

RESOLUTION NO. 2004-4025-R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ESTABLISHING POLICIES GOVERNING THE APPOINTMENT AND TRAINING OF CITIZENS TO CITY BOARDS AND COMMISSIONS, AND THE ADMINISTRATION, EVALUATION AND SUNSETTING OF CITY BOARDS AND COMMISSIONS; REPEALING RESOLUTION 2003-2735-R; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City Council wishes to encourage participation by its citizens in City government through service on City boards and commissions;

Whereas, the City Council desires to ensure that all citizens appointed to City boards and commissions are familiar with State and local laws affecting their service;

Whereas, the City Council wishes to ensure the continuing effectiveness of its boards and commission, by improving communication, setting goals, measuring performance, and periodically reviewing the responsibilities of each board and commission;

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action; and

Whereas, the City Council wishes to repeal Resolution 2000-2491-R and any other City resolution in conflict with the policies established herein.

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

PART 1: Purpose. The City Council adopts these policies and procedures governing:

- (a) The process of appointing, qualifying and training of appointed officials to City boards and commissions; and
- (b) The administration and periodic review of City boards and commissions.

The policies set out in here supersede any existing policies governing board appointments or service, and Resolution 2000-2491-R and any other resolution in conflict herewith are expressly repealed.

PART 2: The Appointment Process.

- (a) *Goals.* The City Council adopts these procedures to simplify the process of appointing citizens to appointed boards and commissions, to ensure a continuous pool of qualified, interested applicants for appointments, to increase community awareness and involvement in the opportunities for service on City boards; and to increase the number of first time appointments to public service.
- (b) *Timing of Board Appointments.* The City Council will make board and commission appointments at the Council's second regular meeting in February and August of each year. The boards and commission appointment positions in February and August, respectively, shall be as follows:

February Appointments

Electrical Board (7 members/3-3-1)
Zoning Board of Adjustment (9 members/3-3-3)
Building Board of Appeals (9 members/2-2-2-3)
Building & Standards Commission (9 members/4-5)
Development Standards Advisory Board (9 members/3-3-3)
Downtown Development Alliance (15 members)
Parks & Recreation (9 members/3-3-3)

August Appointments

Temple Economic Development Corporation (15 members/4-4-3)
Reinvestment Zone No. 1 Board of Directors (15 members/4-5)
Public Safety Advisory Board (9 members/3-3-3)
Library Board (9 members/3-3-3)
Convention Center and Tourism Board (9 members/3-3-3)
Community Services Advisory Board (9 members/3-3-3)
Temple Transit (5 members/3-2)
Planning & Zoning Commission (9 members/3-3-3)
Animal Services Advisory Board (7 members)
Airport Advisory Board (9 members/5-2-2)
Civil Service Commission (3 members/1-1-1)

- (c) *Pre-Selection Process.* In January and June of each year, the City Staff shall conduct an "Introduction to City Government for Appointed Officials" seminar for potential appointees designed to provide a introduction to City government, the different City boards and commissions, the responsibilities of board officials, and the application process for being appointed to a board. At the seminar and throughout the year, the Staff shall accept applications from citizens for appointment to the various City boards and commissions.

- (d) *Qualifications of Applicants.* Applicants for board and commission appointments shall meet the requirements established by the City Council for that particular board. No person shall be appointed to serve on any particular board or commission for more than two consecutive terms, but shall be eligible for reappointment at a later date. Completion of any unexpired term shall not count against the two consecutive term limitation. No person shall serve simultaneously on more than two City-established boards or commissions without accepting the resignation of that prospective appointee from one of two City boards or commissions that the person is currently serving on.

- (e) *Appointment Process.* At least twenty days prior to the Council meeting in February and August at which the City Council will make board appointments, the City Secretary will provide the City Council with a list of qualified applicants, and any Staff recommendations for those appointments, for the board and commission positions scheduled for appointment in that particular month. At the second regular meeting in February and August of each year, the City Council shall make appointments for the boards and commission listed in subsection (c) above. The City Council may discuss the list of qualified applicants in executive session (for personnel appointments) prior to making appointments. The City Council will fill vacancies in unexpired terms at such time as they occur.

PART 3: Orientation of New Board Members.

- (a) *Goals.* The City Council desires that all persons appointed to City boards and commissions have basic training to enable them to intelligently and faithfully perform the duties of their offices in compliance with all Federal, State and local laws. In addition, the City Council believes that all appointed officials should receive training on how to work effectively with the City Staff and on the substantive areas of knowledge needed for service on their particular board or commission.

- (b) *Orientation Course for Board Appointees.* In September and March of each year, the City Staff shall conduct an orientation course for individuals appointed by the City Council to a City board or commission. The material covered by the course shall be determined from time to time by the City Staff but at a minimum shall provide board members with a basic understanding of the Texas Open Meetings Act, conflict of interest provisions, official misconduct statutes, and the City's indemnification policy. Each person attending the Orientation Course for Board Appointees shall receive a notebook of material covered by the course, and a certificate of completion.

- (c) *Orientation Course Required for Service on Boards.* No person appointed by the City Council after the effective date of this Resolution shall participate as a board member on their respective City board or commission until such time as they have completed an orientation course. Board and commission members appointed by the City Council prior to the effective date of this Resolution must complete the Orientation Course for Board Appointees within one year. The City Council will

not reappoint board members who have not completed the Orientation Course for Board Appointees.

- (d) *Additional Training by Staff Members.* Staff members assigned to each City boards and commissions are encouraged to supplement the training received by board members at the Orientation Course, with additional training and materials relating to the subject matter responsibility of the board or commission.

PART 4: Goal-setting for City Boards; Communication Between City Council and City Boards; and Sunset Provisions.

- (a) *Goals.* The City Council believes that City boards and commissions provide an extremely important role for the City Council and community as a whole. To ensure the continued effectiveness of City boards and commissions, the City Council will annually set goals and establish direction for City boards and commissions, and encourages regular communication between the City Council and each of its boards and commissions. The City Council is committed to reviewing the mission, performance and need for each board and commission on a regular basis to determine whether the board or commission still serves its intended purpose, or how the board or commission can be improved.
- (b) *Annual Report.* Each City board or commission, with the assistance of City Staff, shall annually approve and submit to the City Council a report showing: (1) the board or commission's activities for the prior twelve months, (2) the board or commission's response to goals and direction, if any, established by the City Council in the prior (normally two-year) work plan established by the City Council, and (3) recommendations by the board or commission for goals and direction in the upcoming year. The report shall be submitted to the City Council not less than thirty days prior to the date the City Council makes appointments to the board or commission in question.
- (c) *Bi-annual Meeting with City Council and Board Chair.* At least every two years, but more frequently if desired by the City Council, the City Council shall meet with the chair or vice-chair of each board or commission to discuss the board or commissions continued role and effectiveness. The review by the City Council shall constitute a sunset review for purposes of determining whether the board or commission shall continue—except where the existence of a board or commission is required by State or Federal law.
- (d) *Workplan for City Boards and Commissions.* Following the bi-annual (or more frequent) review, the board or commission shall within thirty days, with the assistance of City Staff, submit a proposed work plan for the board or commission's activities until the next scheduled review.

PART 5: Standards for Board and Commission members.

- (a) *Goals.* To ensure continuing public confidence in the integrity of the appointment process and the role performed by City boards and commissions, the City Council has established certain rules herein governing the appointment process, training for board and commission members, the role of City boards and commission, and certain individual standards applicable to board and commission members.
- (b) *Observance of State and City laws and rules.* Board and commission members are charged with complying with all State and City laws governing their respective board/commission, and their roles as individual board or commission members. Board and commission members are encouraged to confer with the City Attorney or their appropriate Staff member if they have a question about the application of the open meetings law, conflict of interest provisions, or official misconduct provisions, as it relates to a meeting that they are participating in or their own individual actions.
- (c) *Attendance Requirements.* Members of boards that meet at least four (4) times per year forfeit positions if 50% of all scheduled meetings during a twelve-month period are missed or if three (3) consecutive meetings are missed. Members of boards that meet on a called basis forfeit positions if three (3) consecutive meetings are missed. Failure to meet these attendance requirements will result in automatic forfeiture of a member's office on the board. Notification will be given by the City Secretary's Office.
- (d) *Conflicts of Interest.* No person appointed by the City Council to an appointed board or commission, or non-profit corporation, may perform work for the board, commission, or non-profit corporation that has not been subject to competitive bids or proposals. All board and commission members are charged with complying with the State and City's conflict of interest provisions which prohibit an individual serving on a board or commission from voting on or discussing an item before the board/commission in which they have a financial stake as determined by State and City law.

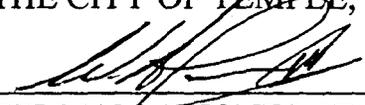
PART 6: Open Meeting Conducted. It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required

and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

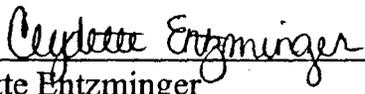
PASSED AND APPROVED this the 15th day of April, 2004.

THE CITY OF TEMPLE, TEXAS

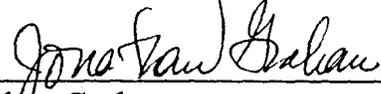



WILLIAM A. JONES, III, Mayor

ATTEST:


Clydette Ehtzminger
City Secretary

APPROVED AS TO FORM:


Jonathan Graham
City Attorney