

TEMPLATE FOR STANDARD CITY BOARD/COMMISSION BYLAWS

BYLAWS OF THE

(Board or Commission Name)

ARTICLE 1. NAME.

The name of the board is _____ (board or commission name as it appears in the City Code).

ARTICLE 2. PURPOSE AND DUTIES.

The purpose of the board is _____. (Insert the information directly from the City Code.)

Personnel matters are not within the purview of the Board/Commission

ARTICLE 3. MEMBERSHIP.

- (A) The board (or commission) is composed of _____ (Insert the number of members directly from the City Code.) members appointed by the city council.
- (B) A member serves at the pleasure of the city council.
- (C) Qualifications: (Insert the information directly from the City Code.)
- (D) Board (or commission) members serve for a term of _____ (Insert the number of members directly from the City Code.) years beginning March 1st on the year of appointment. If a member is appointed to fill a vacancy, the term begins on the date of appointment.
- (E) All vacancies shall be filled as provided for by Section 2.071 of the City Code.
- (F) An individual board (or commission) member may not act in an official capacity except through the action of the board (or commission).
- (G) Attendance at board (or commission) meetings shall conform to the requirements outlined in Section 2.069 - Absence from meetings of the City Code.
- (H) A member who seeks to resign from the board (or commission) shall submit a written

resignation to the chair of the board (*or commission*), the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty-day notice so the city council can appoint a replacement.

ARTICLE 4. OFFICERS.

- (A) The officers of the board (*or commission*) shall consist of a chair and a vice-chair.
- (B) Officers shall be elected annually by a majority vote of the board (*or commission*) at the first regular meeting after March 1. In the event a current officer becomes ineligible to serve as an officer, the board (*or commission*) may hold an election at the next regular meeting agenda.
- (C) The term of office shall be one year, beginning April 1st and ending March 31st.
- (D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

- (A) The chair shall preside at board meetings, approve each final meeting agenda, and execute approved meeting minutes.
- (B) In the absence of the chair, the vice-chair shall perform all duties of the chair.
- (C) In the absence of both the Chair and the Vice-Chair, the board (*or commission*) should elect an interim chair for that meeting, or until the Chair or Vice-Chair arrives.
- (D) The Chair is responsible for promoting and maintaining order in meetings. The Chair should ensure adherence to the agenda for the meeting.
- (E) The Chair should control discussion to ensure that it focuses on the issue and not on any person. Personal remarks and attacks are not permitted.

ARTICLE 6. AGENDAS.

- (A) The following general order of business should be used for regular meetings of the board (*or commission*):
 - 1. Call to order
 - 2. Roll call
 - 3. Citizen Comments – 30 minutes, 3 minutes per speaker
 - 4. Consent Agenda (includes routine items such as minutes from the previous meeting which normally do not need separate discussion)
 - 5. Presentations and/or Public Hearings
 - 6. Items for action or discussion/direction
 - 7. Reports (report items should be listed individually as needed to comply with Open Meetings Act requirements)
 - 8. Items for future agendas
 - 9. Executive Session (in accordance with Open Meetings Act exceptions)

10. Question and Answer Session.

11. Adjournment

- (B) ~~The first meeting, after annual appointments are made~~Prior to taking office all newly appointed members shall attend an, ~~must include an orientation, for all members. This orientation will include, but may not be limited to, a review of of the following topics:~~ Bylaws, Specific Board Ordinance and Charge, Open Meetings Act, Public Information Act, Ethics, parliamentary procedure, ~~and how to run a meeting, and procedures on how to file a complaint with the city.~~
- (C) The board (*or commission*) may only discuss or consider an item that is stated within the assigned scope of work or charge of the board (*or commission*) as provided in Article 2.
- (D) The chair or two or more members may place a discussion item on an agenda for a regular board (*or commission*) meeting no later than 10 business days prior to the meeting. If two or more members wish to place a discussion item on a meeting agenda, they must separately contact the staff liaison by written request.
- (E) After first consulting with and receiving input from the staff liaison, the chair shall approve each final meeting agenda. The chair may not remove an item placed on an agenda by prior direction of the board (*or commission*) under subsection (C) above, or placed on an agenda as a discussion item by two members under subsection (C) above.
- (F) The staff liaison will submit the meeting agenda to the City Clerk's Office for posting no later than 72 hours before the meeting. If the 72 hour deadline should fall on a weekend or holiday it is the responsibility of the staff liaison to provide the meeting agenda to the City Clerk's Office by 4:30 p.m. on the last business day before the weekend or holiday.
- (G) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

- (A) The board (*or commission*) meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).
- (B) The board (*or commission*) will conduct its meetings by the rules of common courtesy and procedure identified in Article 10.
- (C) The Chair should introduce each item as it appears on the agenda, and in the order in which it appears on the agenda. The Chair may allow items to be considered out of order with the informal consent of the board (*or commission*).
- (D) The following types of actions may be taken or motions can be made during a meeting:
1. **Approval** - Means the item is approved as proposed.
 2. Conditional approval - Means approval for the item will take effect upon the occurrence of the conditions.

3. **Approval as amended** - Means the item is approved with changes from the original proposal.
4. **To Table** - Means to temporarily delay the consideration of the item while another item is brought up for consideration.
5. **Remove from Table** – Means to bring back the previously delayed item for consideration.
6. **Postpone** - Means postponement of consideration of the item, either until a definite time, or indefinitely. Action on the item at a subsequent meeting requires the item to be placed on the agenda for that meeting
7. **Reconsider** - Means to reopen discussion of an item that was already acted upon. Reconsideration may only occur at the same meeting, or at the next meeting after the one at which the original action occurred. A motion to reconsider may only be made by a person who voted on the prevailing side on the original action. Reconsideration of an item at a subsequent meeting requires the item to be placed on the agenda for that meeting.
8. **Withdraw** - Made by the person who made the motion. Does not require a formal vote unless a member objects to the withdrawal.
9. **Close debate ("calling for the question")** – Requires a motion and second and 2/3 vote. If it passes, a vote is then taken on the motion that was under discussion, without further debate. If it fails, debate resumes on the motion that was being discussed.
10. **Amend** - Usually consists of striking out, inserting, adding, or substituting words, sentences or paragraphs to the subject of the original motion. This motion is voted upon separately from the original motion. Note: A friendly amendment, agreed to by persons who made and seconded a motion, does not require a separate vote from the original motion.
11. **Recess** - A temporary break in a meeting may be called by the Chair. This does not require a formal vote unless a member objects to the recess.
12. **Limited discussion or debate** - The Chair may establish a reasonable time limit for consideration of an item, or a reasonable time limit on each person addressing the board (*or commission*), or upon each board (*or commission*) member who comments on an issue. This does not require a formal vote unless a member objects to the limits.

(E) In accordance with the Open Meetings Act, discussion and action is limited to the items listed on the agenda for a meeting. Discussion of any subject not listed on the agenda must be limited to whether to place the item on the agenda for a future meeting.

(F) Board (*or commission*) meetings will adhere to Sec. 2.045. - Rules of decorum for city council and city board and commission meetings of the San Marcos City Code.

(G) The board (*or commission*) shall meet (select one of the following: monthly, quarterly, or when the board is legally required to meet in order to comply with a legal deadline.) In October of each year, the board shall adopt a schedule of the meetings for the upcoming year, including makeup meeting dates for the holidays and cancelled meetings.

- (H) Special meetings of the board *(or commission)* shall be called by the staff liaison upon the written request of the chair or any three members of the board *(or commission)*. A board *(or commission)* may not call a meeting in addition to its regular scheduled meetings as identified in its adopted meeting schedule, more often than once a quarter, unless the meeting is required to comply with a statutory deadline or a deadline established by Council.
- (I) Executive sessions are permitted only when they have been posted in advance and conform to those requirements of the Texas Government Code Chapter 551 (Texas Open Meetings Act) which pertain to executive sessions.
- (J) A majority of the voting membership of the board *(or commission)* members constitute a quorum.
- (K) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting is deemed cancelled.
- (L) To be effective, a board *(or commission)* action must be adopted by an affirmative vote of the number of members necessary to provide a quorum.
- (M) The chair has the same voting privilege as any other member. ***(Unless otherwise stated within the board or commission's Ordinance).***
- (N) The board *(or commission)* will allow citizens to address the board *(or commission)* during a period of time set aside for citizen communications during their regular meeting. Each speaker will be limited to three minutes.
- (O) The staff liaison shall prepare the meeting minutes. The minutes of each board *(or commission)* meeting must include the vote of each member on each item before the board *(or commission)* and indicate whether a member is absent or failed to vote on an item.
- (P) The city clerk shall retain agendas, approved minutes, internal review reports and bylaws. The _____ *(liaison's department name)* shall retain all other board *(or commission)* documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).
- (Q) The chair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the meeting.

ARTICLE 8. RECOMMENDATIONS.

- (A) The board *(or commission)* is encouraged to provide the city council with advisory recommendations on matters of city policy within their purpose and duties provided in Article 2 as necessary.
- (B) The staff liaison must submit a policy recommendation that has been approved by a majority of the membership in the form of a resolution to the city clerk and city manager for

distribution to the city council.

- (C) The board (*or commission*) will submit an annual report to the city clerk by February 28 of each year.

ARTICLE 9. COMMITTEES.

- (A) The _____ (*Name of the board or commission*) shall have the following standing committees: (*Name and describe the duties of each Committee.*)

If the board does not have any committees, use the following alternate language:

- (A) The _____ (*Name of the board or commission*) does not have any standing committees, but may have ad hoc committees as necessary.

(B) Each committee must be established by an affirmative vote of the board (*or commission*). Each committee shall consist of at least three board (*or commission*) members approved by the board (*or commission*). A staff member shall be assigned to each committee by the director of the _____ (*department name*).

(C) A committee may designate a chair, with the member's consent, but is not required to do so.

(D) Quorum requirements do not apply to committees.

(E) Committees are not required to post their meetings in accordance with the Texas Government Code Chapter 551 (Texas Open Meetings Act). A quorum of the membership is not allowed to be present.

(F) Each committee shall update the board (*or commission*) at least quarterly on their work.

ARTICLE 10. RULES OF COMMON COURTESY AND PROCEDURE.

(A) During meetings, members shall preserve order and decorum, shall not interrupt or delay proceedings.

(B) Members shall demonstrate respect and courtesy to each other, to city staff members, and to members of the public appearing before the board (*or commission*).

(C) Members shall refrain from rude and derogatory remarks and shall not belittle staff members, other board (*or commission*) members, or members of the public.

(D) The Chair should exercise control over persons who abridge this policy or disrupt a meeting in the following ascending order of action:

1. Call the person to order, advising the person of the infraction.
2. Advise the person that the infraction must cease immediately or the person will be ordered to leave the meeting.
3. Order the person to leave the meeting. If the offending person is a member of the board (*or commission*), the Chair shall call for a vote on the expulsion of the member from the meeting.

ARTICLE 11. GENERAL POWERS AND DUTIES

(A) Personnel Issues: Personnel matters are not within the purview of the Board/Commission and are not appropriate for posting on an agenda, ~~for discussion at a meeting, or as a subject for a board/commission recommendation or recommendation.~~ Neither the Board/Commission nor any of its members shall recommend, instruct or request the City Manager or any of the City Manager's subordinates to change the job qualifications for a current employee, appoint ~~to~~, or remove any person from, office or employment. ~~any person.~~ The Board/Commission and its members are prohibited from giving order to subordinates of the City Manager and shall not give orders to any of their subordinates either publicly or privately.

(B) All Boards and Commissions shall adhere only to their specific general powers and duties within their Ordinance, as provided in Article 2.

ARTICLE ~~11~~12. AMENDMENT OF BYLAWS.

A bylaw amendment is not effective unless approved by the Council Audit and Finance Committee.

The bylaws were approved by the _____ (*insert - board or commission name*) at their meeting held on _____ (*insert - month date, year*).

(*Signature of Executive or Staff Liaison*)

(*Title of Executive or Staff Liaison*)