

**STATE OF TEXAS
COUNTY OF DENTON
CITY OF CORINTH**

On this, the 28th day of January 2021, the City Council of the City of Corinth, Texas, met in Workshop Session at the Corinth City Hall at 5:45 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place, and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

Council Members Present:

Bill Heidemann, Mayor
Sam Burke, Mayor Pro-Tem
Scott Garber, Council Member
Steve Holzwarth, Council Member
Tina Henderson, Council Member
Kelly Pickens, Council Member

Staff Members Present:

Bob Hart, City Manager
Lana Wylie, City Secretary
Patricia Adams, Messer – Fort – McDonald
Lee Ann Bunselmeyer, Finance, Administration, Communications & Marketing Director
Helen-Eve Beadle, Planning and Development Director
Jason Alexander, Economic Development Corporation Director
Jerry Garner, Police Chief
Melissa Dolan, Interim Public Works Director
Gary Parker, Water/Wastewater Operations Manager
Michelle Mixell, Planning & Development Manager
Miguel Inclan, Planner
George Marshall, City Engineer
Shea Rodgers, Technology Services Manager
James Trussell, Multi-Media Production Intern
Lindsey O'Brien, Police Officer

CALL TO ORDER:

Mayor Heidemann called the meeting to order at 5:45 P.M.

WORKSHOP BUSINESS AGENDA:

1. **Receive a presentation and hold a discussion on policy governance.**

City Manager Hart engaged in a conversation with the City Council on Policy Governance within the Boards and Commissions for the City of Corinth. Policy governance involves a consistent approach with Leadership, Policies, and Governance and is based on the philosophy by John Carver. The conversation of Policy and Governance will be held over the next several meetings. There were no questions from the City Council. A copy of the presentation is attached.

2. **Receive a presentation, hold a discussion, and provide staff direction on amending the Master Fee Schedule to incorporate changes to the City's Credit Card Processing Fees.**

Lee Ann Bunselmeyer, Finance, Communications & Strategic Services Director, shared a presentation with the City

Council regarding the Credit Card Processing Fees and budget billing. Council Member Pickens inquired about the current \$3.95 charge to the City. Ms. Bunselmeyer shared it is the transaction cost, the cost for the website and requirement to implement the services. Open Edge's processing fees for utility payments is the lowest. Moving to Open Edge, the estimated cost per transaction would be \$3.50. The recommendation is for the city to absorb the \$3.50; however, the residents or those who receive citations, pay the \$1.50 fee for municipal court. The justification is those who receive citations may not reside in Corinth. A copy of the presentation is attached.

3. **Receive a report, hold a discussion and provide staff direction on a policy for Elected Officials and Appointed Boards, Commissions and Committees Using Personal or Professional Social Media Platforms, and providing an effective date.**

Lee Ann Bunselmeyer, Finance, Communications & Strategic Services Director, shared a presentation with the City Council regarding the Social Media Policy for Public Officials. The item is on the consent agenda. A copy of the presentation is attached.

4. **Receive a presentation, hold a discussion, and provide staff direction on the Communication Strategic Plan.**

This item will be discussed in the next meeting on February 4, 2021.

5. **Discuss meeting items on Regular Session Agenda, including the consideration of closed session items as set forth in the Closed Session agenda items below.**

**There was no discussion on Regular Agenda Items.
There was no closed session during the workshop session.**

CLOSED SESSION

The City Council convened in closed session to consider any matters regarding matters pursuant to Chapter 551 of the Texas Government Code.

Section 551.071. (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

Section 551.072. To deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- a. **Right-of-way consisting of 1.56 acres located at 6881 South I-35E and along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas. (M/B)**
- b. **Right-of-way consisting of .198 acres located at 6801 S I-35E and 3404 Dobbs Road along Dobbs Road within the H. Garrison Survey, Abstract No. 507, within the City of Corinth, Denton County, Texas. (F)**
- c. **Being approximately 7 acres of land, more or less, located in the J.P. Walton Survey, Abstract No. 1389, City of Corinth, Denton County, Texas (H).**
- d. **Being approximately 13 acres of land, more or less, in the North Central Texas College Addition No. 2, Block A, Lot 1R (N).**

Section 551.074. To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or

dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

Section 551.087. To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

a. Project Agora

After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.


ADJOURN:

Mayor Heidemann adjourned the workshop session at 7:17 P.M.

AYES:

Meeting adjourned.

Approved by Council on the 18th day of February 2021.



Lana Wylie, City Secretary
City of Corinth, Texas



POLICY GOVERNANCE OVERVIEW

1

Focus

- Focus on governance, including orientation, board involvement, and policy development
 - Build strong council/manager relationship
 - Ensure the council decision making system works
 - City priorities are established annually
 - Ensure council is consulted on what needs to be done
 - Rethink council meetings, procedures, and focus on leadership

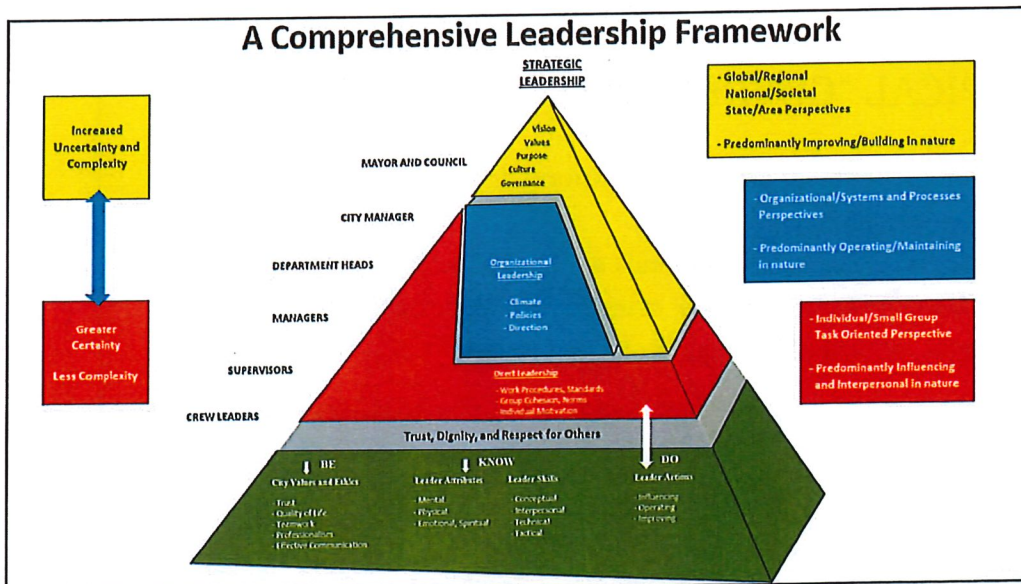
2

AGENDA

- Challenges of Municipal Governance and Elected Service
- Overview of Policy Governance (Carver Model)
- Benefits of Policy Governance for Cities
- Questions and Answers

3

A Comprehensive Leadership Framework



4

CHALLENGES OF ELECTED OFFICIALS

- High expectations
- Critical and difficult role
- Roles & responsibilities are poorly defined
- Little or no training or preparation
- Few measurements to define success
- Elected officials want to “do” and make a difference

5

TYPICAL “GOVERNANCE” PROBLEMS

- Lack of proper focus and forward (future) direction
- Lack of role clarity
- Council loses control of its agenda and its distinct role
- City Manager loses control of management responsibilities
- Reactive, backward looking, “fix-it” orientation

6

THE "WORK" OF THE CITY COUNCIL

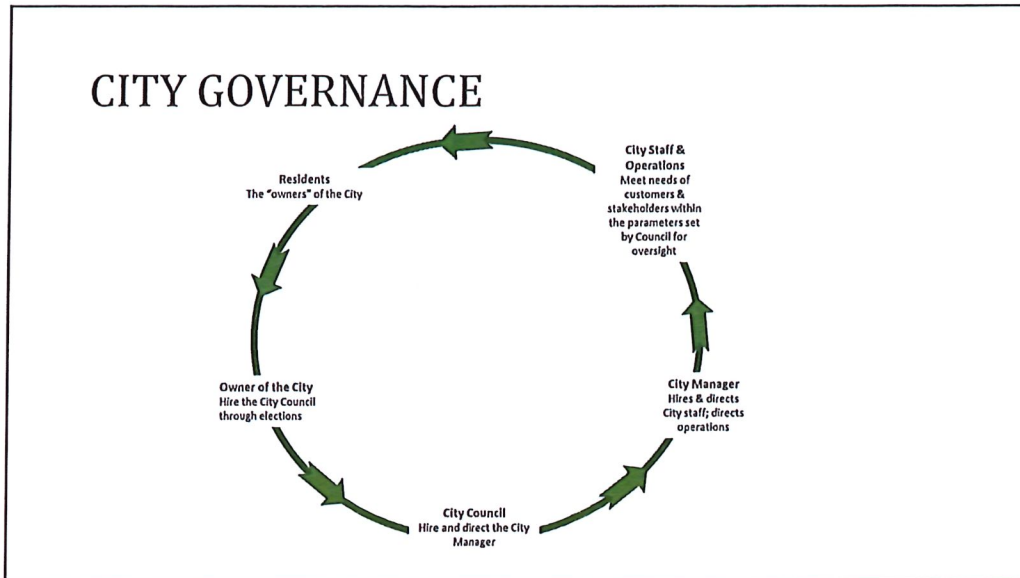
- Work for the Owners (residents)
- Determine the desired ends/results for the City
- Ensure adherence to City Charter and/or other established policies
- Establish/revise policies to guide and direct the governance of the City

7

THE "WORK" OF THE CITY COUNCIL

- Link with Owners to represent their interests
- Hire and supervise its one employee: City Manager
- Monitor effective management of City and assure CM performance
- Act as the "trustee" of City's money and resources
- Evaluate resources consumed vs. benefits gained

8



9

- ## EXISTING GOVERNANCE POLICIES-RULES
- Texas and U.S. Constitution
 - City Charter
 - Strategic Plan
 - Comprehensive Land Use Plan
 - Annual Budget
 - Adopted Ordinance

10

POLICY GOVERNANCE: A MODEL

- Created by John Carver
- Used by hundreds of elected bodies, non-profits, and organizations
- Police based governance model that more clearly defines the role of the elected officials and CEO
- Separates organizational purpose (ENDS) from organizational administration (MEANS)

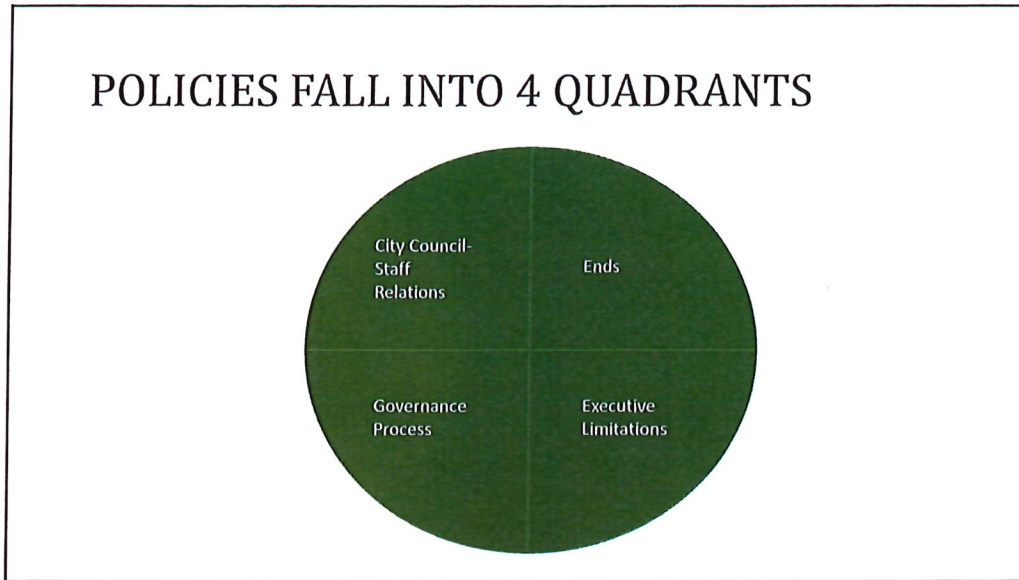
[Peter Drucker, George Cuff]

11

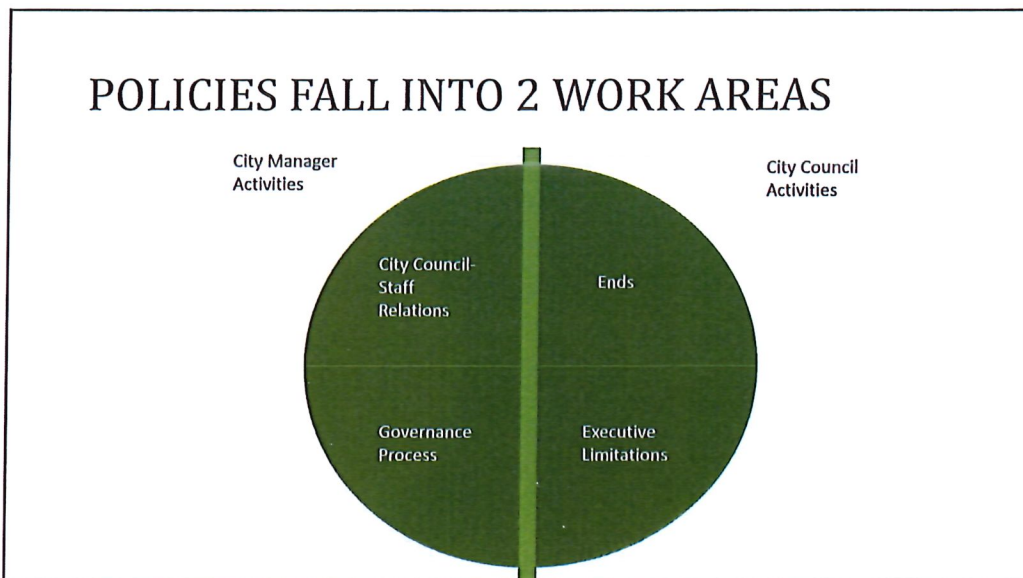
CITY COUNCIL'S ROLE IN POLICY GOVERNANCE

- Linkage with Owners
- Define explicit policies about:
 - Ends (results)
 - Executive Limitations
 - Council-Staff Relationships
 - Governance
- Assures executive performance
- Evaluates costs vs. benefits

12



13



14

BENEFITS OF CLEAR ENDS POLICIES

- Allows City Council to provide vision and strategic leadership
- Council focuses on “what and why” of City operations
- Manager and staff focus on “who, how, when, & at what cost”

15

ENDS POLICIES = DESIRED RESULTS

- Desired results/outcomes of City services for the “owners”
- Owners = Residents
- Provide clear and tangible results that are measurable to assure performance of city manager and staff
- Should be written as if you have already succeeded
- Should define:
 - What benefits?
 - For whom?
 - At what cost?

16

END POLICIES CONT.

- Determining desired ends, results, and organizational goals of Corinth is the most importance job of the City Council
- City Manager determines the “Means” to the “Ends”

17

GLOBAL OR “OVERARCHING” END POLICY

Global Ends

Corinth is a growing community that is conveniently located, delivers outstanding services, engages its residents, and provides a good mix of high-quality retail, restaurant, and entertainment.

Sub-Ends

1. Growing Community
 2. Conveniently located
 3. Delivers outstanding services
 4. High-quality retail
 5. High-quality restaurants
 6. High-quality entertainment
- High-quality entertainment

18

OVERARCHING ORGANIZATIONAL RESULT CITY OF CORINTH

Corinth is a growing community that is conveniently located, delivers outstanding services, engages its residents, and provides a good mix of high-quality retail, restaurant, and entertainment.

19

END POLICIES TO BE DEVELOPED

- Community growth
- Outstanding service delivery
- Resident engagement
- Mix of high-quality retail, restaurants, and entertainment

20

SETTING ENDS (RESULTS)

- Must be observable & measurable
- Start broadly & become more specific
- Help to define priorities: core, important, and discretionary

21

BENEFITS AND PRINCIPLES OF POLICY GOVERNANCE

22

MONITORING PROCESS

Every policy monitored by pre-determined process on pre-determined schedules

- Internal or external reports
- Direct inspections
- City Council self-assessment

23

MONITORING MEASURES WHAT THE CITY HOPE TO ACCOMPLISH IN SUCCESSFULLY SERVING COMMUNITY



24

EXECUTIVE LIMITATIONS POLICY:

- Explicit policy statements of what the City Manager is **NOT** permitted to do
- Anything not prohibited in the Executive Limitations Policies may be done by CM in pursuit of Council Ends

25

EXAMPLE OF EXECUTIVE LIMITATION POLICY: COMMUNICATION

With respect to providing information and counsel to the City Council, the City Manager may not permit the Council to be uninformed. Accordingly, the City Manager may not:

1. Let the Council be unaware of relevant trends, anticipated adverse media coverage, material external and internal changes, particular changes in assumptions upon which any council policy has previously been established.
2. Fail to submit the required monitoring data.
3. Fail to marshal as many staff and external points of view, issues, and options as needed for fully informed Council choices, particularly with respect to staff opinions on matters of material importance.

26

EXAMPLE OF EXECUTIVE LIMITATION POLICY: COMMUNICATION

4. Present information in unnecessarily complex or lengthy form.
5. Fail to provide a mechanism for official Council, officer, or committee communication.
6. Except for fulfilling individual requests for information, fail to deal with the Council as a whole.
7. Fail to report actual or anticipated noncompliance with any policy of the Council.
8. Fail to provide Council with sufficient information to gain an understanding of the local condition (such as tax base trends, etc.).

27

COUNCIL – STAFF RELATIONS POLICY

- Delegation of authority to City Manager and through CM to staff
- Defines how City Council and City Manager will operate with each other
- City Manager reports ONLY to full City Council
- City Council directs City Manager ONLY
- City Manager evaluated on ONLY two criteria:
 1. Achievement of (City Council Prescribed) Ends
 2. Avoidance of Violations of Executive Limitations

28

EXAMPLE OF COUNCIL STAFF RELATIONS POLICY – “UNITY OF CONTROL”

Only decisions of the City Council acting as a body are binding on the City Manager and City Attorney

- Decisions, instructions, or directives of individual Councilmembers are not binding on the City Manager or City Attorney except when the City Council has specifically authorized such exercise of authority
- In seeking clarification on informational items, Councilmembers may directly approach professional staff members to obtain information needed to supplement, upgrade, or enhance their knowledge to improve Council decisions-making. Any Councilmember requests that require substantive work should come before the Council for direction
- If the Councilmember request information or assistance without Council authorization, the City Manager or City Attorney may decline such requests that require a material amount of staff time or funds, or are disruptive and refer the requests to the full Council for authorization to proceed. The City Manager and the City Attorney have the right to decline and refer such requests to the Council so long as all members of Council are treated the same in this respect.

29

GOVERNANCE PROCESS POLICIES

- Establishes how the Council will operate as one entity
- Establishes standards of behavior, roles, and commitments and code of ethical behaviors
- Defines City Council’s job descriptions and ground rules

30

GOVERNANCE PROCESS POLICY: GOVERNANCE STYLE

The Council will approach its task with a style which emphasizes outward vision rather than an internal preoccupation, strategic leadership more than administrative detail, clear distinction of Council and staff roles, further rather than past or present, and proactively rather than reactively. In this spirit, the Council will:

1. Direct, control, and inspire the organization through the careful establishment of the broadest organizational values and perspectives (policies)
2. Focus chiefly on impacts on the city outside the organization (ends), not on the administrative or programmatic means of attaining those effects.

31

GOVERNANCE PROCESS POLICY: GOVERNANCE STYLE

3. Enforce upon itself and its members discipline to govern with excellence, in such matters as policymaking, role clarification, speaking with one voice and self-policing of any tendency to stray from governance adopted in Council policies
4. Be accountable to the general public for competent conscientious and effective accomplishment of its obligations as a body. It will allow no officer, individual, or committee of the Council to usurp this role or hinder this commitment.
5. Monitor and regularly discuss the Council's own process and performance. Ensure the continuity of its governance capability by retraining and redevelopment.
6. Be an initiator of policy, not merely a reactor to staff initiatives. The Council, not the staff, will be responsible for Council performance.
7. Ensure that the agenda process is driven by Council directions and initiatives.

32

COUNCIL'S ROLE IN CREATING & MONITORING CITY GOVERNANCE POLICIES

Council determines:

- Policy content & changes to established policies
- Method of monitoring (internal, external, direct inspection)
- Frequency of monitoring
- Evaluates City Manager performance on policies

33

BENEFITS OF POLICY GOVERNANCE

- Allows City Council to provide vision and strategic leadership
- Council focuses on “what and why” of City operations through ends policies that define success
- Manager & staff focus on “who, how, when, & at what cost”

34

BENEFITS OF POLICY GOVERNANCE

- Council controls Manager and staff by creating monitoring policies
- Provides clarity of roles and expectations
- Reduces City Council/City Manager conflict
- Aligns City resources of operation priorities (core, important, discretionary)
- Improves relationships and accountability with residents by defining expectations for performance of both Council and staff

35

SUMMARY

36

10 PRINCIPLES OF POLICY GOVERNANCE

1. The City Council establishes its own rules & culture by policy
2. The City Council is trustee for the “owners” (residents)
3. Central duties of the City Council: determine desired ends/results link with Owners
4. All important City Council expectations & decisions should be embedded in formal policy
5. Policy should be formulated by determining the broadest values

37

10 PRINCIPLES OF POLICY GOVERNANCE

6. The Council should define and delegate, not react and ratify
7. The Council speaks with one voice
8. The City Council seeks to create a relationship with management that is empowering and safe
9. The City Council’s role in managing operations is through boundaries established through Executive Limitations & Council/Staff relations policies
10. City Manager performance must be monitored rigorously, against established policy criteria

38

THREE DIRECT PRODUCTS OF A BOARD MEMBER

1. The board's first direct product is the organization's linkage to the ownership.
2. The board's second direct product is explicit governing policies.
3. The board's third direct product is assurance of executive performance.

39

RESPONSIBILITIES OF A BOARD MEMBER

1. Be prepared to participate responsibly
2. Remember your identity is with the ownership, not the staff
3. Represent the ownership, not a single constituency
4. Be responsible for group behavior and productivity
5. Be a proactive board member
6. Honor divergent opinions without being intimidated by them
7. Support the board's final choice
8. Don't expect agendas to be built on your interests
9. The organization is not there for you
10. Support the chair in board discipline

40

DUTIES OF BOARD MEMBERS

- Provide a valuable link to the community and to the various interests that make up the community
- Assist in the development of policy recommendations to the City Council
- Provide leadership and support to City staff
- Promote the City and its programs
- Provide expertise in specialized areas

41

BOARD SELF-ASSESSMENT

- The primary purpose of evaluation is not to reward or punish, but to achieve continual improvement in performance.
- Self-evaluation is most meaningful when related to established expectations.
- Board self-evaluation is an inseparable part of governing, not an extraneous or optional task.
- Self-evaluation is continual rather than sporadic activity.
- Board self-evaluation is the responsibility of the board –not the staff.

42

BOARD AND COMMISSION PURPOSE

Principle-

Advisory boards are an extension of the City Council to advise on the Ends issues.



SAMPLE GOVERNANCE POLICIES

Last Update: January 2021

Table of Contents

SECTION I: EXECUTIVE LIMITATIONS

<i>Page</i>	<i>Policy Title</i>
1	(A) Global Executive Constraint
1	(B) Treatment of Customers of City Services
1	(C) Treatment of Staff
2	(D) Financial Planning/Budgeting
2	(E) Financial Condition and Activities
3	(F) Asset Protection
3	(G) Emergency City Manager Succession
4	(H) Compensation and Benefits
4	(I) Communication and Support to the City Council

SECTION II: GOVERNANCE PROCESS

<i>Page</i>	<i>Policy Title</i>
6	(A) Global Governance Process
6	(B) Governing Style
7	(C) Council Job Description
7	(D) Council Members' Code of Conduct
8	(G) City Council Engagement
9	(E) Annual Planning
9	(F) Mayor's Role
10	(H) Council Committee Principles
11	(I) Cost of Governance

SECTION III: COUNCIL-MANAGEMENT DELEGATION

<i>Page</i>	<i>Policy Title</i>
12	(A) Global Board-Management Delegation
12	(B) Unity of Control
12	(C) Accountability of the City Manager
12	(D) Delegation to the City Manager
13	(E) Monitoring Executive Performance & Reporting Schedule

ATTACHMENTS

<i>Page</i>	<i>Attachment Title</i>
15	Diagram (A): Categorized City Council Policies

SECTION I: EXECUTIVE LIMITATIONS

(I-A) GLOBAL EXECUTIVE CONSTRAINT

The City Manager shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, or in violation of commonly accepted business and professional ethics.

(I-B) TREATMENT OF CUSTOMERS OF CITY SERVICES

With respect to interactions with customers, the City Manager shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

The City Manager will not

1. Elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, transmitting, or storing customer information that fail to protect against improper access to the material.
3. Operate facilities without appropriate accessibility and privacy.
4. Operate without establishing with customers a clear understanding of what may be expected and what may not be expected from the service offered.
5. Operate without informing customers of this policy or providing a way to be heard for persons who believe that they have not been accorded a reasonable interpretation of their rights under this policy.

(I-C) TREATMENT OF STAFF

With respect to the treatment of paid and volunteer staff, the City Manager shall not cause or allow conditions that are unfair, undignified, disorganized, or unclear.

The City Manager will not

1. Operate without written personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions, such as nepotism and grossly preferential treatment for personal reasons.
2. Retaliate against any staff member for nondisruptive expression of dissent.
3. Allow staff to be unaware of City Manager's interpretations of their protections under this policy.
4. Allow staff to be unprepared to deal with emergency situations.

SECTION I: EXECUTIVE LIMITATIONS

(I-D) FINANCIAL PLANNING/BUDGETING

The City Manager shall not cause or allow financial planning for any fiscal year or the remaining part of any fiscal year that deviates materially from Council Ends priorities, risks financial jeopardy, or is not derived from a multiyear plan.

The City Manager will not allow budgeting which:

1. Risks incurring those situations or conditions described as unacceptable in the Executive Limitations policy entitled "Financial Condition and Activities."
2. Omit credible projection of revenues and expenses, separation of capital and operational items, cash flow analysis, and disclosure of planning assumptions.
3. Provide less than the amount determined annually by the Council for the Council's direct use during the year.

(I-E) FINANCIAL CONDITION AND ACTIVITIES

With respect to the actual, ongoing financial condition and activities, the City Manager may not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Council priorities established in Ends policies.

The City Manager will not

1. Expend more funds than have been received in the fiscal year to date unless the Council's debt guideline is met.
2. Incur debt in an amount greater than can be repaid by certain and otherwise unencumbered revenue with 60 days.
3. Use any long-term reserves.
4. Conduct inter-fund shifting in amounts greater than can be restored to a condition of discrete fund balance within 30 days.
5. Allow payables or receivables not to be settled within a reasonable time frame.
6. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
7. Make a single purchase or commitment of greater than \$50,000. Splitting orders to avoid this limit is not acceptable.
8. Acquire, encumber or dispose of real estate.

SECTION I: EXECUTIVE LIMITATIONS

(I-F) ASSET PROTECTION

The City Manager may not allow the City's assets to be unprotected, inadequately maintained, or unnecessarily risked.

The City Manager will not

1. Insure the organization's assets for less than one hundred percent of replacement value against theft, fire and casualty losses or insure against liability losses to Council members, staff, volunteers and the organization itself for less than the average for comparable organizations.
2. Allow personnel access to material amounts of funds.
3. Subject facilities and equipment to improper wear and tear or insufficient maintenance.
4. Unnecessarily expose the organization, its Council, or staff to claims of liability.
5. Receive, process or disburse funds under controls that are insufficient to meet the Council-appointed auditor's standards.
6. Make any purchase: (a) wherein normally prudent protection has not been given against conflict of interest; (b) of more than \$3,000 without having obtained comparative process and quality; (c) of more than \$7,500 without a stringent method of assuring the balance of long-term quality and cost. Orders shall not be split to avoid these criteria.
7. Allow property, information and files to be unprotected from loss or significant damage.
8. Allow information and files to be unprotected from cyber threats or threat
9. Invest or hold operating capital in insecure instruments, including uninsured checking accounts and bonds of less than an acceptable rating, or in non-interest bearing accounts except where necessary to facilitate ease in operational transactions.

(I-G) EMERGENCY CITY MANAGER SUCCESSION

In order to protect the Council from sudden loss of the City Manager Services, the City Manager shall not permit there to be less than one other person familiar enough with Council and City Manager issues and procedures to be able to maintain organization services.

SECTION I: EXECUTIVE LIMITATIONS

(I-H) COMPENSATION AND BENEFITS

With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the City Manager shall not cause or allow jeopardy to fiscal integrity or public image.

The City Manager will not

1. Change the City Manager's own compensation and benefits, except as those benefits are consistent with a package for all other employees.
2. Promise or imply permanent or guaranteed employment.
3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.
4. Create obligations over a longer term than revenues can be safely projected.
5. Establish or change pension benefits so as to cause unpredictable or inequitable situations, including those that:
 - a) Incur unfunded liabilities,
 - b) Provides less than some basic level of benefits to all full-time employees, though differential benefits to encourage longevity are not prohibited,
 - c) Allow any employee to lose benefits already accrued from any foregoing plan, and
 - d) Treat the City Manager differently from other key employees.

(I-I) COMMUNICATION AND SUPPORT TO THE CITY COUNCIL

The City Manager shall not cause or allow the city council to be uniformed or unsupported in its work.

The City Manager will not

1. Neglect to submit monitoring data required by the Council according to its policy "Monitoring CM Performance" in a timely, accurate, and understandable fashion, directly addressing provisions of Council policies being monitored, and including City Manager interpretations consistent with the "Delegations to the City Manager" policy, as well as relevant data.
2. Let the Council be unaware of any significant incidental information it requires including anticipated adverse media coverage, threatened or pending lawsuits, and material internal and external changes.

SECTION I: EXECUTIVE LIMITATIONS

3. Allow the Council to be unaware that, in the City Manager's opinion, the Council is not in compliance with its own policies on Governance Process and Council-Management Delegation, particularly in the case of Council behavior which is detrimental to the work relationship between the Council and the City Manager.
4. Allow the Council to be without decision information required periodically by the council or let the council be unaware of relevant trends.
5. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.
6. Allow the Council to be without a workable mechanism for Council, officer, or committee communications.
7. Deal with the Council in a way that favors or privileges certain Council members over others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the board.
8. Allow the Council to be unaware of any actual or anticipated noncompliance with any Ends or Executive Limitations policy of the Council regardless of the Council's monitoring schedule.
10. Endanger the city's public image, credibility, or its ability to accomplish Ends.

SECTION II: THE GOVERNANCE PROCESS

(II-A) GLOBAL GOVERNANCE PROCESS

The purpose of the City Council, on behalf of the residents of Corinth, is to see to it that the City of Corinth (a) achieves appropriate results for appropriate persons at an appropriate cost (as specified in council Ends policies), and (b) avoids unacceptable actions and situations as prohibited in Council Executive Limitations policies.

(II-B) GOVERNING STYLE

The City Council will govern lawfully, observing the principles of the Policy Governance model, with an emphasis on (a) outward vision rather than an internal preoccupation, (b) encouragement of diversity in viewpoints, (c) strategic leadership more than administrative detail, (d) clear distinction of Council and city manager roles, (e) collective rather than individual decisions, (f) future rather than past or present, and (g) proactivity rather than reactivity.

Accordingly,

1. The Council will cultivate a sense of group responsibility. The council, not the staff, will be responsible for excellence in governing. The Council will normally be the initiator of policy, rather than reacting to staff's proposals. The Council will not use the expertise of individual members to substitute for the judgment of the Council, although the expertise of individual members may be used to enhance the understanding of the Council as a body.
2. The Council will direct, control, and inspire the organization through the careful establishment of broadly written policies reflecting the Council's values and perspectives. The Council's major policy focus will be on the intended long-term external impacts of the organization.
3. The Council will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policy-making principles, respect of roles, and ensuring the continuance of governance capability. Although the council can change its governance process policies at any time, it will scrupulously observe those currently in force.
4. Continual Council development will include orientation of new members in the Council's governance process and periodic Council discussion of process improvement. The Council will provide mechanisms for educating others about their governance process.
5. The Council will monitor and discuss the Council's strategic (rather than administrative) process and performance at each meeting. Self-monitoring will include comparison of Council activity and discipline to policies in the Governance Process and Council-Management Delegation categories.
6. The Council will allow no officer, individual or committee of the Council to hinder or be an excuse for not fulfilling group obligations.

SECTION II: THE GOVERNANCE PROCESS

(II-C) COUNCIL JOB DESCRIPTION

Specific job outputs of the City Council, as an informed agent of the ownership, are those that ensure appropriate organizational performance.

Accordingly, the Council will provide

1. The linkage between the ownership and the operational organization.
2. Written governing policies that realistically address the broadest levels of organizational decisions and situations.
 - a. *Ends*: Organizational impacts, benefits, outcomes, recipients, beneficiaries, impacted groups, and their relative cost or priority.
 - b. *Executive Limitations*: Constraints on executive authority that establish the prudence and ethical boundaries within which all executive activity and decisions must take place.
 - c. *Governance Process*: Specification of how the Council conceives, carries out, and monitors its own tasks.
 - d. *Council-Management Delegation*: How power is delegated and its proper use monitored; the City Manager's role, authority, and accountability.
3. Assurance of successful organizational performance on Ends and Executive Limitations.

(II-D) COUNCIL MEMBERS' CODE OF CONDUCT

The Council commits itself and its members to ethical, businesslike and lawful conduct, including proper use of authority and appropriate decorum when acting as Council members.

1. Members must have loyalty to the resident's ownership, un-conflicted by loyalties to staff, other organizations, and any personal interest as a consumer.
2. Members must avoid appearance of impropriety conflict of interest with respect to their fiduciary responsibility.
 - a. There must be no self-dealing or business by a member with the organization. Members will annually disclose their involvements with other organizations, with vendors, or any associations that might be or might reasonably be seen as being a conflict.
 - b. When the Council is to decide upon an issue about which Council member has an unavoidable conflict of interest, that member shall withdraw without comment not only from the vote, but also from the deliberation.
 - c. Council members will not use their positions to obtain employment in the organization for themselves, family members or close associates. A Council member who applies for employment must wait two years following their service on the Council.

SECTION II: THE GOVERNANCE PROCESS

3. Council members may not attempt to exercise individual authority over the organization.
 - a. Members' interaction with the City Manager or with staff must recognize the lack of authority vested in individuals except when explicitly Council authorized.
 - b. Members' interaction with public, press or other entities must recognize the same limitation and the inability of any Council member to speak for the Council except explicitly stated Council decisions.
 - c. Except for participation in Council deliberation about whether the City Manager has achieved any reasonable interpretation of Council policy, members will not express individual judgments of performance of employees of the City Manager.
4. Members will respect the confidentiality appropriate to issues of a sensitive nature.
5. Members will be properly prepared for Council deliberation.
6. Members will support the legitimacy and authority of the final determination of the Council on any matter, irrespective of the members' personal position on the issue.

(II-E) CITY COUNCIL ENGAGEMENT

Based upon the necessity of regional, statewide and national involvement the council shall engage/participate in external organizations and activities which promote the ends of the City.

Accordingly,

1. The Mayor shall at minimum, participate in the following activities: _____, NLC policy committee or council, etc.
2. The Mayor Pro-Tem shall at a minimum, participate in the following activities in place of Mayor when not available: _____, NLC policy committee or council, etc.
3. Councilmember's based upon availability shall participate in regional and national activities such as NLC, TML Regional meetings, TML legislative policies, State legislative activities, NCTCOG, Lake Cities Chamber Luncheon, North Texas Commission, DCTA.

SECTION II: THE GOVERNANCE PROCESS

(II-F) ANNUAL PLANNING

To accomplish its job with a governance style consistent with Council policies, the Council will follow an annual agenda that (a) Completes a re-exploration of Ends policies annually (b) Continually improves Council performance through Council education and enriched input and deliberation.

1. The cycle will conclude each year no later than the last day of May so that administrative planning and budgeting can be based on accomplishing a one-year segment of the most recent statement of long-term Ends.
2. The cycle will start with the Council's development of its agenda for the next full year.
 - a. Consultations with selected groups in the ownership or other methods of gaining ownership input will be determined and arranged in the first quarter, to be held during the balance of the year.
 - b. Governance education and education related to Ends determination (e.g. presentations by industry experts, advocacy groups, staff and so on) will be arranged in the third quarter, to be held during the balance of the year.
 - c. Upon the request of two Council members, a request for an item for Council discussion may be submitted to the Mayor no later than ten days before the council meeting.
3. Throughout the year, the Council will attend to consent agenda items as expeditiously as possible.
4. City Manager compensation and evaluation will be decided during the month of March after a review of monitoring reports received in the previous year.
5. City Manager monitoring will be on the agenda based upon reports received since the previous meeting, or if plans must be made for direct inspection monitoring, or if arrangements for third-party monitoring must be prepared.

(II-G) MAYOR'S ROLE

The Mayor, a specially empowered member of the City Council, assures the integrity of the Council's process and, secondarily, represents the Council to outside parties.

1. The assigned result of the Mayor's job is that the Council behaves consistently with its own rules and those legitimately imposed upon it from outside the organization.
 - a. Meeting discussion content will be only those issues which, according to board policy, clearly belong to the Council to decide or to monitor.
 - b. Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.

SECTION II: THE GOVERNANCE PROCESS

- c. Information that is for neither monitoring performance nor Council decisions will be avoided or minimized and always noted as such.
2. The authority of the Mayor consists of making decisions that fall within the topics covered by Council policies on Governance Process and Council-Management Delegation with the exception of (a) Employment or termination of the City Manager (b) Where the Council specifically delegates portions of this authority to others. The Mayor is authorized to use any reasonable interpretation of the provisions in these policies. The Mayor is authorized to use any reasonable interpretation of the provisions in these policies.
 - a. The Mayor is empowered to chair Council meetings with all the commonly accepted power of that position (e.g. ruling, recognizing).
3. The Mayor has no authority to make decisions about policies created by the Council within Ends and Executive Limitations policy areas. Therefore, the Mayor has no authority to supervise or unilaterally direct the City Manager.
 - a. The Mayor may represent the Council to outside parties in announcing Council-stated positions and in stating Mayoral decisions and interpretations within the areas delegated to him or her. It is expected that this latter authority would be exercised sparingly and only in such times as the Council cannot timely deliberate the issue and is subject ultimately to Council review.
 - b. The Mayor may delegate this authority, but will remain accountable for its use.

(II-H) COUNCIL COMMITTEE PRINCIPLES

Council committees, when used, will be assigned to help the Council do its job, to reinforce the wholeness of the Council's job and so as never to interfere with delegation from Council to City Manager.

1. Council committees are to help the Council do its job, not to help or advise the staff. Committees ordinarily will assist the Council by preparing policy alternatives and implications for Council deliberation. In keeping with the Council's broader focus, Council committees will normally not have direct dealings with current staff operations.
2. Council committees may not speak or act for the Council except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the City Manager.
3. Council committees cannot exercise authority over staff. The City Manager works for the full Council, and will therefore not be required to obtain approval of a Council committee before an executive action.
4. Committees will be used sparingly and ordinarily in an ad-hoc capacity.

SECTION II: THE GOVERNANCE PROCESS

5. This policy applies to any group that is formed by Council action whether or not it is called a committee and regardless of whether the group includes Council members. It does not apply to committees formed under the authority of the City Manager.

(II-I) COST OF GOVERNANCE

The Council will invest in its governance capacity.

1. Council skills, methods, and supports will be sufficient to ensure governing with excellence.
 - a. Training and retraining will be used liberally to orient new Council members and candidates for Council membership, as well as to maintain and increase existing Council member skills and understandings.
 - b. Outside monitoring assistance will be arranged so that the Council can exercise confident control over organizational performance. This includes, but is not limited to, financial audit.
 - c. Outreach mechanisms will be used as needed to ensure the Council's ability to listen to owner viewpoints and values.
2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.
3. The Council will establish its cost of governance budget for the next fiscal year during the month of August.

SECTION III: COUNCIL-MANAGEMENT DELEGATION

(III-A) GLOBAL COUNCIL-MANAGEMENT DELEGATION

The Council's sole official connection to the operational organization, its achievements, and conduct will be through a chief executive officer, titled the City Manager.

(III-B) UNITY OF CONTROL

Only officially passed motions of the Council are binding on the City Manager.

1. Decisions or instructions of individual Council members, officers, or committees are not binding on the City Manager except in rare instances when the Council has specifically authorized such exercise of authority.
2. In the case of Council members or committees requesting information or assistance without Council authorization, the City Manager can refuse such requests that require, in the City Manager's opinion, a material amount of staff time or funds, or are disruptive.

(III-C) ACCOUNTABILITY OF THE CITY MANAGER

The City Manager is the Council's only link to operational achievements and conduct, so that all authority and accountability of staff, as far as the Council is concerned, is considered the authority and accountability of the City Manager.

1. The board will never give instructions to persons who report directly or indirectly to the City Manager.
2. The Council will not evaluate, either formally or informally, any staff other than the City Manager or other direct Council Appointees.
3. The Council will view City Manager performance as identical to organizational performance, so that organizational accomplishment of Council-stated Ends and avoidance of Council-proscribed means will be viewed as successful City Manager performance.

(III-D) DELEGATION TO THE CITY MANAGER

The Council will instruct the City Manager through written policies that prescribe the organizational Ends to be achieved, and describe organizational situations and actions to be avoided, allowing the City Manager to use any reasonable interpretation of these policies.

1. The Council will develop policies instructing the City Manager to achieve specified results, for specified recipients, at a specified cost. These policies will be developed systematically from the broadest, most general level to more defined levels, and will be called Ends policies. All issues that are not ends issues as defined here are means issues.

SECTION III: COUNCIL-MANAGEMENT DELEGATION

2. The Council will develop policies that limit the latitude the City Manager may exercise in choosing the organizational means. These limiting policies will describe those practices, activities, decisions, and circumstances that would be unacceptable to the board even if they were to be effective. Policies will be developed systematically from the broadest, most general level to more defined levels, and they will be called Executive Limitations policies. The Council will never prescribe organizational means delegated to the City Manager.
3. As long as the City Manager uses *any reasonable interpretation* of the Council's Ends and Executive Limitations policies, the City Manager is authorized to establish all further policies, make all decisions, take all actions, establish all practices, and develop all activities. Such decisions of the City Manager shall have full force and authority as if decided by the Council.
4. The Council may change its Ends and Executive Limitations policies, thereby shifting the boundary between Council and City Manager domains. By doing so, the Council changes the latitude of choice given to the City Manager. But so long as any particular delegation policy is in place, the Council and its members will respect and support the City Manager's choices.

(III-E) MONITORING EXECUTIVE PERFORMANCE

Systematic and rigorous monitoring of City Manager job performance will be solely against the only expected City Manager job products: organizational accomplishment of Council policies on Ends and organizational operation within the boundaries established in Council policies on Executive Limitations.

1. Monitoring is simply to determine the degree to which Council policies are being met. Information that does not do this will not be considered to be monitoring data.
2. The Council will acquire monitoring information by one or more of three methods:
 - a. By INTERNAL REPORT: in which the City Manager discloses interpretations and compliance information to the Council.
 - b. By EXTERNAL REPORT: in which an external, disinterested third party selected by the council assess compliance with Council policies.
 - c. By DIRECT COUNCIL INSPECTION: in which a designated Council member or members of the Council assess compliance with the City Manager's interpretation of the appropriate policy criteria.
3. In every case, the Council will judge (a) the reasonableness of the City Manager's interpretation and (b) whether data demonstrate accomplishment of the interpretation.
4. The standard for compliance shall be *any reasonable City Manager interpretation* of the Council policy being monitored. The Council is final arbiter of reasonableness, but will always judge with a "reasonable person" test rather than with interpretations favored by Council members or by the Council as a whole.

SECTION III: COUNCIL-MANAGEMENT DELEGATION

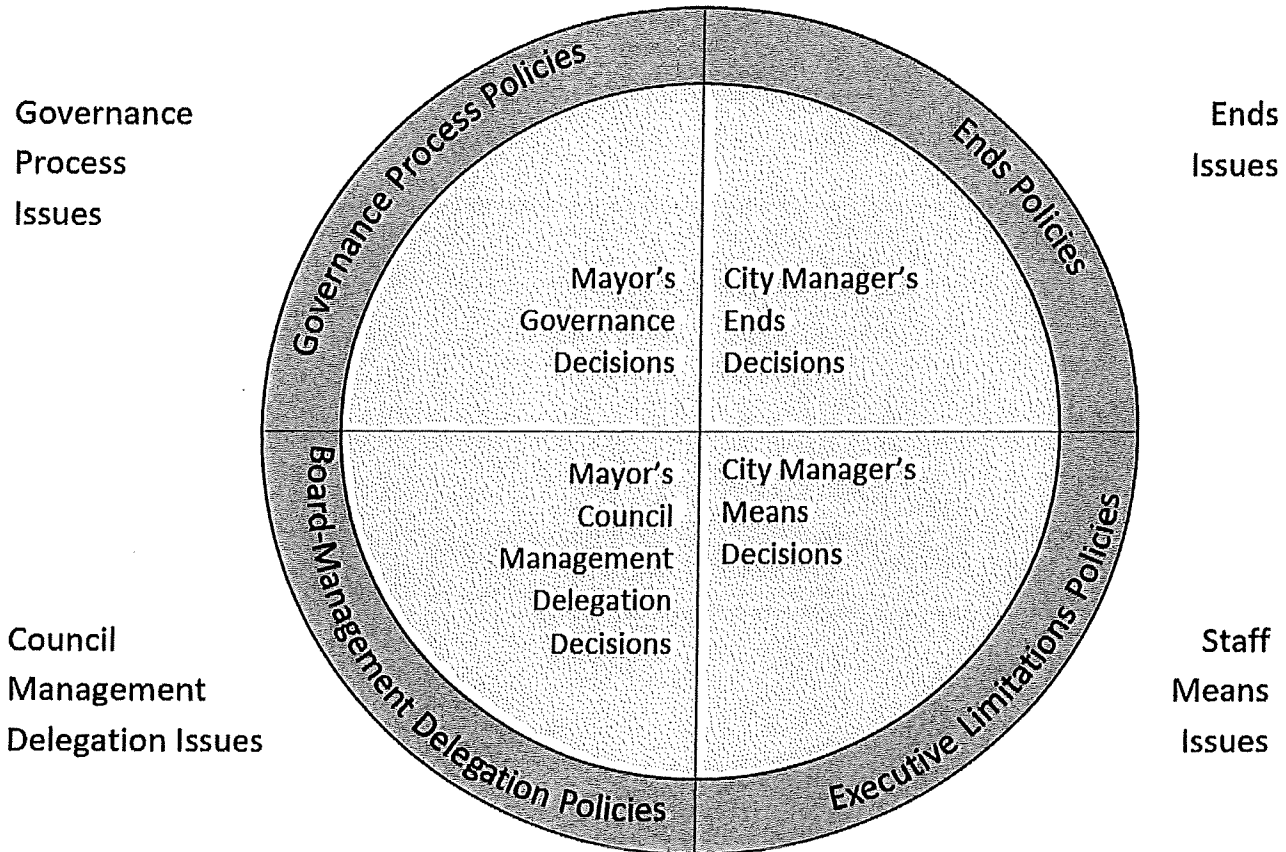
5. All policies that instruct the City Manager will be monitored at a frequency and by a method chosen by the Council. The Council can monitor any policy at any time by any method, but will ordinarily

Policy	Method	Frequency	Month
<i>Global Executive Constraint</i>	Internal	Annually	March
<i>Emergency City Manager Succession</i>	Internal	Annually	March
<i>Treatment of Customers</i>	Internal	Annually	May
<i>Treatment of Staff</i>	Internal	Annually	May
<i>Ends</i>	Internal Balanced Scorecard reporting	Quarterly & Annually	May
<i>Communication and Support</i>	Direct Inspection	Annually	June
<i>Financial Planning/ Budgeting</i>	Internal	Quarterly	June - August
<i>Compensation and Benefits</i>	Internal External	Annually	June - August
<i>Asset Protection</i>	Internal	Annually	August
<i>Financial Condition and Activities</i>	Internal (Budget)	Annually	August
	External (Audit)	Annually	March

depend on a routine schedule as follows:

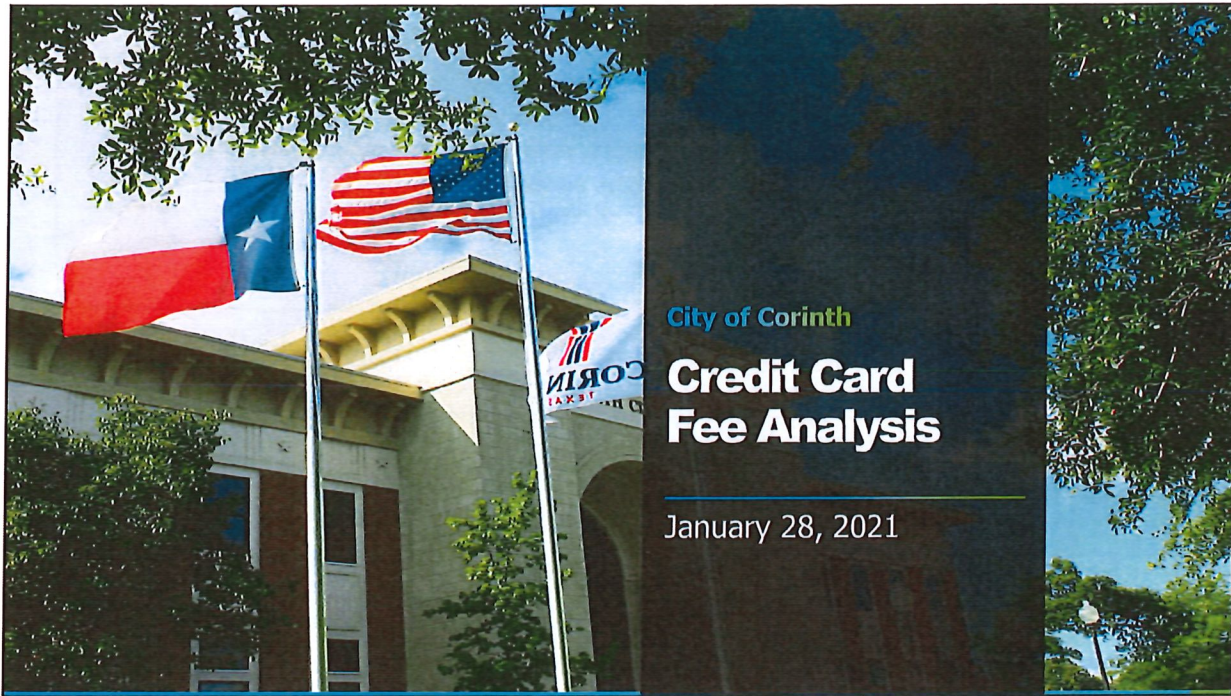
ATTACHMENT (A): CATEGORIZED BOARD POLICIES

Council Policies Completed in All Four Categories



ATTACHMENT (B): DOCUMENT UPDATE HISTORY

Date of Last Update	Pages Updated	Description
	All	Document restructure, policy numbers added, table of contents added, page numbers added



1

Overview

				
Credit Card Processor	Updated Payment Features	Credit Card Fee Options	Marketing Campaign	Council Direction

City of Corinth January 2021 2

2



Credit Card Processor and Fee Options

A new way to engage with customers from across the globe.

3

Credit Card Processor Options

Compatible Merchant and Payment Gateway Vendors for Incode

ETS
(Current Provider)

- **Account Features**
 - Online Payments
 - Over the Counter Payments
 - Phone Payments



Open Edge
(Effective January 2021)

- **Account Features**
 - Online Payments
 - Over the Counter Payments
 - **Recurring Credit Card Payments**
 - **eCheck – Recurring and one time**
- **20% reduction in fees**
- **Automated bank reconciliation with Incode**

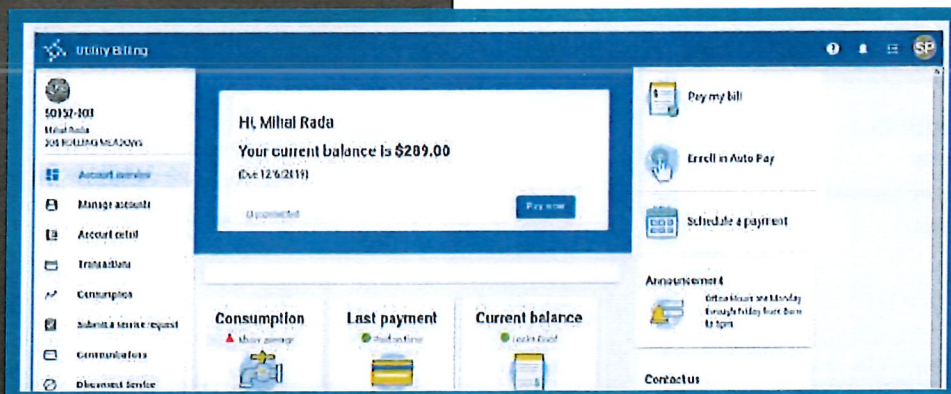
4



Updated Payment Features

5

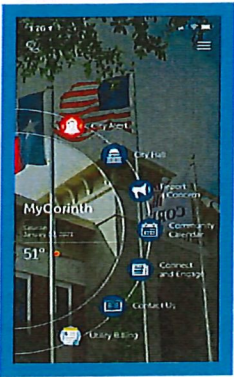
New Online Payment Portal



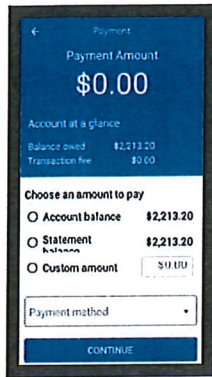
Coming Soon!

6

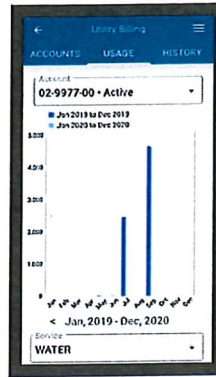
MyCorinth.com



Go-Live
March 1, 2021



Pay Bills



View Usage

View Statement

7

Pay-By-Phone

IVR
INTERACTIVE VOICE RESPONSE

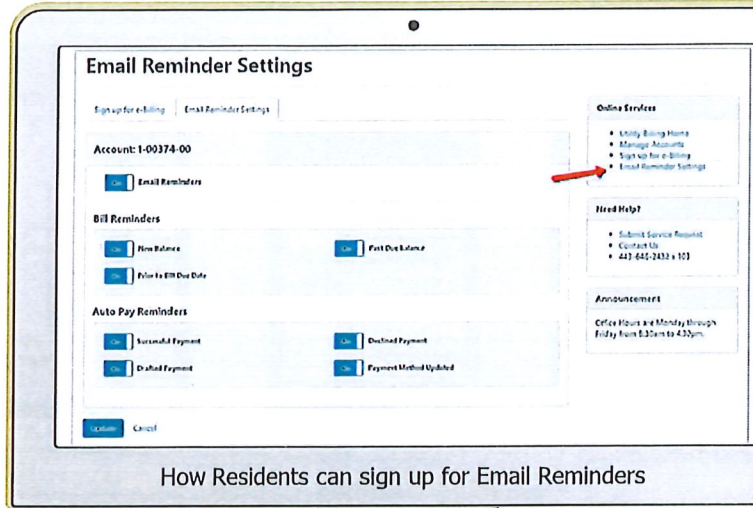
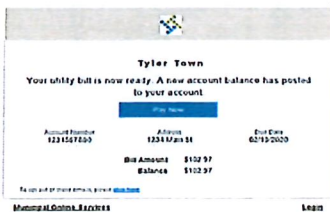
TEXT TO PAY

8

Email Alerts

Email reminders to utility account holders from the online payment website.

- A new bills balance has been posted to an account
- An account is past due
- Due Date Reminder



How Residents can sign up for Email Reminders

Budget Billing

"Go Live" on March 1, 2021



LEVEL MONTHLY BILL

- ✓ Each month the system adjusts the actual bill to equal the average bill amount.



RUNNING AVERAGE – CHARGES A BILL BASED ON RUNNING 12-MONTH AVERAGE

- ✓ Designed to be self-adjusting as seasons, usage and rates change.
- ✓ Reduces the amount owed or due at the time of Settlement. Can set the settlement at six months to a year.



HOW TO SIGN UP


Credit Card Activity

- Credit Card usage has steadily increased over the past three years
- FY2019-20 Activity
 - Transaction counts increased by 20%
 - Dollar amounts increased by 29%
- Utilities on-line transactions make up approximately 65% of all credit card activity in both count and dollar amount.

City of Corinth January 2021 11

11

Credit Card Fee Analysis




CORINTH
TEXAS

Convenience Fee
(Set by Ordinance)

\$3.95

Fee Paid by Utility, Police, Fire, and Municipal Court Customers for online and phone credit card payments

+



Transaction Fee
(Set by Tyler Technologies)

\$1.25

\$1.25 Fee Paid by Utility Customers
 \$1.50 Fee Paid by Court Customers

=

Total Fee Paid By Residents

\$5.20

City of Corinth January 2021 12

12

Visa Discount Program

- Visa has low interchange rates for merchants who are classified as a Utility.
- Qualifications
 - Water, Sewer, Gas, Electric, or Sanitation services apply
 - Cannot charge fees of any type to cardholders for processing Visa transactions
 - Estimated savings can range from 20-50% on Visa related processing expenses.
- Merchants can submit an application to Visa once they meet the criteria.



We estimate an annual savings of \$20k in processing fees.

VISA DISCOUNT PROGRAM

PROS AND CONS

PROS

- An estimated increase in IVR (phone) and online payments of 5-10%.
- Increased customer satisfaction. No fees and more payment options.
- Operational efficiencies. More staff time to focus on collection efforts and other customer service activities.



CONS

- City absorbs ALL transaction and processing fees
- Loss of \$3.95 Convenience Fee revenue.
- The fees are paid by all utility customers not just those that use the service.

Utility Credit Card Fee Analysis

Estimated Fee assuming Implementation of Open Edge and VISA Discount Program

29,185 Utility Total Credit Card Transactions
 25,691 Utility Online Credit Card Transactions



Estimated Per
Transaction Costs

\$1.58
\$46,314

+



Tyler Online Per
Transaction Costs

\$1.25
\$32,133

=



Total City
Absorbed Costs

\$2.83
\$78,447

Total Utility Customers 7,330
 Cost per customer = 89¢ per month

General Fund Credit Card Fee Analysis

Estimated Fee assuming Implementation of Open Edge

3,302 General Fund Credit Card Transactions



Estimated Per
Transaction Costs

\$3.50
\$11,231

+



Tyler Online Per
Transaction Costs

\$0
 \$1.50 Fee Paid by
Municipal Court
Customers
= \$4,428 annually

=



Total City
Absorbed Costs

\$3.50
\$11,231

Door/Lobby Signs

Social Media

Utility Bill Inserts

Marketing Campaign

February 2021

- Budget Billing
- Email Alerts
- IVR/Text to Pay
- Online Payment Options
 - New Online Payment Portal
 - Auto Pay
 - MyCorinth.com Mobile App
- Credit Card Fee Changes

City of Corinth January 2021 17

Community Comparison

Area Cities Serviced by Upper Trinity Regional Water District

	Utility Billing	Building Permits
Lewisville	City absorbs fee	\$1.50 up to \$5000; \$125 for \$5000-5999.99; \$150.00 for \$6000-6999.99; \$175 for \$7000-7999.99; \$200 for 8000-8999.99; \$225 for \$9000 and up
Flower Mound	\$3.00 convenience fee online	no convenience fee, city absorbs costs
LCMUA	\$4.25 convenience fee online and by phone	N/A
Denton	City absorbs cost on residential accounts. Charges 2.7% on Commercial accounts	no convenience fee, city absorbs costs
Little Elm	City absorbs fee	City absorbs fee
Highland Village	Residents pay the \$1.25 transaction fee and city absorbs credit card fee.	Charge 0.03% thru PayPal transaction fee and absorb the credit card fee.

City of Corinth January 2021 18

Community Comparison

Cities that do no charge a convenience fee

- Bedford
- Burleson
- Dallas
- Desoto
- Euless
- Farmers Branch
- Ft Worth
- The Colony
- Hurst
- Keller
- Lancaster
- McKinney
- Richardson
- Grand Prairie
- Rowlett
- North Richland Hills

Entities that charge 2%-3.5%

- Denton County
- Murphy
- Carrollton
- Haslet
- Highland Park
- Lake Worth (3.5%)

Cities with various fees

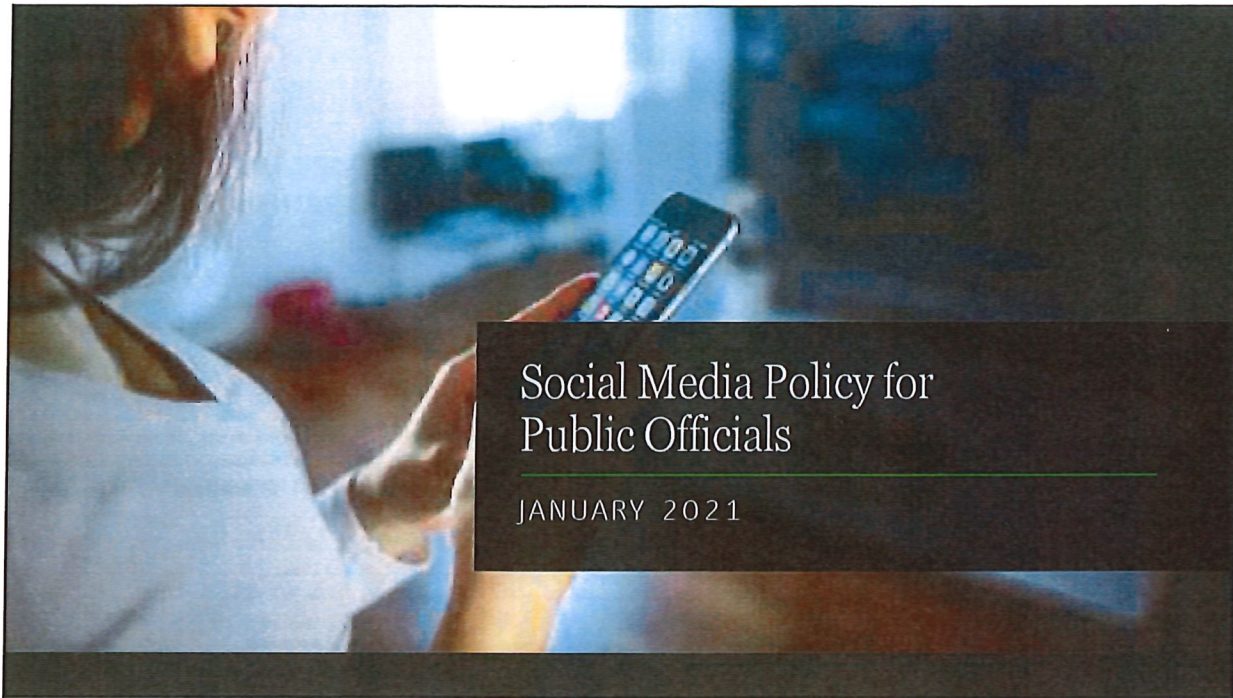
- Sachse - \$1.25 /no fee for Permits
- Seagoville – 3% /no fee for Permits
- Allen - \$2.00/no fee for permits
- Garland - \$2.95 charge up to \$600.00; \$15.95 up to 2500.00 / no fee for permits

Council Direction

- Tyler Technologies Online Transaction Fee
 - Utilities \$1.25 (\$32,133)
 - Municipal Court \$1.50 (\$4,428)
- City \$3.95 convenience fee
 - Utilities (\$ 46,314)
 - General Fund (\$13,431)
- Apply for VISA Discount Program

	City Convenience Fee	Tyler Online Transaction Fee	Impact to City
Utilities ⁽¹⁾	\$3.95	\$1.25	\$78,447
Municipal Court	\$3.95	\$1.50	\$10,499
Police	\$3.95	n/a	\$732
Planning	2%	n/a	\$0
Recreation	\$3.95	n/a	\$2,200

⁽¹⁾ Impact to City assumes changing credit card processors and implementation of the VISA Discount Program



Social Media Policy for Public Officials

JANUARY 2021

1

Section I: Purpose

- City-related communications are considered a **public record subject to the Texas Public Information Act**.
- Officials that use social media accounts to carry out their official duties are bound by the First Amendment.
- The five freedoms the First Amendment protects: **speech, religion, press, assembly, and the right to petition** the government
- The proposed policy provides guidance to help City Council and Boards/Commissions the better utilize social media and navigate some of the challenges associated with social media, within the First Amendment.

2

Section II: Professional and Personal Conduct Standards

- Conduct should be consistent with the City's policies and standards of conduct.
- Privileged or confidential information under Texas State Law is considered an exception to the public records law and may have specific penalties for inappropriate disclosure.
- Be honest and accurate when posting information or news, and should quickly correct any mistakes, misstatements and/or factual errors in content upon discovery.
- Officials should never represent themselves as a spokesperson for the City Council, a City board or committee, the City Administration, or any City department.
- Officials are prohibited from using social media to engage in any activity that constitutes a conflict of interest with their elected or appointed duties to the City.

3

Standards

- Officials are prohibited from using personal or professional social media to engage in any activity or conduct that violates federal, state, or local law.
- Officials are also prohibited from using professional social media accounts to circumvent election or campaign requirements, to campaign for re-election or endorse other candidates for public office.
- Social media content created by elected and appointed officials may be subject to the standards and requirements of the Texas Public Information Act and the City's records retention policy. Specific inquiries should be directed to the City Clerk or the City Attorney.
- Officials are subject to the Texas Open Meetings Act. As an example, Officials should be mindful that posting content regarding City-related matters could inadvertently result in the violation of the Open Meetings Law if other public officials engage on the post, resulting in a quorum.

4

Section III: Best Practices and Guidelines for Elected and Appointed Officials

- Public officials are strongly encouraged to separate personal social media accounts from professional social media accounts so that City-related matters and all public records generated from those posts are easily archived and not intermingled with personal posts not related to City matters.
- Officials should refrain from using social media accounts to communicate with City employees about City-related matters as this creates a public record on employees' personal accounts that must be retained per the Texas Public Information Act.
- If elected officials want the City's official pages to respond to a social media inquiry, the following responses are suggested:
 "Tagging @CityofCorinth on your inquiry so the Administration may respond to you directly."

5

If you want your social media account to remain "personal", don't use it for official purposes.

- ❖ **Public officials don't surrender their First Amendment rights by entering public service.**
 - You can maintain a social media account for personal use
 - You can block followers from a personal account for any reason you want to
- ❖ **If you use your social media account for official purposes, though, the First Amendment restricts you from doing some of the things you could do with a purely personal account.**
- ❖ **If you don't want to be bound by the First Amendment, don't use your social media account as an extension of your office.**
 - Don't use it to make announcements about your official responsibilities or actions.
 - Don't use it to solicit the public's views about what legislation you should introduce or support, or whom you should appoint to an official government post
 - Don't use it to carry out your duties—to call official meetings, for example, or to issue orders that you have the authority to issue only because of your government position

6

<p>How do you <u>use</u> your social media account?</p>	<p>Do you use government resources in connection with your social media account?</p>	<p>How do you <u>present</u> your social media account?</p>
<p>Do you use your account to communicate information about your official duties and to solicit information from constituents and the general public related to those duties?</p>	<p>Does city staff help you with your account by, for example, drafting, reviewing, or posting social media messages, or otherwise managing the account?</p>	<p>Do you associate the account with your official position by, for example, including your official title in your account description, or using a profile picture that shows you acting in your official capacity?</p>
<p>If you want to maintain both a personal account and an official one, you should maintain a clear separation between the two.</p>	<p>Do you use government equipment or other government resources in operating your account?</p> <p>Do you use your account while carrying out your official responsibilities—for example, while attending events in your official capacity?</p>	<p>Do you refer to the account as “official,” or direct constituents or others to it in a way that suggests that the account is an extension of your office?</p>

7

<p>Don't block users or delete comments just because they criticize you.</p> <hr/> <p>If you use your account as an extension of your office, the First Amendment prohibits you from blocking people from the account—or suppressing or deleting their comments, or otherwise penalizing them—because of their viewpoints.</p>	<ul style="list-style-type: none"> ▪ Social media accounts used for official purposes are “public forums” within the meaning of the First Amendment. ▪ <u>A “public forum” is established when the government invites members of the public to speak in a space that the government owns or controls.</u> ▪ Courts have held that the interactive features of social media accounts used for official purposes make those accounts public forums for First Amendment purposes because they enable members of the public to speak by, for example, replying to tweets or posting comments. ▪ The government may not stop people from speaking on public forums on the basis of their viewpoints. The rule against viewpoint discrimination ensures that people aren't excluded from public discourse simply because their views are controversial or disagreeable to others.
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

8

Have a social media policy, make it public, and follow it.

- ❖ If you use your social media account for official purposes, you should adopt policies for the account and post those policies publicly.
- ❖ Posting your policies publicly will let your followers (and others) know how you intend to use the account, and how you hope others will use the forum established by the account.
- ❖ Your policies should explain:
 - The general purposes you hope the account will serve;
 - Any limitations on what users may post in the comment threads; and
 - How you will address violations of those limitations.
- ❖ The First Amendment prohibits you from adopting a policy that discriminates on the basis of viewpoint, but it also prohibits you from enforcing a non-discriminatory policy in a way that discriminates on the basis of viewpoint.

9

Section IV: Procedures for Requesting and Maintaining Social Media Accounts

- Boards must adhere to laws and policies regarding copyright, use of photographs, public records retention, personnel privacy, First Amendment, HIPAA privacy, the Americans with Disabilities Act, and information security policies established by the City of Corinth
- Board consideration of time, responsibility when establishing a social media account
- Required user guidelines
- Establishing a process for removing or re-assigning social media management duties.
- Procedures if the account is hacked

10

Procedures for creating a Board social media account

- All board/committee/commission social media accounts must be approved by the Director of Finance, Communication & Strategic Services.
- Board must submit a formal request for account creation.
- The following guidelines will always remain in place on the page:
 - The City will create the account and maintain administrative control.
 - Members of the board/commission will be provided editing privileges.
 - Social Media Sites must contain a link to the city website, and the board website.
 - Profile Photos will be determined by the City and must remain the same.
 - Cover Photos are at the discretion of the board.
 - If the account is inactive for 30 days, it will be deactivated by the Director of Finance, Communication & Strategic Services.