

EXHIBIT “A”

City of Glen Rose Code of Conduct for Elected Officials

Proposed Revisions and to be adopted August 10, 2021

The Three Rs of Glen Rose Government Leadership: Roles, Responsibilities, and Respect

The Local Government Code and the Texas Municipal League provide detailed information of the roles and responsibilities of Council Members, the Mayor Pro-Tem, and the Mayor. The City’s Code of Conduct provides guidance on ethical issues and questions of right and wrong. Until now, what has not been clearly written down is a Code of Conduct for Glen Rose’s elected officials.

This Code of Conduct is designed to describe the manner in which Council Members should treat one another, city staff, constituents, and others they come into contact with while representing the City of Glen Rose.

The contents of this Code of Conduct include:

- Overview of Roles and Responsibilities
- Policies and Protocol Related to Conduct
- Council Conduct with One Another
- Council Conduct with the City Staff
- Council Conduct with the Public
- Council Conduct with Other Public Agencies
- Council Conduct with Boards and Committees
- Council Conduct with the Media
- Sanctions
- Principles of Proper Conduct
- Checklist for Monitoring Conduct
- Glossary of Terms

The constant and consistent theme throughout all of the conduct guidelines is “respect.” Council Members experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is a

touchstone that can help guide Council Members to do the right thing in even the most difficult situations.

Overview of Roles and Responsibilities

Other resources that are helpful in defining roles and responsibilities of elected officials can be found in resources from organizations such as the Texas Municipal League (TML).

Mayor

- Acts as the official head of the City for all ceremonial purposes
- Chairs Council meetings
- Calls for special meetings
- Recognized as a spokesperson for the City
- Selects substitute for City representation when Mayor cannot attend
- Makes judgment calls on proclamations, Special Orders of the Day, etc.
- Recommends subcommittees as appropriate for Council approval
- Leads the Council into an effective, cohesive working team
- Signs documents on behalf of the City
- Serves as the official delegate of the City

Mayor Pro-Tem

- Serves at the pleasure of the Mayor
- Performs the duties of the Mayor if the Mayor is absent or disabled
- Chairs Council meetings at the request of the Mayor
- Represents the City at ceremonial functions at the request of the Mayor

All Council Members

All members of the City Council, including those serving as 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. The Mayor will cast the tie breaking vote if needed.

All Council Members should:

- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of Council meetings and be familiar with issues on the agenda
- Represent the City at ceremonial functions at the request of the Mayor

- Be respectful of other people’s time. Stay focused and act efficiently during public meetings
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Glen Rose government
- Provide contact information with the City Secretary in case an emergency or urgent situation arises while the Council Member is out of town
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Conduct

Meeting Chair

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.

- Maintains order, decorum and the fair and equitable treatment of all speakers
- Keeps discussion and questions focused on specific agenda item under consideration
- Makes parliamentary rulings with advice, if requested, from the City Secretary who acts as an advisory parliamentarian. Chair rulings may be overturned if a Council Member makes a motion as an individual and the majority of the Council votes to overrule the Chair.

Policies and Protocol Related to Conduct

Ceremonial Events

Requests for a City representative at ceremonial events will be handled by City staff. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then the mayor will determine if event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Council Member should be asked to serve as a substitute. Invitations addressed to Council Members at their homes are presumed to be for unofficial, personal consideration.

Correspondence Signatures

Council Members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor unless the Mayor requests that they be signed by another Council Member or City staff.

Endorsement of Candidates

Council Members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official City meetings.

Legislative Process

The City uses parliamentary procedure for meeting management.

Non-Agenda Items

During a designated period of the agenda, citizens, Council Members, and staff may bring forth issues or questions that are not on the meeting's agenda. Topics should be legislative items requiring action by the Mayor or the Council, study issues for future consideration, and requests for information. Each speaker, citizen, or elected official, will be limited to three minutes.

Public Announcements in Council Meetings

Council Members who want to speak first during the Public portion of the Council meeting should notify the Chair in advance. Otherwise, Council Members will be recognized when the Chair acknowledges them. Council Members, like members of the public who use this portion of the agenda to recognize achievements or promote an event, will be limited to three minutes each and should keep the focus on matters of community-wide interest.

Public Meeting Hearing Protocol

The applicant or appellant shall have the right to speak first. The Chair will determine the length of time allowed for this presentation. Speakers representing either pro or con points of view will be allowed to follow. The Chair will determine how much time will be allowed for each speaker, with 3 to 5 minutes the standard time granted. The applicant or appellant will be allowed to make closing comments. The Chair has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly.

Council Members will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" or "I feel" comments by Council Members are not appropriate until after the close of the public hearing. Council Members should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

Motions

Main motions may be followed by amendments, followed by substitute motions. Any Council Member can call for a point of order. Only Council Members who voted on the prevailing side may make motions to reconsider.

Travel Expenses

The policies and procedures related to the reimbursement of travel expenses for official City business by Council Members are outlined in the City Policy. All Council travel in excess of the allowed budget, in which the Council Member expects to officially represent the City and/or be reimbursed by the City for travel costs, must be approved in advance by the council. The travel policy and budget for Council should be reviewed at each annual budget cycle.

Councilmember Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may “agree to disagree” on contentious issues.

In Public Meetings:

- **Practice civility and decorum in discussions and debate**

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

- **Honor the role of the Chair in maintaining order**

It is the responsibility of the Chair to keep the command of the Council Members on track during public meetings. Council Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair’s actions, those objections should be voiced politely and with reason, following the procedures outlined in parliamentary procedure.

- **Avoid personal comments that could offend other Council Members**

If a Council Member is personally offended by the remarks of another Council Member, the offended Council Member should make notes of the actual words used and call for a “point of personal privilege” that challenges the other Council Member to justify or apologize for the language used. The Chair will maintain control of this discussion.

- **Demonstrate effective problem-solving approaches**

Council Members have a public stage to show how individuals with different points of view can find common ground and seek a compromise that benefits the community as a whole.

In Private Encounters:

- **Continue respectful behavior in private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

- **Be aware of the insecurity of written notes, voicemail messages, email, and social media.**

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speaker phone in a full office? What would happen if this e-mail message was forwarded to others? Written notes, voicemail messages, email, etc. should be treated as potentially “public” communication.

- **Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

Councilmember Conduct with City Staff

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City Staff, who implement and administer the Council’s policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- **Treat all staff as professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

- **Open communication is encouraged between Council and any City staff member**

Employees must first follow the proper chain of command as outlined in the Employee Handbook, however, Council should have an open door policy. Councilmembers must inform the staff members’ direct supervisor of any discussions had with City staff.

Materials supplied to a Council Member in response to a request will be made available to all members of the Council so that all have equal access to information.

- **Staff immediate job requirements take priority**

Council Members should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

- **Never publicly criticize an individual employee/department**

Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the Mayor or City Administrator through private correspondence or conversation.

- **Do not get involved in administrative functions**

Council Members must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

- **Check with City staff on correspondence before taking action**

Before sending correspondence, Council Members should check with City staff to see if an official City response has already been sent or is in progress.

- **Attending meetings with City staff**

Even if the Council Member does not say anything, the Council Member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively. However, Councilmembers are invited to attend meetings with staff as needed.

- **Councilmember support from staff**

Councilmembers often need information from staff in an expeditious manner. If a Councilmember feels that they are not being properly supported by said staff member, they should consult the mayor for an immediate resolution.

- **Do not solicit political support from staff**

Council Members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Councilmember Conduct with the Public

In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice, or disrespect should be evident on the part of individual Council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- **Be welcoming to speakers and treat them with care and gentleness**

Consider the following individual experience: “I give many public presentations so standing up in front of a group and using a microphone is not new to me. But I found that speaking in front of Council was an entirely different experience. I was incredibly nervous and my voice was shaking. I think the reason was because the issue was so personal to me. The Council was going to take a vote that would affect my family’s daily life and my home. I was feeling a lot of emotion. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity.”

- **Be fair and equitable in allocating public comment time to individual speakers**

Imagine this were you: “The first thing the Mayor said to me was to be brief because the meeting was running late and the Council was eager to go home. That shouldn’t be my problem. I’m sorry my item was at the end of the agenda and that there were a lot of speakers, but it is critically important to me and I should be allowed to say what I have to say and believe that the Council is listening to me.”

The Chair will determine and announce limits on speakers at the start of the public meeting process. Generally, each speaker will be allocated three minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public comment on any agenda item unless the Council requests additional clarification later in the process. After the close of the public comment, no more public testimony will be accepted unless the Chair reopens the public comment for a limited and specific purpose.

- **Give the appearance of active listening**

It is disconcerting to speakers to have Council Members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of

facial expressions, especially those that could be interpreted as “smirking,” disbelief, anger, or boredom.

- **Ask for clarification, but avoid debate and argument with the public**

Only the Chair – not individual Council Members – can interrupt a speaker during a presentation. However, a Council Member can ask the Chair for a point of order if the speaker is off topic or exhibiting behavior or language the Council Member finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council Members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council Members’ personal opinions or inclinations about upcoming votes should not be revealed until after the public comment is closed.

- **No personal attacks of any kind, under any circumstances**

Council Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

- **Follow parliamentary procedure in conducting public meetings**

If appointed by the mayor and deemed fit, the City Secretary can serve as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Chair and are always subject to the appeal of the Council.

In Unofficial Settings

- **Make no promises on behalf of the Council**

Council Members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

- **Make no personal comments about other Council Members**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.

- **Remember that Glen Rose is a small town**

Council Members are constantly being observed by the community. Their behaviors and comments serve as models for proper behavior in the City of Glen Rose. Honesty and respect for the dignity of each individual should be reflected in every work and action taken by Council Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Councilmember Conduct with Other Public Agencies

Be clear about representing the City or personal interests.

If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the City; 2) whether this is the majority or minority opinion of the Council.

If the Council Member is representing the City, the Council Member must support and advocate the official City position on an issue, not a personal viewpoint.

If the Council Member is representing another organization whose position is different from the City, the Council Member should withdraw from voting on the issue if it significantly impacts or is detrimental to the City's interest. Council Members should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

Correspondence should be clear about representation.

City letterhead may be used when the Council Member is representing the City and the City's official position. A copy of official correspondence should be given to the City Secretary to be filed in the Clerk's Office as part of the permanent public record.

It is best that City letterhead not be used for correspondence of Council Members representing a personal point of view, or a dissenting point of view from an official Council position. However, should Council Members use City letterhead to express a personal opinion, the official City position must be stated clearly so the reader understands the difference between the official City position and the minor viewpoint of the Council Member.

Councilmember Conduct with Boards and Committees

The City has established several Boards and Committees as a means of gathering more community input. Citizens who serve on Boards and Committees become more involved in the government and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- **If attending a Board or Committee meeting, be careful to only express personal opinions**

Council Members may attend any Board or committee meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business, or developer – could be viewed as unfairly affecting the process. Any public comments by a Council Member at a Board or Committee meeting should be clearly made as individual opinion and not a representation of the feelings of the entire City Council.

- **Limit contact with Board and Committee members to questions of clarification**

It is inappropriate for Council Members to contact a Board or Committee Member to lobby on behalf of an individual, business, or developer. It is acceptable for Council Members to contact Board or Committee members in order to clarify a position taken by the Board or Commission.

- **Remember that Boards and Committees serve the community, not individual Council Members**

The City Council appoints individuals to serve on Boards and Committees, and it is the responsibility of Boards and Committees to follow policy established by the Council. But Boards and Committees do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten Board and Committee members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Committee should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Committee appointment should not be used as a political “reward”.

- **Be respectful of diverse opinions**

A primary role of Boards and Committees is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on Boards and Committees; but must be fair and respectful of all citizens serving on Boards and Committees.

- **Keep political support away from public forums**

Board and Commission members may offer political support to a Council Member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Committee members who are running for office, but not in an official forum in their capacity as a Council Member.

- **Inappropriate behavior can lead to removal**

Inappropriate behavior by a Board or Committee member should be noted to the Mayor,

and the Mayor should counsel the offending member.

Councilmember Conduct with the Media

Council Members are frequently contacted by the media for background and quotes.

- **The best advice for dealing with the media is to never go “off the record”**
Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.
- **The Mayor is the official spokesperson representing the official City position**
The mayor is the designated representative of the Council to present and speak on the official City position. If an individual Council Member is contacted by the media, the Council Member should be clear about whether their comments represent the official City position or a personal viewpoint.
- **Choose words carefully and cautiously**
Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or work play. It is never appropriate to use personal slurs or swear words when talking with the media.

Councilmember Conduct on Social Media

- **Posts related to City business are subject to an Open Records request.**
The Council member making the posts will be responsible for providing copies of them to the City Secretary in the event of a request for information under the Texas Public Information Act. For the best of the City, if the City Secretary has additional data available that was not presented by the Councilmember, he/she has the authorization to make a copy of said post and file accordingly.
- **Be careful not to violate the Texas Open Meetings Act.**
A violation could occur if a quorum of Council members were to post comments on the same forum regarding the same city business topic.
- **Do not block other users when discussing City matters.**
Courts have found that an elected official blocking others where a matter within the purview of said official is being discussed in a public forum is a violation of the right to free speech. In the interest of protecting freedom of speech and being transparent, elected officials should not block others when discussing City matters on public social media platforms.

- **Post with caution.**

Relevant provisions in other portions of this Code of Conduct should be observed when making social media posts.

Sanctions

Public Disruption

Members of the public who do not follow proper conduct after a warning in a public meeting may be barred from further testimony at a meeting or removed from the Council Chambers.

Inappropriate Staff Behavior

Council Members should refer to the Mayor or City Administrator any City staff who do not follow proper conduct in their dealings with Council Members, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

Council Members Behavior and Conduct

City Council Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the Code of Ethics or Code of Conduct could lead to other sanctions as deemed appropriate by the Council. Council Members should point out to the offending Council Member infractions of the Code of Ethics or Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro-Tem.

It is the responsibility of the Mayor to initiate action if a Council Member's behavior may warrant sanction. If no action is taken by the Mayor, the alleged violation(s) can be brought up with the full Council in a public meeting.

If violation of the Code of Conduct is outside of the observed behaviors by the Mayor or Council Members, the alleged violation should be referred to the Mayor. The Mayor should ask the City Administrator and/or the City Attorney to investigate the allegation and report the findings to the Mayor. It is the Mayor's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanction to the full Council to consider in a public meeting; or forming a Council ad hoc subcommittee to review the allegation, the investigation, and its findings, as well as to recommend sanction options for Council consideration. Videotaping of the complaint hearing should be used for a Council ad hoc subcommittee.

Principles of Proper Conduct

Proper Conduct IS...

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper Conduct IS NOT...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

Checklist for Monitoring Conduct

- Will my decision/statement/action violate the trust, rights, or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?
- Even if my conduct is not illegal or unethical, is it done at someone's painful expense?
Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just?

- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?

- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to a mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

Glossary of Terms

Attitude – the manner in which one shows one’s dispositions, opinions, and feelings

Behavior—external appearance or action; manner of behaving; carriage of oneself

Civility – politeness, consideration, courtesy

Conduct – the way one acts; personal behavior

Courtesy – politeness, kindness

Decorum – suitable; proper; good taste in behavior

Manners – a way of acting; a style, method, or form; the way in which things are done

Point of Order – an interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration

Point of Personal – a challenge to a speaker to defend or apologize for comments that a privilege fellow Council Member considers offensive

Propriety – conforming to acceptable standards of behavior

Protocol – the courtesies that are established as proper and correct

Respect – the act of noticing with attention; holding in esteem; courteous regard