



City of Hutto

Agenda

Special Called City Council Meeting Thursday, December 2, 2021 at 6:00 PM City Council Chambers

In accordance with the Texas Open Meetings Act this meeting agenda is posted for public information, continuously, for at least 72 hours prior to the scheduled time of the meeting on the bulletin board located on the exterior wall of the City Hall building at 500 West Live Oak, Hutto, Texas. This meeting agenda is also accessible via the Internet at huttotx.gov

- 1. CALL SESSION TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PUBLIC COMMENT**

Any citizen wishing to speak during public comment may do so after completing the required registration form. The purpose of this item is to allow the residents of Hutto and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy or legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (512) 759-4839 during business hours. Each person providing public comment will be limited to 3 minutes. Any citizen wishing to speak during public comment may do so after completing the required registration form. Written comments for this meeting may also be sent to comments@huttotx.gov PRIOR to 4:00 pm on December 2, 2021. The email must include name, address, phone # and email to be recognized properly. Written comments will be provided to Council.

- 5. OTHER BUSINESS**

5.1. Consideration and possible action regarding Council Protocols.

- 6. ADJOURNMENT**

- 7. CERTIFICATION**

I certify that this notice of the Hutto City Council meeting was posted on the City of Hutto website and the City Hall bulletin board of the City of Hutto on November 29, 2021 at 5:00 P.M.



Holly Nagy

The City of Hutto is committed to comply with the Americans Disability Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special accommodations must be made 48 hours prior to the meeting. Please email the City Secretary's office at City.Secretary@huttotx.gov or call (512) 759-4033 for assistance.

AGENDA ITEM REPORT



To: City Council
Subject: Consideration and possible action regarding Council Protocols.
Meeting: Thursday, December 2, 2021
Department: City Secretary
Staff Contact:

BACKGROUND INFORMATION:

SUMMARY OF REQUEST:

STAFF REVIEW:

FINANCIAL IMPACT:

POLICY IMPLICATIONS:

ATTACHMENTS:

1. City Council Protocol Policy 08-01-2019 (Peter's Edits 10-23-21)



City Council Protocol Policy August 1, 2019

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1 Overview of Roles and Responsibilities

a) Role of the Mayor

The Mayor shall:

- 1) Act as the official head of the City for all ceremonial purposes
- 2) Chair Council meetings
- 3) Vote on propositions that come before the City Council but shall have no power to veto.
- 4) When authorized by the City Council, sign all official documents such as ordinances, resolutions, conveyances, grant agreements, official plats, contracts, and bonds.
- 5) Recognize comments from citizens at public meetings
- 6) Call for special meetings
- 7) Select substitute for City representation when Mayor cannot attend
- 8) Make judgment calls on proclamations, special presentations, etc.
- 9) Recommend subcommittees as appropriate for Council approval
- ~~10) Serve as the liaison between the Council and the City Manager and City Attorney in regard to official relations~~
- 11) Lead the Council into an effective, cohesive working team
- ~~12) Sign documents on behalf of the City~~
- 13) Work with City Manager to prepare Council agenda
- ~~14) Appoint Council Committees~~
- 15) Perform such other duties consistent with this Charter or as may be imposed upon him or her by the City Council.

b) Role of Mayor Pro-tem

The Mayor Pro-tem shall be chosen by the City Council at the first regular City Council meeting following each regular City election, **unless there is a runoff, in which case the Mayor Pro-tem shall be chosen at the first regular City Council meeting after the runoff election has occurred.**

The Mayor Pro-tem shall:

- 1) Act as Mayor during the disability or absence of the Mayor, and in this capacity shall have the rights conferred upon the Mayor
- 2) Represent the City at ceremonial functions at the request of the Mayor

c) Role of a Council Member

All members of the City Council, including those serving as Mayor and Mayor Pro-tem, have equal votes. No Council member has more power than any other Council member, and all should be treated with equal respect.

All Council members shall:

- 1) Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others.
- 2) Prepare in advance of Council meetings and be familiar with issues on the agenda. Stay focused and act efficiently during public meetings.
- 3) Represent the City at ceremonial functions at the request of the Mayor.
- 4) Be respectful of other people's time. Serve as a model of leadership and civility to the community.
- 5) Inspire public confidence in Hutto government.
- 6) Provide contact information to the City Manager's Office in case an emergency or urgent situation arises while a Council member is out of town.
- 7) Demonstrate honesty and integrity in every action and statement.
- 8) Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Council Protocol Policy.

d) Meeting Chair's Responsibilities

The Mayor will chair official meetings of the City Council, unless the Mayor Pro Tem or another Council member is designated as Chair of a specific meeting. This individual maintains order, decorum, and the fair and equitable treatment of all speakers and keeps discussion and questions focused on the specific agenda item under consideration.

e) ~~Council Protocol~~ Process for Appointment to a City Board, ~~or~~ Commission or Task Force EDC Board of Directors

The City Council is responsible for making appointments to all City Boards and Commissions ~~and various City programs~~. To promote a process that is efficient, transparent, and that allows input from the entire City Council, the following process shall be used to make appointments to the City's Boards and Commissions:

- 1) The City Secretary shall ~~advertise and~~ collect applications.
- 2) After receipt of application, the City Secretary will verify that each applicant meets the qualifications for serving on the desired board or commission.
- 3) The list of applicants and vacancies will be sent to the Nominating Committee ~~entire City Council~~ for consideration. (Applications will be available in drop box for review by the entire Council).
- 4) The Nominating Committee will consist of three (3) Council Members who will serve for one year, beginning June 1st of each year. Council Members with odd-numbered seats (1,3,5) will begin service in odd numbered years, and Members with even-numbered seats (2,4,6) will begin service in even numbered years. The Mayor does not serve on the Nominating Committee.
- 5) The Chair of each Board or Commission will also participate in the Nominating Committee when considering appointments to their specific Board or

Commission.

- 6) The Nominating Committee will review applications, interview applicants and present recommendations to the full City Council at the next Council meeting held after they meet.
- ~~7) Each City Council Member will have the opportunity to recommend applicants for appointment to each board or commission.~~
- 8) All board and commission appointments must be confirmed by a majority vote of the City Council.
- ~~9) With the exception of the Planning and Zoning Commission, the City Council will review all boards and commissions on an annual basis.~~
- 10) No person can be appointed to a City created Board or Commission ~~and/or the EDC Board~~ unless that person has filled out and submitted an appropriate application to the City Secretary before the meeting at which they are appointed by the City Council. ~~Provided, however, an~~ An application does not need to be submitted for: ~~1. A~~ a person being re-appointed to a position; ~~or 2. A City Council Member being appointed to the EDC Board of Directors.~~
- 11) Appointments to the Economic Development Corporation, Local Government Corporations and TIRZ Boards will follow the process as outlined in the Bylaws governing those organizations.

2 Meetings

a) Agenda Development and Posting

The agenda of each City Council meeting is prepared as a joint effort between the mayor, city manager, city secretary, and department directors. Two members of City Council may request placement of an item on the agenda to the City Manager or City Secretary no later than noon on the Tuesday of the week prior to the Thursday Council Meeting. The request should state the nature of the item, the desired action by city council and include any supporting material. ~~Once all items are submitted they are reviewed and approved by the mayor and/or the City Manager.~~ Once ~~finalized~~, ~~approved~~, the ~~proposed~~ agenda and packet are ~~finalized and~~ placed into the City Council dropbox account on the Friday before the scheduled meeting date. ~~Council members have until Noon on the Monday before the scheduled meeting date to propose changes or corrections to the proposed agenda and packet.~~ The ~~final~~ agenda is posted on the city hall bulletin board and on the city's website in accordance with the Texas Open Meetings Act.

b) Meeting Schedule

Regular meetings are held the first and third Thursdays of each month at 7:00 p.m., in the City Hall Council Chambers, 500 W. Live Oak Street, Hutto, Texas. Other meetings may arise on an as needed basis, such as budget work sessions. A schedule of regular meetings

is determined in December for the upcoming year. At times, scheduling conflicts will arise and a regular meeting may be rescheduled to another day. This must be done by ordinance and approved by the City Council.

c) Work Sessions

Work Sessions have several purposes:

- (1) to discuss pending items for the Council agenda;
- (2) to discuss items that staff needs to bring to Council's attention;
- (3) to receive progress reports on current projects and
- (4) to hear regular updates from members of appointed Boards, Commissions, or Task Forces.

Overall, the purpose of the work session is for Council and staff to meet and discuss various items in an informal manner where questions may be asked of each other and in-depth discussion can take place. No official action on City business is taken in work sessions.

Work sessions are not held regularly and the location and times vary. All work session agendas are posted in compliance with the Texas Open Meetings Act and are always open to the public.

Work sessions are attended by all members of the City Council, the City Manager, Assistant City Manager, and City Secretary. Depending on the agenda items, the city attorney, department directors, other staff members, consultants, board members, etc. will be invited. The Mayor presides over the work sessions.

d) Emergency Meetings

Special rules allow for posting notice of emergency meetings and for supplementing a posted notice with emergency items. These rules affect the timing and content of the notice but not its physical location. Section 551.045, Texas Government Code, provides:

- 1) In an emergency or when there is an urgent public necessity, the notice of a meeting or the supplemental notice of a subject added as an item to the agenda for a meeting for which notice has been posted in accordance with this subchapter is sufficient if it is posted for at least two hours before the meeting is convened.
- 2) An emergency or urgent public necessity exists only if immediate action is required of a governmental body because of:
 - a) An imminent threat to public health and safety; or
 - b) A reasonably unforeseeable situation
- 3) The governmental body shall clearly identify the emergency or urgent public necessity in the notice or supplemental notice under this section.
- 4) A person who is designated or authorized to post notice of a meeting by a governmental body under this subchapter shall post the notice taking at face value

the governmental body's stated reason for the emergency or urgent public necessity.

- 5) For purposes of Subsection (b)(2), the sudden relocation of a larger number of residents from the area of a declared disaster to a governmental body's jurisdiction is considered a reasonably unforeseen situation for a reasonable period immediately following the relocation. Notice of an emergency meeting or supplemental notice of an emergency item added to the agenda of a meeting to address a situation described by this subsection must be given to the members of the news media as provided by Section 551.047 not later than one hour before the meeting.

The public notice of an emergency meeting must be posted at least two hours before the meeting is scheduled to begin. A government body may decide to consider an emergency item during a previously scheduled meeting instead of calling a new emergency meeting. The governmental body must post notice of the subject added as an item to the agenda at least two hours before the meeting begins.

In addition to posting the public notice of an emergency meeting or supplementing a notice with an emergency item, the governmental body must give special notice of the emergency meeting or emergency item to the news media who have previously (1) filed a request with the governmental body, and (2) agreed to reimburse the governmental body for providing the special notice. The notice to members of the news media is to be given by telephone, facsimile transmission or electronic mail.

Because Section 551.045 provides for a two-hour notice only for emergency meetings or for adding emergency items to the agenda, a governmental body adding a nonemergency items to its meeting agenda must satisfy the general notice period of Section 551.043 or Section 551.044, as applicable, regarding the subject of that item.

The public notice of an emergency meeting or emergency item must "clearly identify" the emergency or urgent public necessity for calling the meeting or for adding the item to the agenda of a previously scheduled meeting. The Act defines "emergency for purposes of emergency meetings and emergency items.

A governmental body's determination that an emergency exists is subject to judicial review. The existence of an emergency depends on the facts in a given case.

e) Public Comment

The City Council encourages and solicits public input on all matters both in and out of City Council meetings.

At each regular meeting, the Board will set aside ~~at least 30 minutes~~ time at the beginning of a meeting to afford the public an opportunity to speak to the City Council regarding

matters of concern or interest to the public regarding City affairs. [This time may be extended, or](#) additional time may be permitted for public comment at other points during the meeting.

Each speaker is given three minutes to address the City Council. Each speaker who addresses the City Council through a translator is given six minutes. The City Secretary is the designated timekeeper. Any speakers time may be extended to answer questions from members of the City Council.

Each member of the public who desires to address the City Council regarding an item on an agenda for the meeting shall have the option to address the council at the beginning of the meeting or during the City Council's consideration of the item.

Comments on any subject, whether positive or negative, must be courteous and respectful. Accordingly, personal attacks upon or assertions of character regarding specific individuals, including any citizen, staff member, City Board or Commission member or City Council member shall not be raised in public forum; but should be addressed separately and privately with the City Manager or any member of the City Council. Any person who violates these rules will have their speaking time ended immediately. Any person, including persons in the audience, who acts in an inappropriate and disruptive manner may be asked to leave the City Council chambers.

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 are permitted.

Once public comment has been received ~~for thirty minutes~~, the City Council may proceed to other business ~~and persons who have not yet spoken may be rescheduled to the latter part of the meeting.~~

The audience and the viewers are reminded that the comments of the speakers reflect their own positions or opinions.

Council member's responses to any comment made by a speaker during public comment are restricted by law. The Council and its members are prohibited from discussing or acting upon any matter that was not listed under the action item portion of the agenda and not included on the posted notice, [other than to provide statements of fact or to request that an item be put on a future agenda for discussion and/or possible action.](#) ~~Therefore, Council members may not discuss the comments of speakers.~~ Please understand that a lack of a response from Council members does not indicate agreement or approval of the comments.

However, the City Manager, City Attorney and City staff are not prohibited by law or City policy from responding as is deemed appropriate to comments made in the public comment portion of this meeting.

The Mayor or person chairing the City Council meeting ~~shall~~ [may](#) read this policy prior to the commencement of the Public Comment portion of the meeting.

f) Public Hearings

The staff member that is responsible for the public hearing will make a brief presentation on the item and the Mayor will open the hearing for public comment. Individuals may sign up to speak, by completing a public comment card and submitting to the City Secretary prior to the start of the meeting. Each speaker will have three minutes to speak. The Mayor will close the public hearing when public comment has concluded.

g) Video and Streaming of Meetings

City Council meetings held at 500 West Live Oak St., except for some work sessions and those meetings or portions of meetings conducted in Closed Session pursuant to the Texas Government Code, are web streamed live, made available on the local Community Access Channel and archived on the City's website. Videos and audio are archived on the City's website for up to five years for the sole purpose of being able to rebroadcast the meetings on the Community Access Channel and the web. Both forms of broadcasted meetings are for the convenient viewing by Hutto citizens, and are not the permanent record of City Council proceedings.

h) Proclamations

The Mayor issues proclamations as a way to give special recognition by the City to an individual, event, issue, etc. All requests for proclamations must go through the City Secretary's Office and be approved by the Mayor. Proclamations may be presented at a City Council meeting ([or other meetings as approved by the Mayor](#)) or prepared and mailed to the requester. If it is to be presented at a City Council meeting, there must be a representative at the meeting to receive the document.

i) Executive Session

Where possible, documents to be discussed in Executive Session will be made available to City Council members before the meeting at which the Executive Session is held. [Executive Sessions will be audio recorded in accordance with TOMA.](#)

j) Open Meetings Act

Every meeting of the City Council and Boards and Commissions must be conducted in accordance with Chapter 551 of the Government Code, commonly referred to as the Texas Open Meetings Act. [City Task Forces are exempt from this requirement](#). The Act is based on the notion that public officials should discuss and vote on public business under public scrutiny, so that the public will have the opportunity to know what their public officials are doing. The Act contains criminal penalties for violations. To help educate government officials on the Act requirements, each elected or appointed member of a governing body must take at least one hour of training in the Open Meetings Act. The training must be completed no later than 90 days after the member takes the oath of office or assumes the responsibilities of the office.

The Attorney General's Office allows the requirement to be met in at least two ways:

- 1) A video is available to view online on the Attorney General's webpage concerning open government.
- 2) Certification of other entities such as the Texas Municipal League, to provide the training.

The training needs to be conducted in coordination with the City Secretary who is responsible for certifying that all elected and appointed officials are in compliance with the requirements under Government Code Chapter 551.

k) [Format of Meetings](#)

The City Council, City Boards and Commissions will follow Roberts Rules of Order in conducting public meetings. The presiding officer will use the following guidelines when addressing each agenda item.

- 1) [Announce the item.](#) The presiding officer should clearly announce the item number and read the entire item as listed on the agenda.
- 2) [Receive a Report.](#) The staff or Council Member who was responsible for adding the item to the agenda should provide background information or a report so the entire Council has a clear understanding of the item.
- 3) [Receive Citizen Input.](#) If any citizens have signed-up to speak on the item, they should be given an opportunity to speak. They may speak either before or after the staff report is given.
- 4) [Allow Discussion.](#) The presiding officer invites members of the Council, board or commission to discuss the item or ask any questions of staff. Each Member will speak in turn until all council members have had a chance to speak, unless otherwise allowed-for under Roberts Rules of Order. The presiding officer will rotate which Council Member speaks first from item to item.
- 5) [Make Motions.](#) Once all members have had an opportunity to speak, the presiding officer will accept any motions and allow for discussions on the motion, following the same procedure as above. The presiding officer will repeat the motion (with any amendments) and call for a vote

- 6) Voting. The vote will be recorded by the City Secretary and will be announced by the presiding officer.
- 7) The City Attorney (or another person designated by the City Council) shall serve as parliamentarian for City Council meetings and shall ensure Roberts Rules of Order are followed.

l) Use of Digital Media During the Meeting

The City Council is prohibited from using text messages, e-mail, social media posts or other means of electronic messaging during a public meeting except in cases where they are being notified of something of a personal nature, or are being forwarded information by city staff regarding an item under consideration. The use of such messaging could constitute a violation of the Texas Open Meetings Act.

m) Violations of Charter, Ordinances or Protocols

Any Council Member may be disciplined for violation of the Charter, of these rules, or of any other City ordinance, or if a Council Member acts in a manner that causes embarrassment or disgrace to the City of Hutto.

For discipline to be considered, an item shall be placed on a City Council agenda by at least two members of City Council for discussion in Executive Session.

Such action may only take place after an Executive Session is held to discuss the offense. The offending member shall be present at the Executive Session to answer any questions asked by members of the City Council or make other statements as he or she may desire to make a defense. If the offending member refuses to attend the Executive Session, the remaining members of the City Council may proceed in their absence.

After discussion in executive session, the City Council may choose to discipline the offending member as follows, and if required by law, shall be made publicly in open session in accordance with Texas Open Meetings Act:

- 1) No Action. The City Council chooses to take no action.
- 2) Private Censure. The City Council may choose to privately censure the offending member, leaving their comments to the offending member left in the confines of Executive Session.
- 3) Assignments. Temporary removal from Committee or Liaison assignments for a specified period of time by supermajority vote.
- 4) Public Censure. The City Council may choose to publicly censure the offending member through a resolution passed by a supermajority vote and entered into the public record.

3 Financial Matters

a) Budget

The budget is the City's financial plan that presents the services to be provided to the community over the coming year and the funds necessary to perform these services. Hutto operates under a fiscal year that begins on October 1 and ends September 30. In early spring, staff begins the process of estimating anticipated revenues, identifying and evaluating potential expenditures and preparing a recommended budget. Special budget workshops will be scheduled with the Council throughout the summer, as needed, for the City Manager to present the recommended budget. Public Hearings are typically held on the budget in August, with the Council considering the budget at a September Council meeting. For more information, please reference the City of Hutto Fiscal and Budgetary Policy.

b) Training and Education

There are a number of training opportunities for council members that are offered by various organizations such as the Texas Municipal League and the National League of Cities. During the budget process, the City Council Members are asked to submit a training plan for the upcoming year. The City Manager's Office staff will assist any council member with registration, travel arrangements and forms that are required by the Finance Department.

c) Travel and Reimbursement

City Council members follow the City's Travel and Reimbursement Policy that is outlined in the City of Hutto Employee Manual.

d) Council Campaign Disclosures

Generally, candidates and officeholders are required to file reports of contributions and expenditures by January 15 and July 15 of each year. The reports filed on these dates are known as semiannual reports. These reports must be filed even if there is no activity to report for the period covered.

Appointment of a Campaign Treasurer must be filed with City Secretary before accepting contributions or making expenditures. It is recommended that this form be filed at the time the candidate application is filed. A candidate that does not intend to accept more than \$500 in political contributions or make more than \$500 in political expenditures

should sign page 2 of the form declaring “Modified Reporting” thereby eliminating the election reporting requirements, January 15 and July 15.

More information regarding campaign financial disclosures can be found at www.ethics.state.tx.us

4 Ethics

a) Conflicts of Interest

- 1) No city official or appointee shall intentionally or knowingly disclose any confidential information gained by reason of said official’s or appointee’s position concerning the property, operations, policies or affairs of the city, or use such confidential information for the pecuniary gain of said official or appointee, or others.
- 2) No city official or appointee shall intentionally or knowingly use one’s official position or city-owned facilities, equipment, or supplies for the pecuniary gain or advantage of said official or appointee, or use city-owned vehicles, printing facilities, postage facilities or long-distance telephone service for personal reasons, for pecuniary gain or advantage, or in any political campaign.
- 3) Except as otherwise specifically authorized by ordinance, no city official or appointee shall intentionally or knowingly appear before the body of which the official is a member while representing himself, or any other person, group, association, interest, or business entity.
- 4) No city official or appointee shall intentionally or knowingly represent directly or indirectly any private person, group, or interest other than himself or a family member before any department, agency, commission or board of the city for economic benefit or pecuniary gain.
- 5) No city official or appointee shall vote on or participate in any decision-making process if the official or appointee has a direct financial interest in the outcome of the matter under consideration. No city official or appointee shall vote on or participate in any decision-making process on any matter concerning real property or a business entity if the city official or appointee has a substantial interest in the business entity or real property.
- 6) None of the foregoing shall be construed to prohibit any city official or appointee from representing his interest in his owner-occupied homestead before the council, board, commission or any department except for the body of which the official or appointee is a member.

- 7) In any action or proceeding in the municipal court of the city which was instituted by a city official or appointee in the course of official duties, no city official shall knowingly represent anyone other than himself or a family member. If a Council member elects to have a trial in municipal court, the city council, without the participation of the affected Council member, shall appoint a special judge to preside over the trial.
- 8) No city official or appointee shall act as a surety for any person or business entity that has any contract with the city, or on any bond required by the city for any city official or appointee.

b) Disclosure of Interest

- 1) If any city official or appointee has a substantial interest in any real property or business entity involved in any decision pending before the body of which the city official or appointee is a member, the city official or appointee shall not vote or otherwise participate in the consideration of the matter.
- 2) In the case of a city official or appointee, the city official or appointee shall publicly disclose, verbally or in writing, the nature and extent of such interest to the body on which the city official or appointee serves prior to any discussion or determination of the matter to be considered or immediately upon discovery of the conflict of interest. The statement of disclosure shall be included in the official minutes of the body.

c) Financial Disclosure

- 1) No later than April 30th of each year, each city official shall file a sworn financial disclosure statement with the city secretary reflecting the financial situation of the city official as of December 31st of the previous year. Notwithstanding any other term or provision of this article, as used in this section:
 - a. The term “family member” shall include only the city official and the spouse and the minor children of the city official.
 - b. The term “substantial interest” shall include only the interests of the city official and the spouse and minor children of the city official.
- 2) A newly appointed city official shall file a sworn financial disclosure statement with the city secretary within thirty (30) days from the date the position with the city is assumed. Said statement shall reflect the financial situation as of date of employment or appointment and for the previous twelve (12) months.
- 3) Each person required to file a financial disclosure statement shall do so on a form supplied by the city, which shall include the following information:

- a. The person's name, residence address, business address and telephone number, and all names under which the person or family member does business.
 - b. Identification by street address, and legal description of all real property located within the city or its extraterritorial jurisdiction in which the person has a substantial interest.
 - c. Identification of each business entity owning property or doing business within the city or its extraterritorial jurisdiction in which the person has a substantial interest.
 - d. Identification of each source of income amounting to ten (10) percent or more of the person's or family member's gross annual income as defined by the United States Internal Revenue Code.
 - e. Identification of the donor of each gift of more than five hundred dollars (\$500.00) in value received by the person or family member, including the value of the gift, where such donor has appeared before and requested action of the city council during the reporting period.
- 4) Identification of the donor of two or more gifts of an accumulated value of one thousand dollars (\$1,000.00) or more received by the person or family member, where such donor has appeared before and requested action of the city council during the reporting period.
- 5) The city secretary shall maintain all financial disclosure statements required to be filed herein as public records and retain them for the period required by the Texas State Library Archives retention schedule GR1050-33, after which statements shall be destroyed.
- 6) Within thirty (30) days of being appointed to the planning and zoning commission or board of adjustment and on each anniversary of that date, each member of such commission shall file with the city secretary a sworn statement identifying by street address and legal description all real property located within the city or its extraterritorial jurisdiction in which the member has a substantial interest.
- 7) Any person who appears before the city council or commission who has had business dealings in the immediately preceding twelve-month period involving one or more transactions of five hundred dollars (\$500.00) or more each, for a total of twenty-five hundred dollars (\$2,500.00) or more, with a Council member, commissioner, or business entity in which a Council member or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with [section 1.01.009](#) of this code.

d) Gifts

No city official or appointee shall intentionally or knowingly solicit or accept any contribution, gift, or economic benefit with actual or constructive knowledge that same is:

- 1) Offered or given with intent to influence the judgment or discretion of such official; or
- 2) Given in consideration of the favorable exercise of such official's judgment or discretion in the past.

5 Communications

a) Correspondence To/From Council

The City Secretary receives and processes the City Council's incoming mail. All mail to the mayor and council members is reviewed and placed in the mailboxes located in the Council Executive Conference Room. All invitations are scanned and sent to the council members via email for action and the City Secretary will take care of confirming the members' attendance at an event and if necessary schedule the event on their calendar and post a potential quorum notice, in accordance with the Open Meetings Act.

All mail to the Mayor is opened and reviewed as to priority for response, copies needed for city staff and/or city council, notation of upcoming events, etc. All important letters addressed to the Mayor are copied to the Mayor and an original is kept in the official files in the City Secretary Office.

All needed responses to letters are coordinated between the Mayor, City Manager, and City Secretary.

b) Media Relations

The media frequently contacts council members for information and quotes. The Mayor is the designated representative of the Council to present and speak on the official city position. If the media contacts an individual council member, the council member should be clear about whether their comments represent the official City position or a personal viewpoint.

Below are three things to remember when dealing with the press.

- 1) Never go "off the record"
- 2) Choose words carefully and cautiously
- 3) Remember the media lives by tight deadlines

All official city statements that will be sent out as a press release will go through the City Manager's Office for distribution. The Public Information Officer maintains up-to-date

contact information for all local media outlets. In order to ensure that all media outlets are treated fairly, all news releases should be submitted to the Public Information Officer for review and distribution.

c) Social Media

Individuals are encouraged to positively promote the City and share information on their own social media websites. However, councilmembers along with board and commission members should exercise caution when commenting or responding to other posts. Only factual information should be provided to city related topics as personal views may not reflect that of the entire Council, ~~or~~ board or City. In addition, you should carefully check to ensure that no other council members or board or commission members have responded ~~to the same topic~~ on the same discussion thread in order to avoid a possible violation of the Open Meetings Act.

In general, responses should be referred to and handled by the City's Public Information Officer. In certain circumstances, the City Manager, PIO, and/or Mayor may determine that it is appropriate for someone else to respond directly.

d) Public Information Act

Texas Government Code, Chapter 552, known as the Texas Public Information Act, requires that most City records, including those in the possession of council members, be open to the public for inspection.

"Public Records" are broadly defined under the act to include "the portion of all documents, writings, letters, memoranda, or other written materials which contain public information." "Public information" includes "all information collected, assembled, or maintained by or for governmental bodies pursuant to law or ordinance or in connection with the transaction of official business."

Certain information is specifically excluded from the requirements of the Texas Public Information Act. While the list of exempt materials is too long to recite here, it includes such items as working papers being used to draft ordinances or resolutions, certain personnel records, information that would, if released, give an advantage to bidders, documents protected because of attorney-client relationships, and documents related to pending or ongoing litigation.

Despite the narrow exemptions established in the law, its effect is to require that most of the written material used or produced by council members be made available upon request, to the news media and other members of the public. If it is felt that certain records are exempt from the requirements of the law, and there has been no previous determination that particular types of records are exempt, the City Secretary's office will

request an opinion from the Attorney General's Office, within the deadlines provided by the Texas Public Information Act.

If an Attorney General's opinion is requested, and the opinion subsequently holds that the information is public, and the City official persists in refusing to release it, Section 552.324(b) requires that a suit by a governmental body be brought no later than the 30th calendar day after the governmental body receives the decision it seeks to challenge.

The City of Hutto has designated the City Secretary as the Public Information Officer in regard to the Public Information Act and therefore all training requirements discussed under Chapter 552 of the Government Code are satisfied. Therefore all requests made under the Public Information Act shall be directed to the City Secretary.

For more information regarding the Public Information Act, please refer to the TML Handbook for mayors and council members.

~~Council Member Requests for Documents~~

~~Any council member can make a request for documents, but it is recommended that all requests are made in writing. Upon receipt of any request from a City Manager, the City Manager shall make a determination of whether the release of the document would be adverse to the interests of the City. Within three business days of receiving a request for documents from a council member, the City Manager shall send to all council members: 1. All requested document the City Manager is providing; and/or 2. A Statement identifying any documents he is not providing and the basis on which he has determined that the release of the document would be adverse to the interests of the City.~~

~~Any council member can appeal the City Manager's decision to the city council as a whole and it shall be taken up at a City Council meeting. In consideration of any appeal, the requested documents must be made available for review by all City Council members by before the meeting unless the City Manager identifies a legal basis on which information in the document is protected from disclosure in which case unprotected information shall be provided. The City Council can go into Executive Session to the extent allowed by the Texas Public Information Act.~~

6 General Policies and Documents

a) Technology and Equipment Use & Electronic Communications and Systems Access Use

Electronic Tablets and Smart Phones

The City implemented electronic distribution of agendas, reports, budget documents, etc. In order to access and use such documents, a City-issued electronic tablet and smart phone will be provided for each Council member. City-issued electronic tablets and smart phones are for official City business only; personal use is prohibited. The City understands that it is often inefficient to use both personal and City-issued hardware, such as electronic tablets.

Therefore, Council members have the option of using a personal electronic tablet and/or a smart phone. The City does not pay for any accessories for any of the electronic tablets, such as cases, styluses, screen covers, personal applications, etc.

When Council members complete their term of office, all City-issued equipment shall be returned to the City Manager.

E-mail account

Each Council member is assigned an individual City e-mail address with the huttotx.gov domain. E-mails to the Council as a whole can be sent to citycouncil@huttotx.gov. The City's e-mail system shall be used for the communication and exchange of information related to City business. City e-mail may not be used for personal or political purposes.

Council members can access their e-mail from their computer, phone, iPad, etc. through a web-based client; IT staff will assist with the set-up.

There should be no expectation of privacy when using City e-mail.

Please note, Council members are subject to the City's Technology and Equipment Use Policy that is outlined in the City of Hutto Employee Manual.

b) Political Activity

Council members have the right to endorse candidates for all Council seats or other elected offices. However, it is inappropriate to mention endorsements during Council meetings or at other official city meetings.

c) City Charter

The City of Hutto Charter is a written document that establishes the basic governmental structure, form of government, corporate boundaries, and municipal powers. In this respect, it is similar to a state or national constitution. As such, amendments to the City charter require an election and approval of the citizens of Hutto. The copy of the charter can be retrieved at www.huttotx.gov or in the City Secretary's Office.

d) Code of Ordinances

The City Code of Ordinances is the compilation of local laws that have been adopted and codified by the City Council. The City Code covers a wide range of areas, including taxes, court, environmental regulations, alcoholic beverages, business regulations, etc. Amendments to the City Code must be adopted by the Council. A copy of the code of ordinances can be found at www.huttotx.gov or in the City Secretary's Office.

e) Strategic Guide 2035

In 2007, the Hutto City Council began the development of a strategic guide that would provide direction for the community as it develops during the next 20 years. The Council reviews the guide each year at their annual work session and, if necessary, revises and makes modifications to the document. The guide is made up of a series of policies that include:

- Leadership
- Quality of Life
- Organizational Development
- Service Delivery
- Fiscal and Budgetary
- Public Safety
- Mobility
- Education
- Growth Guidance
- Infrastructure
- Economic Development

A complete copy of the 2035 Strategic Guide can be found at www.huttotx.gov or in the City Secretary's Office.

f) Hutto 2040 Comprehensive Plan

The Comprehensive Plan is a tool used by cities to guide growth in order to protect the public health, safety and welfare of residents and the city. It outlines the overall vision for the city's future, and the steps needed to progress toward that vision. Hutto's Growth Guidance Plan, which was adopted in 2006, served as the city's Comprehensive Plan. However, Hutto's growth and evolution over the past decade warranted a more thorough evaluation of the community's vision and goals.

The Comprehensive Plan assists boards, commissions, City Council and staff in making recommendations and decisions related to Hutto's growth. It also aids property owners and potential developers in understanding the city's priorities and trajectory for the next 25 years. The Plan is updated approximately every 5 years.

Hutto's Comprehensive Plan, Hutto 2040, was built from a broad, diverse base of public input and review. Planning staff compiled responses from multiple outreach efforts, including the Sustainable Places Project, the 2013 Citizen Survey, and two successful public workshops. Several efforts included an online component and gathering input from residents who could not attend in meetings. The Comprehensive Plan outreach hit new levels of participation among residents, reaching those who do not typically attend public meetings on city business.

Staff developed the goals and objectives of Hutto 2040 based on the input received from residents. The goals and objectives are supported by available data and trends, with benchmarks providing a way to measure progress in the future.

g) Master Planning Documents

The City of Hutto recognizes the needs for long term planning for critical infrastructure and quality of life for its citizens. The City employs several master planning documents that are used and adjusted as goals are met and the City continues to grow. Currently, the City maintains the following master plans.

- Parks, Recreation, Open Space, and Trails Master Plan
- Water Master Plan
- Wastewater Master Plan
- Library Master Plan
- Mobility Master Plan – Coming 2017

h) Council Liaison Duties

The City Council may choose to designate a City Council member or Mayor as a liaison between the Council and a Board, Commission or Task Force. Appointments are made by majority vote of the Council.

Council Liaison duties and expectations for the board, commission or task force to which they are assigned:

- a. Liaisons should attend the meetings of the board, commission or task force whenever possible, but have no voting authority. Interactions should be limited to an advisory role.
- b. Liaisons are encouraged to become subject matter experts in the area to which they are assigned, becoming a resource to the other members of Council.
- c. The Liaison may also meet with the chair as well as the staff members assigned to support the board, commission or task force. These meetings should focus on helping to coordinate the work, get items on City Council agendas, or otherwise be their advocate to the rest of Council.

- d. Liaisons should take the opportunity at the beginning of each City Council meeting to report on activities of their assigned board, commission or task force that would be beneficial for the other members of Council to know about.