

12/17/2015

RESOLUTION NO. 12-21-15-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
AMARILLO, TEXAS: THE ADOPTION OF CITY OF AMARILLO
CITY COUNCIL POLICY AND PROCEDURES.

WHEREAS, the Amarillo City Council ("Council") is an elected body who serve the citizens of the city of Amarillo; and

WHEREAS, following a workshop held on December 9, 2015, the Council now wishes to adopt the City of Amarillo City Council Policy and Procedures; and

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

SECTION 1. The Amarillo City Council now desires to adopt these policies and procedures as set forth on Exhibit A attached hereto and incorporated herein and approved.

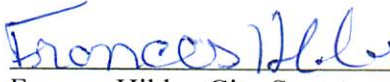
SECTION 2. This resolution shall be effective immediately upon its approval by the Amarillo City Council.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, this 21 day of December, 2015.



Paul Harpole, Mayor

ATTEST:



Frances Hibbs, City Secretary

City of Amarillo

City Council Policy and Procedures

1.0 Preamble

The Amarillo City Council is the governing body for the City of Amarillo. The City Council is responsible for a wide range of activities and oversight in its policy making and governance role. It is the responsibility of the City Council to 1) set policy, 2) allocate municipal resources, 3) establish expectations for fair and open government, and 4) ensure the Council as a body develops itself as an effective team.

By adopting these Policies and Procedures for elected officials, we acknowledge our responsibility to the citizens of Amarillo, to each other, to our City Manager and professional staff. The City Council will govern the City in a manner associated with a commitment to the preservation of the values and integrity of democratic representative local government, and a dedication to the promotion of efficient and effective governance. The following policy statements will serve as a guide and acknowledgement to the commitment of serving the best interest of the people of Amarillo.

1. The Council will endeavor to keep the community informed on municipal affairs; encourage communication between the citizens and the City Council; strive for strong working relationships among all local government units in Amarillo.
2. In its governance role, the Council will continue to be dedicated to friendly and courteous relationships with the public, other Council members, and the City Manager and his/her staff, while seeking to improve the quality and image of public service.
3. The Council has as a high priority the continual improvement of every member's governance ability and the promotion of an atmosphere conducive to the fair exchange of ideas and policies among members.
4. Each Council member will make a commitment to improve the quality of life for the Amarillo community and be dedicated to the faithful stewardship of the public trust.

1.1 Fair and Open Local Government

The Amarillo City Council believes in open and fair local government. We hold the public trust to govern in a manner which promotes the best interest of our citizens. It shall be the policy of the City Council to comply fully with the Texas Open Meetings Act and its associated requirements which promote transparent local government in all aspects of the City's operations. While there may be instances where confidentiality is in the best interest of the local government, the Council will operate in a manner that promotes the free flow of information to the citizens of Amarillo. We will strive to meet the standard of avoiding even the appearance of improper behavior in all our matters and dealings with the public's business.

1.2 Statement of Mission

In order to ensure proper discharge of duties for the improvement of democratic local government, Amarillo City Council members should display behavior that demonstrates independent, impartial review of all matters addressed by them, and be duly responsible to the citizens of Amarillo and to each other in their relationships.

This policy addresses several key areas in pursuit of Council role and responsibilities in the discharge of the duties as elected members of the Amarillo City Council. The policy addresses the following areas:

2.0 Amarillo City Council Code of Conduct

The conduct of Council meetings is a matter that belongs with the entire elected Council. The following policies will be adhered to in the conduct of Council business:

1. During Council meetings, Council members shall preserve order and decorum. Individual Council members shall not interrupt or delay proceedings and shall not refuse to obey the orders of the Mayor or the Policies and Procedures contained with this document.
2. Council members shall demonstrate respect and courtesy to each other, the City Manager and his/her staff, and members of the public appearing before the Council. Council members shall refrain from rude and derogatory remarks and shall not belittle others in the course of Council deliberations.
3. Members of Council should not use their position to secure special privileges and should avoid situations that could cause any person to believe that they may have brought bias or partiality to a question before the Council.
4. Council members will not condone any unethical or illegal activity. All members of Council agree to uphold the intent of this policy and to govern their actions accordingly.

2.1 Council Relations

Our work together, as the elected Council, must be a team effort. No one member of Council has greater authority than other members of Council. The trust given to us by the citizens of Amarillo can only be served when we act as a body with respect for each other in all matters which we are charged to address. As a matter of policy we will interact with each other as follows:

1. We will always treat each with respect. We understand there will be debate and differences of opinions as we work together. We will observe decorum and civility at all times in our public and private interactions with each other.
2. Once a decision has been made by the Council, we will support the decision of Council although an individual Council member may be on the minority side of the outcome.
3. The Council will speak as one voice on matters of importance to the community, Council or administration. As we work towards building an agreement on matters, will keep our discussions and sensitive matters private among Council members.
4. When we disagree, we will discuss our disagreements in private and seek out solutions and build toward consensus.

2.2 Mayor's Responsibilities

The Mayor is the presiding officer of the Council. In that role the Mayor is expected to provide leadership and seek consensus when there is a disagreement among individual Council members.

1. The Mayor shall preside over all meetings of the Council. The Mayor Pro-Tem shall preside in his/her absence.
2. The Mayor shall have a voice in all matters before the Council and may vote on all agenda items requiring Council action.
3. The Mayor shall preserve order and decorum and shall require Council members engaged in debate to limit discussion to the question under consideration.
4. The Mayor is the spokesperson for the Council on all matters of Council policy unless absent. At which time his/her designee will assume the role.
5. The Mayor will encourage all Council members to participate in Council discussion and give each Council member an opportunity to speak before any member can speak again on the same subject. The Mayor may limit each speaker to five minutes to ensure efficient use of time.
6. The Mayor is responsible for keeping the meetings orderly by recognizing each Council member for discussion, limiting speaking time, encouraging debate among members of Council and keeping discussion on the agenda item being considered.
7. Should a conflict arise among Council members, the Mayor serves as mediator.
8. The Mayor in conjunction with the City Manager is responsible for the orientation of all new Council members after an election. The orientation should include, but not limited to, Council procedures, interaction with the City Manager and his/her staff, media relations, current agenda items, municipal finances, facilities and operations, and municipal leadership training programs.

2.3 Council Responsibilities

As the elected governing body of the City of Amarillo, the Council has a unique responsibility to govern in such a manner that promotes good, open and fair local government. The Council works as a collective team in its governance role. The governance authority of Council rests with the collective body politic and not in individual members. The following policies and guidelines are established to facilitate Council's work together:

1. Any Council member may request the Mayor to place an item on the Council agenda for discussion. The procedures are outlined in Section 4.0 Part 3 will be followed.
2. Each Council member is encouraged to attend at least one Texas Municipal League sponsored conference each year in order to stay informed on issues facing municipalities.

3. It is the responsibility of Council members to be informed about previous action taken by Council in their absence. In the case of absence from a Council workshop session where information is provided, the individual Council member is responsible for obtaining this information prior to the Council meeting when the item is to be voted upon.
4. When addressing an agenda item, the Council member shall first be recognized by the Mayor, confine himself/herself to the question under debate, avoid reference to personalities, and refrain from impugning the integrity or motives of any other Council member, City Manager and his/her staff, or a member of the public as a part of the debate or vote on the issue before the Council.
5. In the absence of a ruling by the Mayor on any procedural manner, a Council member may move to change the order of business or make any other procedural decision deemed appropriate. The affirmative vote by a majority vote of the Council members present and voting shall be necessary to approve the motion.
6. Any Council member may appeal to the Council as a whole from a ruling by the Mayor. If the appeal is seconded, the person making the appeal may make a brief statement and the Mayor may explain his/her position, but no other member may speak on the motion. The Mayor will then put the ruling to a vote of the Council.
7. During Council meetings, Council members will refrain from using cell phones and other communication devices. If there is a need to handle phone calls or respond to electronic communications, the Council member should excuse himself/herself from the Council Dias to take a call or respond to a message.
8. Any Council member may ask the Mayor to enforce the rules established by the Council. Should the Mayor fail to do so, a majority vote of the Council members present shall require him/her to do so.
9. When a Council member is appointed to serve as liaison to a board, the Council member is responsible for keeping all Council members informed of significant board activities.

3.0 Council Relations with City Manager

One of the most important relationship in city government is the relationship between the City Council and its City Manager. The Council is committed to have an open and honest relationship between the Council and Manager. As the Council's chief staff support, the City Manager is expected to provide professional and balanced advise to the Council on all matters being considered by the Council. The City Manager understands he/she works at the direction of the Council and should facilitate the Council receiving information, data, and sound professional recommendations at all times.

Under the Council-Manager form of government, interference by Council members is prohibited in the city's administrative service – including the hiring, firing, and work of municipal workers, with the exception of the City Manager and Municipal Court Judge.

The following policy and procedures will be followed:

1. The City Manager is expected to keep every member of Council informed on matters of the City. He/she shall always exhibit an attitude of respect and be responsive to every member of Council, our citizens and City employees.
2. Individual Council members should refrain from making requests and/or demands of the City Manager which will require a major change in existing City policy, require a substantial investment in time or other City resources, or special handling of matters which might result in special favors or the appearance of partiality.
3. Members of council shall not contact or visit department heads or individual departments without the advanced knowledge being provided to the City Manager or his/her immediate staff (Deputy City Manager and Assistant City Managers). This policy promotes the following important principles: 1) promotes respect for the Council-Manager form of government as authorized in the Amarillo City Charter; 2) promotes the establishment of a clear chain of command within the organization; 3) it assists the City Manager in knowing about problems and concerns from members of Council and permits him/her to undertake corrective actions consistent with the overall direction from the Council; and 4) it reinforces the mutual respect between Council members and the City Manager. It is understood that personal relationships may exist between elected officials and members of the City's workforce. This policy does not intend to limit purely personal relations and casual contacts. However, as elected officials, we should be cognizant that our role as elected officials places us in a unique position related to the City staff.
4. This policy is not intended to infringe on the Council's ability to conduct investigations under the provisions of the Amarillo City Charter Article V Section 19. No individual Council member shall conduct investigations without first contacting the Mayor to present valid information on the need for an investigation and request an item be placed on a public Agenda of the Council for discussion and vote to determine whether a Council Investigation is warranted under the provision in the Amarillo City Charter.
5. Council members should direct information requests through the City Manager or his/her principal assistants (Deputy Manager and Assistant City Managers). A request that requires a commitment of City resources should always be directed to the City Manager.
6. Individual Council members shall refrain about making public comments, suggestions, or demands concerning any part of the City operations without first discussing the matter with the City Manager. Should the member of Council continue to have concern after discussion with the City Manager, the Council member should request an opportunity to present his/her concern to Council in a public meeting of the Council.

Should the City Manager determine a violation of this policy has taken place, he/she should first contact the Council member to discuss the issue. If the Council member persists in behavior in contravention of this policy, the City Manager may contact the Mayor to request the Mayor and another Council member visit with the Council member. If agreement cannot be achieved, the matter will be presented to the entire Council for disposition.

4.0 Council Policy Making and Procedures

The City Council is the sole authority to adopt and approve public policy. Based on recommendations from the City Manager, the City Council adopts ordinances and resolutions to state their policy and set the direction of the City. In an effort to make their policy objectives clear and consistent, the following policies and procedures will be adhered to:

1. The City Council will meet annually for the purpose of reviewing its policy direction to the City Manager. The City Manager will be expected to provide an update on current Council priorities and lead the Council through a discussion on changes, modifications and adjustments to the current policy imperatives. The Council shall adopt clear policy directives for the City Manager at least annually prior to the development of the financial plans of the City in the next year.
2. The City Manager shall provide the Council regular written and verbal updates on their policy directives to the City Manager.
3. The Amarillo City Charter states the Mayor, City Manager and City Secretary shall prepare and post the weekly agenda of the City Council. As a matter of policy, the City Manager has directed his/her subordinates to follow specific procedures to place an item on the Council agenda for consideration. From time to time, a member of the Council may desire to place an item on the Council's agenda. When that occurs, the Council member should contact the Mayor and City Manager to make a request to have an item on the Agenda. If the Mayor and City Manager concur, the item may be placed on the next available Agenda for discussion by the Council. If Mayor and City Manager do not agree to post an item on the Agenda, a Council member may request two other Council members to request the item be posted on the Agenda for Council discussion. The other two Council members should contact the Mayor in writing to voice their support for the Agenda item.
4. The Amarillo City Charter indicates the City Manager shall provide the City Council with his/her recommendations on proposed policies of the Council. The Council shall receive the City Manager's recommendation on all proposed policies.
5. As a matter of policy, the City Council is committed to fair and open government. In order to facilitate open discussion by Council on proposed policy proposals, the Council shall conduct a weekly Worksession with the City Manager to receive his/her report on proposed policies and/or changes to existing Council policy. During the Council Worksession, the Council may question the City Manager about the proposal, request additional information, or provide specific comments on the proposal in formulating their policy direction. All Worksessions shall be conducted in the City Council Chambers and may be attended by any member of the public. Worksession discussions shall be limited to presentations by the City Manager or his/her designee and the Council. Questions and discussions from the public will not be allowed until Council has completed its study and review of the policy proposal.

Upon completion of the policy proposal, an item will be placed on a future Council Agenda to receive comments and input from the public.

6. To further City Council's desire to conduct the public business in open and inclusive manner, the Council shall consider and adopt a Citizen Engagement model to facilitate citizen input on matters of importance to the City government. The City Manager shall develop annually a report to Council to assess the effectiveness of the Amarillo Citizen Engagement model. The Council may make changes to the Citizen Engagement model to improve the overall effectiveness of the program.
7. Confidentiality must always be maintained related to our discussions in Executive Session. Confidentiality of Executive Sessions discussions go to the heart of our protection of the public trust. Disclosure of Executive Session discussions by individual Council members shall not be tolerated. To do so violates both the public trust and Council trust. Discussions in Executive Session belong to the Council body. Not the individual Council member.

Should a member of Council determine a provision of this policy section has been breached, he/she should contact the Mayor to report the breach and request a discussion with the offending Council member. If the Council member fails to agree to comply with the provisions of this policy, the Mayor and Council member may bring the item to the entire Council for consideration. If the offending member fails to make corrective actions, the Council may place an item on a Council Agenda to consider a censure vote. Failing to cease the negative behavior the Council may act to exclude the Council member from their Executive Session.

5.0 Amarillo City Council Code of Ethics

The office of Council member is one of trust and service to the citizens of Amarillo. This position creates a special responsibility for the Amarillo City Council member. In response, the City Council is expected to govern the City in a manner associated with a commitment to the preservation of the values and integrity of representative local government and local democracy. The Council will maintain a dedication to the promotion of efficient and effective governance. To further these objectives, certain ethical principles shall govern the conduct of every Council member, who shall:

1. Be dedicated to the highest ideal of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the citizens of Amarillo.
2. Recognize that the chief function of local government at all times is to serve the best interests of all citizens.
3. Be dedicated to public service by being cooperative and constructive and by making the best and most efficient use of available resources.
4. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the Council. We will not seek nor accept gifts or special favors or use confidential information gained from membership on the Council for personal gain or benefit.

5. Be dedicated to the use of public funds and resources in a manner as prescribed by the laws and policies in place to safeguard public funds.
6. Recognize that public and political policy decisions are ultimately the responsibility of the City Council.
7. We will conduct our business in open well-publicized meetings in order to be directly accountable to the citizens of Amarillo. It is recognized that certain exceptions are made by the State of Texas for executive sessions. However, any action that results from the Executive Sessions will be done in open sessions of the Council.
8. The ultimate standard of ethical behavior shall be to avoid even the appearance of improper behavior on the part of individual Council members or anyone associated with the City government.

Should a member of Council violate the stated policy and procedures presented in this section, the Mayor and one other Council member should meet with the offending Council member to discuss the breach and identify future corrective actions. If the offending member fails to respond appropriately to the contact, the Mayor may present the item to the entire Council for consideration and disposition.