

CITY OF DESOTO

City Council Rules and Procedures



DeSoto

— *So much to love* —

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Adopted by Resolution 23-02

PURPOSE

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

OVERVIEW

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

CITY COUNCIL DUTIES AND RESPONSIBILITIES

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

The City Council shall govern the City with a commitment to preserving the values and integrity of representative local government and democracy. The following statements will serve as a guide to that commitment:

1. The City Council must strive for continual improvement of each member's personal knowledge and ability to serve in an atmosphere conducive to the responsible exchange of ideas.
2. The City Council will keep the community informed on municipal affairs; encourage communication between the citizens and Council and strive for constructive relationships with Dallas County, neighboring communities, DeSoto Independent School District and other governmental bodies.
3. The City Council will recognize and address the rights and privileges of the social, cultural, and physical historical characteristics of the community when setting policy; and, to strive to enhance the cultural diversity of its citizens.
4. The City Council will seek to improve the quality and image of the City.
5. The City Council will always be committed to promote and protect the best interest of all its citizens and entire community.

SECTION I: AUTHORITY

A. CHARTER

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

B. COUNCILMEMBER APPOINTMENTS AND ASSIGNMENTS

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

C. MAYOR TO ACT AS COUNCIL CEREMONIAL REPRESENTATIVE

1. According to the City Charter Article II; Section 7, the Mayor has been delegated the responsibility to act as the City Council's ceremonial representative at public events and functions. In the Mayor's absence, the Mayor Pro Tem assumes this responsibility. In both the Mayor's and Mayor Pro Tem's absence, the Mayor will appoint another Councilmember to assume the responsibility.

D. MAYOR ISSUANCE OF PROCLAMATIONS, COMMENDATIONS AND CONGRATULATORY LETTERS

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

SECTION II: ORDER OF BUSINESS

A. GENERAL ORDER

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

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

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

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

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

B. CONSENT AGENDA

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

C. ITEMS OF COMMUNITY INTEREST

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

D. STANDARD ADJOURNMENT

1. The City Council establishes 10:00 p.m. as the hour of adjournment and will not continue beyond that time without a majority vote of the City Council. To assist in making the determination to continue an item under consideration, the City Council should find that discussion, deliberation and action on the item could be concluded by 10:30 p.m. . If agenda items remain after the 10:00 p.m. adjournment, a special meeting may be scheduled or the items deferred until the next regular meeting. Deferred items will appear first on the regular agenda of the next meeting.

SECTION III: CITY COUNCIL AGENDA PROCESS

A. ESTABLISHING THE CITY COUNCIL MEETING AGENDA

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

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

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

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

B. PARLIAMENTARY PROCEDURES

1. Discussion on agenda items will be initiated following introduction by the Mayor, explanatory comments by staff, and a motion and a second for or against the proposal.
2. The Mayor will encourage all Councilmembers to participate in discussion and debate, ensuring all members the opportunity to speak, limiting each speaker to ensure efficient use of time as appropriate.
3. Robert's Rules of Order will determine the precedence of motions and the general conduct and composition of meetings except as otherwise provided herein or by State law.

C. CITIZENS APPEARANCES

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

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

D. MINUTES

1. The City Secretary will keep Action minutes for all City Council meetings where City Council takes official action and description minutes for all Citizens Appearances and Public Hearings.
2. The City Secretary shall maintain recordings of City Council meetings in accordance with the City's adopted Records Management Program ordinance and applicable State law.
3. Any questions regarding minutes shall be directed to the City Secretary prior to the City Council meeting.

SECTION IV: COUNCIL MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT

A. CITY COUNCIL ORIENTATION

1. The City Manager will, in a timely manner, provide appropriate orientation services for new Councilmembers. Such services shall include, but not be limited to, the following:
 - Availability of Texas Municipal League conferences and seminars
 - An individual meeting with new Members informing them about City facilities and procedures
 - Printed documents and resource materials necessary to the performance of the office of Councilmember

B. TRAINING AND PROFESSIONAL DEVELOPMENT

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

that amount provided for individual training otherwise provided herein.

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

SECTION V: CITY COUNCIL- STAFF RELATIONS

A. COMMUNICATION WITHSTAFF

1. The City Council should contact City employees through the City Manager. Councilmembers should refrain from giving orders or direction to any subordinate of the City Manager, either publicly or privately. Work assignments and policy direction should come from the elected body as a whole and not from individual members.
2. Nothing herein shall be construed to limit the power of the City Council to directly

communicate (in writing or verbally), with those officers and employees directly appointed by the City Council (City Manager, City Secretary, City Attorney, and Municipal Court Judge).

B. AGENDA QUESTIONS

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

C. PRESENTATIONS TO CITY COUNCIL

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

D. PROBLEM RESOLUTION

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

E. STAFF CONDUCT

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

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

SECTION VI: BOARDS/COMMISSIONS

A. BOARD/COMMISSIONS APPOINTMENTS

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

B. BOARD AND COMMISSION TRAINING

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

C. OTHER BOARDS

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

SECTION VII: CENSURE POLICY

- A. Two (2) or more City Councilmembers may file a written notice of censure against another City Councilmember with the City Secretary. The written notice shall set forth the allegation(s) of conduct and City Charter provisions which the accused Councilmember shall have allegedly violated. A copy shall be delivered to all Councilmembers. A written response to the allegation(s) may be filed by the accused Councilmember ten (10) days after receipt thereof. A copy of the notice of censure and response thereto shall be delivered to each Councilmember within two (2) days after the response is filed.
- B. On the first regularly called meeting of the City Council, which complies with the Texas Open Meetings Act, after the filing of the notice and response, the City Secretary shall formally read the notice and response into the public record. The City Council, by majority vote, shall thereafter determine whether or not good cause shall exist to set a formal hearing on the merits of the notice of censure or dismiss the allegation(s). A public hearing shall be set on the allegation(s) by the City Council. A vote to hold a public hearing shall not be construed to be a vote of censure.
- C. The accused City Councilmember has the right to be represented by legal counsel and present witnesses relative to the allegation(s).
- D. A public hearing on the allegation(s) and response shall be held at either a regular or special called meeting of the City Council, which shall be open to the public.

- E. The City Council will hear evidence concerning the notice of censure. The City Councilmembers proffering the charges shall present evidence in support of the allegation(s) contained in the notice of censure. The Councilmember who is the subject of the censure shall have the opportunity to present evidence to support his or her position with respect to the notice of censure. After receiving evidence at an open public meeting, the City Council shall then take a roll-call vote, after motion duly made and seconded, a majority of five (5) members of the City Council shall be required to sustain the censure of the Councilmember.

SECTION VIII: PROCEDURES ADMINISTRATION

A. BIENNIAL REVIEW OF CITY COUNCIL PROCEDURES

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

B. ADHERENCE TO PROCEDURES

- 1. During City Council discussions, deliberations and proceedings, the Mayor has been delegated the primary responsibility to ensure that the City Council, staff and members of the public adhere to the City Council's adopted procedures.

SECTION IX: COUNCIL DISTRICT MEETINGS

A. COUNCIL DISTRICT MEETINGS

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

B. CITY SUPPORT FOR COUNCIL DISTRICT MEETINGS

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

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

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