative. All members of the Council may have one vote and only one vote on each item and issue. Four (4) members of the Council, excluding the mayor, shall constitute a quorum. In the event that there are vacancies on the Council, the quorum shall be reduced by the number of vacancies existing. No action by the Council shall be valid unless adopted by the affirmative vote of at least three of those members attending any meeting at which there is a quorum present. [City Charter § 3.09 (c) and as amended].

A Member of the Council may vote to abstain or refuse to vote only on an issue or matter that would create a conflict of interest for that Council Member as defined by State or Local Law(s).

5.04. City Council Liaisons

- a. The City Council may appoint its members to serve as City Council Liaisons ("Liaisons") between the City Council and the various City boards, commissions, associations, corporations, and other City related organizations and entities ("Entity"). The Liaisons will serve in an advisory capacity and provide guidance, counsel, and communication between the City Council and the Entity. Liaisons are encouraged to attend the meetings of their appointed Entity.
- b. Liaisons shall be appointed by the Mayor with the approval of the City Council for a term of one year, and for other periods deemed necessary and in the best interest of the City. Appointments shall be made at the regular City Council meeting in June of each year, or any other time a liaison appointment becomes necessary and is in the best interest of the

City. The City Council may, with just cause, remove a Liaison by majority vote.

- c. In the event of a vacancy the Mayor shall appoint a new Liaison member for the unexpired term, subject to the approval of the City Council. If the Mayor fails to make an appointment to fill any vacancy within sixty (60) days from the date of the vacancy or expiration, the remaining members of the City Council may, by majority vote, make an appointment without the Mayor's recommendation.
- d. Liaisons shall not preside over the Entity meetings or vote on any matter that comes before the Entity but shall have the right to fully participate in all discussions of matters that come before the respective Entity.
- e. At no time shall the Liaison act outside the scope of the City of Watauga Home Rule Charter.

5.05. City financed functions

The City of Watauga makes available opportunities for Council Members to attend a variety of functions, some of which have a cost to the City. In the event that a council member requests that the city expend funds to allow them to attend a specific function it is expected that the council member will make every effort to attend that function. In the event that a council member is unable to attend the function after the City has expended the funds, that member of council will make every effort to find someone to attend in their place. If the council member is unable to find a substitute they may be asked to refund the cost of the event to the City. The Mayor will make all decisions on reimbursement to the City with the council member retaining the right to appeal any decision of the Mayor to the full Council at the next regular council meeting.

Section 6 - CHAIR AND DUTIES

6.01. Chair

The Mayor, if present, shall preside as Chair at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro-tem shall preside as Chair. In the absence of both the Mayor and Mayor Pro tem, the remaining City Council Members shall designate one member of the City Council as to act as chair and preside for that meeting.

6.02. Preservation of Order

The Chair shall preserve order and decorum, call upon the Police Chief or designated law enforcement officer, present at the meeting, as necessary to enforce compliance with the rules, and confine members in debate to the question under discussion. It is the responsibility of the Chair to keep the comments of Council Members on topic during public meetings.

Section 7 - ORDER OF BUSINESS

7.01. Regular and Special Meetings

Regular and Special meetings will generally adhere to the following agenda:

1. **Workshop Meeting** (as needed)
2. **Call to Order**
3. **Roll Call**
4. **Invocation**
5. **Pledge of Allegiance** (United States and Texas Flags)
6. **Announcements**
7. **Presentations**
8. **Public Testimony**
9. **Consent Agenda** (if necessary)
10. **Public Hearings/Action** (if necessary)

11. **Action Items** (if necessary)
12. **Reports-** The Reports portion of the agenda will be for the City Council to receive reports from City staff, consultants, City Council Liaisons, or other individuals.
13. **Items for Future City Council Meetings**
14. **Executive Session/Meeting** (if necessary)
15. **Adjournment**

7.02 Announcements

The Announcements section of the agenda is to allow members of the City Staff or City Council to make a public statement about an upcoming event(s) of interest to the citizens of Watauga, or to make a statement of recognition for a person, or group, that is not the subject of a presentation. There is no discussion or action to be taken on announcements.

7.03. Addressing the City Council*

Members of the public are invited and encouraged to attend all public meetings of the City Council that are not closed to the public in accordance with the Texas Opening Meetings Act. It is the desire of the City Council that citizens actively participate in the City's governance system and processes. Public input to the City Council is encouraged during the Public Testimony, Public Hearings, or Action Item sections of a meeting agenda. Individuals desiring to speak during Public Testimony shall be called upon to speak only after completing a Request to Speak form attached hereto as Annex E. The Request to Speak form for Public Testimony shall be submitted to the administrative staff prior to speaking. Individuals desiring to speak on an agenda item or during a public hearing shall submit the Request to Speak form prior to the introduction of that respective item by the Chair. Once the form is received by administrative staff, the individual shall be recognized and called upon by the Chair prior to speaking. Any public testimony must occur prior to formal action being taken by the Council. The Chair shall have the power to suspend citizen comments at any time during the meeting to preserve the order and the efficiency of the meeting. Reasonable time limitations may be placed on public input by the presiding officer in order to conduct an efficient and effective public meeting.

*Any individual who is unable to physically stand shall be provided an accommodation to be recognized by the Chair so that they may be recognized and allowed to speak.

a. Public Comments During Public Testimony and on Agenda Items

If speaking for an organization or group, the speaker should identify the group represented. If speaking during Public Testimony (for matters not posted on that particular meeting's agenda), members of the City Council and Staff may only provide a statement of factual information in response to the inquiry or recite existing policy in response (e.g., to correct a factual misstatement made by the citizen or provide factual information requested by the citizen). Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. If necessary, the Chair will task the City Manager to respond to the citizen and report back to the City Council as soon as practicable. Such report to the City Council shall not constitute a

meeting called by the City Council nor shall it constitute deliberation or formal action.

Individual citizens addressing the City Council during Public Testimony shall not exceed three (3) minutes in their comments; however, the Chair may extend or reduce the speaker's allotted time in order to conduct an efficient and effective public meeting. The time allotted shall not be donated to others desiring to speak. Public Testimony is not established to engage in a conversation with the Council and no formal Council action will be taken. Citizens desiring to discuss an item with the Council not on the agenda, or to request specific Council action, should complete the form attached hereto as Annex D, for possible placement on the agenda at a future City Council Meeting.

b. Public Testimony During Action Items

Only those persons who submit a completed Request to Speak form prior to the agenda item being introduced by the Chair will be allowed to speak on the given agenda item (i.e., citizens will be allowed to speak at the beginning of each agenda item if they so desire after being recognized, then the Council will deliberate and make any necessary motions and/or votes, etc.). The Chair shall ask each person requesting to speak to come to the podium to speak in turn in an orderly manner. Speakers time shall generally not exceed three (3) minutes in their comments and all comments must be germane to the specific agenda item being discussed; however, the Chair may extend or reduce the speaker's allotted time. Speakers shall not be permitted to donate their time to other speakers. Members of the City Council may ask questions or discuss the item directly with the citizen during the citizen's comments if necessary. Any discussion between a Council member and the citizen will not count toward the time limit and Council Members are encouraged not to speak until the citizen has first utilized their allocated time.

c. Public Testimony During Public Hearings

Public Hearings by their very nature are designed for public input. All citizens that wish to speak at a Public Hearing will be asked to complete a request to speak form. That form can be completed prior to the onset of the Public Meeting or during the course of the Public Meeting. When prompted by the Chair, each person requesting to speak and that submitted a completed Request to Speak form ~~prior to the opening of the public hearing~~ shall come to the podium to speak when called upon by the Chair. Individuals addressing the City Council shall not exceed their allotted time limit when making their comments; however, the Chair may extend or reduce the speaker's allotted time to conduct an efficient and effective public meeting. Speakers shall not be permitted to donate their time to other speakers. If an individual speaks during the public hearing on the same matter that appears on the Action Items section of the agenda, shall only provide comments not previously provided during the public hearing. Once the Public Meeting has been closed by the Chair no other citizens will be allowed to speak on the matter of the Public Hearing.

Section 8 – RULES SUSPENSION

Any provision of these rules not governed by the City Charter, City Code, or state law may be temporarily suspended by a two-thirds vote of the members of the City Council present. The vote on any such suspension shall be taken by “Aye” and “Nay” votes and entered upon the record.

ANNEX A

Fundamental Principles of Parliamentary Law

The Mayor, Council Members, City Manager, City Attorney, City Secretary, and City staff members appearing before the various meetings of the Watauga City Council should become familiar with following rules and customs:

1. All members have equal rights, privileges, and obligations; rules must be administered impartially.
2. The minority has rights, which must be protected.
3. Full and free discussions of all motions, reports, and other items of business is a right of all members.
4. In doing business the simplest and most direct procedure should be used.
5. Logical precedence governs introduction and disposition of motions.
6. Only one question can be considered at a time.
7. Members may not make a motion or speak in debate until they have been recognized by the chair and thus have obtained the floor.
8. No member may speak a second time on the same question if anyone who has not spoken on that question wishes to do so.
9. Members must not attack or question the motives of other members. Customarily, all remarks are addressed to the presiding officer.
10. In voting, members have the right to know at all times what motion is before the assembly and what affirmative and negative votes mean.
11. The majority vote decides. This is a fundamental concept of democracy.
12. All meetings will be characterized by fairness and good faith.

ANNEX B

The Chief Purposes of Motions

PURPOSE	MOTION
Present an idea for Discussion and action	Main motion Resolution Consider informally
Improve a pending motion	Amend Division of question
Regulate or cut off debate	Limit or extend debate Close debate
Delay a decision	Refer to committee Postpone to a certain time Postpone temporarily Recess Adjourn
Meet an emergency	Question of privilege Suspend rules
Gain information on a pending motion	Parliamentary inquiry Request for information Request to ask a member a question Question of privilege
Question the decision of the presiding officer	Point of order Appeal from decision of the chair
Enforce rights and privileges	Division of assembly Division of question Parliamentary inquiry Point of order Appeal from decision of the chair
Consider a question again	Resume consideration Reconsider Rescind Renew a motion Amend a previous action Ratify
Change an action already taken	Reconsider Rescind Amend a previous action
Terminate a meeting	Adjourn Recess

ANNEX C

Parliamentary Strategy

To Support a Motion	To Oppose a Motion
1. Second it promptly and enthusiastically. 2. Speak in favor of it as soon as possible. 3. Do your homework; know your facts; have handouts, charts, overhead projector slides, etc. if appropriate. 4. Move to amend motion, if necessary, to make it more acceptable to proponents. 5. Vote against motion to table or to postpone, unless delay will strengthen your position. 6. Move to recess or postpone, if you need time to marshal facts or work behind the scenes. 7. If defeat seems likely, move to refer to committee, if that would improve chances. 8. If defeat seems likely, move to divide question, if appropriate, to gain at least a partial victory. 9. Have available a copy of the rules of procedure, City Charter, and <i>Robert's Rules of Order, Newly Revised</i>, most recent edition, in case of a procedural dispute. 10. If motion is defeated, move to reconsider, if circumstances warrant it. 11. If motion is defeated, consider reintroducing it at a subsequent meeting.	1. Speak against it as soon as possible. Raise question; try to put proponents on the defensive. 2. Move to amend the motion so as to eliminate objectionable aspects. 3. Move to amend the motion to adversely encumber it. 4. Draft a more acceptable version and offer as amendment by substitution. 5. Move to postpone to a subsequent meeting. 6. Move to refer to committee. 7. Move to recess, if you need time to round up votes or obtain more facts. 8. Question the presence of quorum, if appropriate. 9. Move to adjourn 10. On a voice vote, vote emphatically. 11. If the motion is adopted, move to reconsider, if you might win a subsequent vote. 12. If the motion is adopted, consider trying to rescind it at a subsequent meeting. 13. Have available a copy of the rule of procedure, City Charter, and <i>Robert's Rules of Order, Newly Revised</i>, most recent edition, in case of a procedural dispute.

ANNEX D

REQUEST FOR A COUNCIL MEMBER TO SPONSOR AN ITEM ON A CITY COUNCIL AGENDA

Requests to have an item sponsored by a City Council Member must be submitted to the City Secretary's Office at least fourteen (14) days prior to the agenda posting deadline for the City Council Meeting for which the request is made. Such requests **MUST BE SPONSORED BY AT LEAST TWO (2) MEMBERS OF THE CITY COUNCIL** to be placed on the agenda. All relevant information concerning the matter must be provided by you or the sponsoring Council Member(s) to the City Secretary's Office not later than fourteen (14) days prior to the applicable City Council Meeting agenda posting deadline.

Name: _____

Address: _____ Phone Number: _____

Are you a Resident and/or Business Owner in Watauga? ☐ Yes ☐ No

Please put a check mark next to the name of the City Council Member(s) you would like to sponsor the item			
Mayor		Council Member, Place 4	
Council Member, Place 1		Council Member, Place 5	
Council Member, Place 2		Council Member, Place 6	
Council Member, Place 3		Council Member, Place 7	

Subject to be discussed:

Signature of Sponsor

Signature of Sponsor

OFFICE USE ONLY:

Date and Time request was received: _____

Signature of person receiving request: _____

Date of City Council Meeting to be discussed: _____

Signature of Council Member sponsoring item: _____

City of Watauga - 7105 Whitley Road - Watauga, Texas 76148 - (817) 514-5800 - Metro: (817) 498-3408 - Fax: (817) 514-3625

ANNEX E

REQUEST TO SPEAK FORM

PUBLIC TESTIMONY:

Public Testimony during City Council Meetings and Workshops provides citizens an opportunity to make comments or present information to the City Council. All comments must be directed to the City Council and not an individual Council Member or City Staff. Council **may only provide statements of fact** on issues raised during Public Testimony and may direct the City Manager to resolve or request the matter be placed on a future agenda. Public comments shall not include any “deliberation” as defined by Chapter 551 of the Government Code, as now or hereafter amended.

Speakers are limited to three (3) minutes and time shall not be donated to other speakers.

After submitting the completed Request to Speak form and submitting to the City Administrative staff, you will be recognized by the Chair to speak. You may approach the speaker’s podium and begin comments.

Please complete the information on the form below and submit it to the City Secretary prior to the start of the Council Meeting for comments during Public Testimony or prior to the introduction of the item for comments during public hearings or on agenda items. Forms not submitted as required **will not** be accepted. (Check all that apply)

Public Testimony	Public Hearing	Agenda Item
First Name	Last Name	
Address		Phone Number
Are you a resident and/or business owner in Watauga? ☐ Yes ☐ No		Date of Meeting

Agenda item number(s) you wish to speak about:		
No.	No.	No.
Subject to be presented to the City Council:		

CODE OF CONDUCT

WHAT CURRENT CONDUCT STANDARDS EXIST FOR COUNCIL MEMBERS?

COUNCIL
RULES OF
PROCEDURE

ETHICS
ORDINANCE

COUNCIL RULES OF PROCEDURE

- Section 4 – Standards of Conduct

- 4.01. Mayor and City Council Members

- The Mayor and Council Members shall demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and for the community and citizens being served. Elected officials should exhibit appropriate behavior. The Mayor and all members of the City Council when authorized to vote, have equal votes and the Mayor and all Council Members speak only for themselves.

- 4.02. Council Relations with the Media

- All City press releases, media advisories, story suggestions, or similar items should be submitted through the Public Information Officer for distribution.

- 4.05. City Council Members Absences, Late Arrival and Conduct During Meetings

- Each meeting shall commence with a roll call for City Council members.
 - Notification of intent to be absent shall be provided in writing to the City Secretary, the City Manager or Presiding Officer prior to the meeting at which the Council Member will not be in attendance.
 - Notification of a late arrival to a meeting shall be provided via City-issued devices to the City Secretary, City Manager or Presiding Officer prior to the meeting at which the Council Member will arrive late.
 - There shall be no use of personal electronic devices by City Council Members during an official meeting of the Council.

ETHICS ORDINANCE

- Sec. 2-166 – Standards of conduct for all officers and employees
- Sec. 2-167 – Additional requirements for city council members
- Sec. 2-169 – Disclosure of financial interest
- Sec. 2-170 – Disclosure of real property interest
- Sec. 2-171 – Affidavit regarding prohibited interest to be included in contracts with city
- Sec. 2-172 – Complaints against city council member
- Sec. 2-173 – Violations by city council members
- Sec. 2-176 – Business transactions between city and current or former elected officials

ARE THE CURRENT STANDARDS ENOUGH?

- Do our current standards accomplish the following objective?
 - A code that sets out the expectations on and commitment required from City Council Members and City Board Members in order for the governing body to properly carry out its work within the community.
- To further answer the question, we should review the following:
 - What are the Council's strategic functions as set by the City Charter
 - How does the Council ensure accountability?
 - How does the Council oversee financial performance?

SECTIONS THAT ARE RECOMMENDED TO INCLUDE IN A CODE OF CONDUCT

- Identify the strategic functions of the City Council
- Agree to:
 - Roles and Responsibilities
 - Commitment
 - Relationships
 - Confidentiality
 - Conflicts of Interest
- How to Handle a Breach of the Code of Conduct

WHAT ARE COUNCIL'S STRATEGIC FUNCTIONS?

- Set the Vision and Mission of the City
- Set the goals of the City
- Adopt and update a Strategic Plan for the City
- Meet statutory duties
- Pass ordinances of the City per Sec. 3.07 of the City Charter

HOW DOES THE COUNCIL ACHIEVE ACCOUNTABILITY ?

- Appointing a City Manager as required by Sec. 7.01 of the City Charter
- Allow the Manager to carry out the duties set by Sec. 7.01 of the City Charter without interference
- Appoint a City Secretary as required by Sec. 7.02 of the City Charter
- Appoint a Judge of the municipal court as required by Sec. 8.02 of the City Charter
- Appoint a City Attorney as required by Sec. 8.04 of the City Charter
- Evaluate the City Manager, City Secretary, City Attorney and Municipal Court Judge's performance annually
- Engage stakeholder's through participation in public meetings
- Conduct citizen surveys

HOW DOES COUNCIL OVERSEE FINANCIAL PERFORMANCE?

- Sec. 3.07 of the City Charter
 - Adopt the budget, manage and control the finances
 - Authorize the issuance and sale of bonds, by a bond ordinance
 - Fix the salaries and compensation of the city officers and employees
 - Litigate, defend, compromise and settle any and all claims, demands, and lawsuits of every kind and character, in favor of, or against the City of Watauga.
 - Monitor spending by reviewing the reports required of the City Manager in Sec. 7.01

ROLE & RESPONSIBILITIES TO CONSIDER

- Understand the purpose of the City Council and its strategic role
- Understand how the role of Council differs from and works with others include the City Manager and where appropriate other members of City Management, trust boards and other community leaders.
- Accept that the Council has no legal authority to act individually, except when the Council has given us delegated authority to do so, and therefore will only speak on behalf of the City Council when given specific authority to do so.
- Accept collective responsibility for all decisions made by the City Council. This means that individual members of the Council will not speak against majority decisions outside the City Council Meetings.
- Act fairly and without prejudice, in so far as being responsible for staff and fulfilling all that is expected of a good employer.
- Encourage open governance.

ROLES AND RESPONSIBILITIES TO CONSIDER

- Consider carefully how our decisions may affect the community and other governmental entities.
- Be mindful of the responsibility to maintain and develop a quality reputation. Council actions within the community will reflect this.
- When making or responding to criticism or complaints we shall follow the procedures established by the City Council.
- Actively support and challenge the City Manager.
- Accept and respect the difference in roles between the Council and staff, ensure that we work collectively for the benefit of the City.
- Respect the role of the City leaders and their responsibility for the day to day management of the City and avoid any actions that might undermine such arrangements.

ROLES AND RESPONSIBILITIES TO CONSIDER

- Agree to adhere to the City's ethics rules and procedures as set out by the ordinance.
- Ensure our spoken and written comments reflect current organizational policy even if they might differ from our personal views.
- Communication in our private capacity (including on social media) shall be mindful of and strive to uphold the reputation of the City.
- Avoid, as far as possible, becoming involved in any communication which may lead to a conflict of interest.

COMMITMENT STATEMENTS TO CONSIDER

- Acknowledgement and acceptance by Council Members of the time and energy commitment .
- Accept responsibility to be involved in the work of the City Council and accept fair share of responsibility, including service on boards and committees.
- Make full effort to attend all meetings and where unable to attend explain in advance why unable to do so.
- Get to know the City departments and be involved in City activities.
- Visit the departments to learn how they operate.
- When visiting the departments of the City maintain your responsibility to learn the operations without interfering in the day to day operations.

COMMITMENT STATEMENTS TO CONSIDER

- Undertake relevant training.
- Accept that in the interests of open governance, our full names, terms of office, roles on the City Council, attendance records, relevant business and pecuniary interests, and that such information will be posted on the City's website.

RELATIONSHIPS STATEMENTS TO CONSIDER

- Strive to work as a team in which constructive relationships are actively promoted.
- Express views openly, courteously and respectfully in all communications with other Council Members, City Manager, City Secretary, Municipal Court Judge, City Attorney and other members of staff, both in and outside of meetings.
- Support the Mayor/Chair in the role of ensuring appropriate conduct both at meetings and at all times.
- Confront, by speaking up to bring attention to any decisions and actions that conflict with the Seven Principles of Public Life.
- Be prepared to answer queries from other Council Members in relation to delegated functions and take into account any concerns expressed.

RELATIONSHIPS STATEMENTS TO CONSIDER

- Seek to develop effective working relationships with the City leaders, staff, other relevant agencies and the community.

CONFIDENTIALITY REQUIREMENTS TO CONSIDER

- Record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the City Council's business and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time.
- Exercise the greatest prudence at all times when discussions regarding City business arise outside a City Council meeting.
- Not reveal the details of any City Council vote.
- Ensure all confidential papers are held and disposed of appropriately.

CONFLICTS OF INTEREST STATEMENTS TO BE CONSIDERED

- Record any pecuniary or other business interest (including those related to people we are connected with) that we have in connection with the City Council's business and if any such conflicted matter arises in a meeting we will offer to leave the meeting for the appropriate length of time.
- Accept the meeting minutes for City Council meetings will be published on the City's website.
- Declare any conflict of interest as required by the City's Ethics Ordinance and State Law, should the situation arise.
- Act in the best interests of the City as a whole and not as a representative of any group, even if elected to the City Council.
- Understand that the requirements relating to confidentiality will continue to apply after a Council Member leaves office.

BREACH LANGUAGE TO BE CONSIDERED

- If we believe the code has been breached, we will raise this issue with the City Council and the City Council will determine the need to investigate; the City Council will only use suspension/removal as a last resort after seeking to resolve any difficulties or disputes in more constructive ways.

THE SEVEN PRINCIPLES OF PUBLIC LIFE

- **Selflessness** – Holders of public office should act solely in terms of the public interest.
- **Integrity** – Holders of public office must avoid placing themselves under any obligation to people or organizations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- **Objectivity** – Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- **Accountability** – Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- **Openness** – Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- **Honesty** – Holders of public office should be truthful.
- **Leadership** – Holders of public office should exhibit these principles in their own behavior. They should actively promote and robustly support the principles and be willing to challenge poor behavior wherever it occurs.

CREDITS

- The content for Code of Conduct Model Procedures was taken from the National Governance Association. Author: Steve Edmonds, Director of Advice and Guidance.

SUMMARY BIOGRAPHY OF GEORGE E. HYDE

Mr. Hyde was born in El Paso, Texas but raised in Oxnard, California. In 1983, he, along with his parents, returned to Texas where he has predominately remained since. In 1988, Mr. Hyde graduated from Texas State University with a Bachelor of Science degree in Criminal Justice, Law Enforcement.

Mr. Hyde is the youngest son of Alvin “Rusty” Hyde and Beverly Hyde. Rusty Hyde was born in Edna, Texas, raised in Lufkin, Texas, was a Pacific Theater WWII veteran, a Captain in the United States Coast Guard Auxiliary and principally employed as a public-school educator. He retired as an educator in 1983 after serving 28 years. Rusty Hyde passed-away in 1990 at age 60. Beverly Hyde was born and raised in El Paso, Texas, also served in the United States Coast Guard Auxiliary as a boating safety specialist and was also principally employed as a public-school educator. She retired as an educator in 1983 after 32 years of service. Beverly Hyde also passed-away in 2006 at age 78. Mr. Hyde has two children, both Texas A&M graduates and one granddaughter, all of which he holds immense affection for. One of his children now serves society as a licensed Professional Engineer and the other as a licensed Physical Therapist.

Mr. Hyde has continuously served Texas local government, principally municipalities, since 1986 in positions including Firefighter, Fire Apparatus Operator and Fire Lieutenant (Guadalupe and Hays counties), Park Ranger (City of New Braunfels), Peace Officer (in various locations), and since 1999, as an Attorney and Counselor at law. His non-attorney service was predominately as a Texas Peace Officer, initially for county law enforcement, but he began municipal law enforcement service in 1995 for the City of Selma, Texas. He maintained a law enforcement role from 1989 through 2012, when he retired as a Commander for the City of Selma, Texas, Police Department.

He continued law enforcement service however, holding a non-paid police commission for the City of Pflugerville, Texas while serving as its City Attorney, until 2017, when he resigned his commission and was honorably discharged after completing more than a quarter-century of law enforcement service. Some of the achievements during his law enforcement career include achieving Master Peace Officer Certification, Peace Officer Instructor Certification, selection as Firearms Rangemaster and receiving the Texas Commission on Law Enforcement Educational Achievement Award for exceeding normal expectations in job performance through acts of professional achievement, public service or valor.

Mr. Hyde is also one of the few Texas attorneys to have real trial experience in both Texas and Federal courts *before* law school. Using his investigative talents coupled with his accident investigation training and experience, Mr. Hyde started his legal career in 1989 as a paralegal, supporting courtroom experts in high profile national and international products liability litigation. In 1993, he redirected his paralegal legal work toward direct attorney support, serving as a trial paralegal on matters involving products liability, insurance defense, medical malpractice, legal malpractice and labor and employment.

In the Fall of 1996, Mr. Hyde entered law school at St. Mary's University School of Law. He graduated in December 1998 both five months early and, with *cum laude* honors. During law school Mr. Hyde participated with high recognition in both mock trial and moot court competitions. He was inducted into the John M. Harlan Society for distinguished law school graduates by the faculty and inducted into the international legal honor society of Phi Delta Phi by his peers, both in recognition of good moral character, good academic standing and public service. In his last year of law school, he was also selected by the Faculty to serve as a Legal Research Instructor to incoming law students. Mr. Hyde continued to work while in law school as a law clerk for several local law firms in the San Antonio area to help financially support his family.

Mr. Hyde became a certified member of the Paralegal Division of the State Bar of Texas in 1993 and has remained a member since. In July 1997, the State Bar of Texas issued Mr. Hyde a supervised law license allowing him to practice law as a qualified law student and subsequently as a qualified unlicensed law graduate, until the issuance of his regular license in May 1999. Mr. Hyde began his practice handling litigation matters, but quickly integrated his law practice to include the myriad of areas necessary for the legal support of local government as Special Counsel and City Attorney.

Mr. Hyde is licensed by the Texas Supreme Court and admitted to practice in all Texas district and appellate courts, three of the four United States District Court districts in Texas, the United States Fifth Circuit Court of Appeals, and the United States Supreme Court. Mr. Hyde also holds Merit Certification in Municipal Law issued by the Texas City Attorneys Association and is a member of the Texas State Bar College, which is an honorary society of lawyers who are among the best trained attorneys in Texas, dedicated to both high ethical standards and improved training for all Texas attorneys.

Mr. Hyde has handled hundreds of Texas and Federal district court litigation matters, over 22 reported Texas appellate court matters, over 19 reported Federal district court matters and more than five (5) reported Federal Fifth Circuit Court of Appeals matters for local government. Mr. Hyde has served as the City Attorney in ten cities across Texas ranging in size from hundreds to over 60,000 population¹ and served as Special Counsel in dozens more. He has also served as Municipal Prosecutor in seven (7) municipalities. Mr. Hyde is a regular contributor for continuing legal education programs regarding representing Texas local government throughout Texas.

By application of his background, his courtroom experience, and his ingenuity with sound judgement when serving as a law counselor or litigator, he has demonstrated his unique talent to provide invaluable non-partisan legal advice serving governmental bodies and their elected and administrative officials throughout his robust law practice for over 20 years.

¹ City Attorney service include the cities of Victoria, Pflugerville, Rosenberg, Watauga, Bay City, Buda, Brady, Garden Ridge, Somerset, and Hays.

Today, Mr. Hyde serves as a Director on the St. Mary's University School of Law Alumni Association's Board of Directors and as its Bylaws Committee Chair. He also serves on the Program Committee and as Faculty for The State Bar of Texas, Government Law Section. Mr. Hyde practices law throughout Texas as a Partner of the law firm Russell Rodriguez Hyde Bullock, LLP, located in Georgetown, Texas.