

# **Boards and Commissions Review Update**

Tuesday, September 4, 2018

# The Objective...

- Standardizing Bylaws for Boards and Commissions
- Comprehensive Review of all Boards and Commissions



## Overview:

- ▶ 27 - Boards or Commissions Appointed or Confirmed by City Council
- ▶ Boards or Commissions that are mandated by Charter\* or Federal/State Law:
  - ▶ Charter Review Commission\*
  - ▶ Civil Service Commission
  - ▶ Construction Board of Appeals
  - ▶ Ethics Commission\*
  - ▶ Planning and Zoning Commission\*
  - ▶ San Marcos Housing Authority Board
  - ▶ San Marcos Industrial Development Corporation
  - ▶ Zoning Board of Adjustment



## Overview:

- ▶ 12 - Boards and Commissions currently have the ability within their Ordinance to adopt Rules and Procedures to govern themselves.
- ▶ 12 – Boards and Commissions have Ordinances that are silent to their ability to adopt their own Rules and Procedures.
- ▶ 3 – Boards or Commissions are created by Federal or State Law and not in City Code.
  - ▶ Civil Service Commission
  - ▶ San Marcos Housing Authority Board
  - ▶ San Marcos Industrial Development Corporation

## Overview:



Board or Commission	Ordinance Speaks to adoption of Rules and Procedures	Has approved Rules and Procedures
Arts Commission	No	Yes
Ethics Review	Yes	Yes
Library Board	Yes	Yes
Parks Board	Yes	Yes
Planning & Zoning	Yes	Yes
Sunset Review Commission	Yes	Yes



## Recommendation:

- ▶ Adopt a standard set of bylaws that will be adopted by all Boards and Commissions governed by City Code to create continuity.
- ▶ Assign review of bylaws or any amendments to bylaws to the Finance and Audit Committee.

## ARTICLE 6. AGENDAS.

- (A) The board (*or commission*) may not discuss or consider an item that is not stated within the assigned scope of work or charge of the board (*or commission*) as provided in Article 2.
- (B) 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 before the chair sets the agenda for the meeting. The staff liaison shall remind the members of the exact deadline for items to be requested for an upcoming agenda.
- (C) 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 (B) above, or placed on an agenda as a discussion item by two members under subsection (B) above.
- (D) 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.
- (E) 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. If a parliamentary ruling is required, Robert's Rules of Order, Newly Revised edition, is the accepted authority.
- (C) 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.
- (D) 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 November 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.
- (E) 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.
- (F) 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.



## ARTICLE 7. MEETINGS. - Continued

- (G) A majority of the voting membership of the board (*or commission*) members constitute a quorum.
- (H) 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.
- (I) 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.
- (J) The chair has the same voting privilege as any other member.
- (K) 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.
- (L) 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.
- (M) 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).
- (N) The chair shall adjourn a meeting not later than 10 p.m., unless the board votes to continue the meeting.

## 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 rules contained in the current edition of Robert's Rules of Order shall govern the board (*or commission*) in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of procedure which the board or city council may adopt.

## Boards and Commissions Review:

- ▶ Synchronize Terms for City Code Regulated Boards or Commissions.
  - ▶ 2 Year Terms or 3 Year Terms
- ▶ 12 - Boards/Commissions have 2 year terms. \*ZBOA & Housing Authority Board terms are set by State Law.
- ▶ 11- Boards/Commissions have 3 year terms. \*P&Z terms are set in the Charter. Civil Service Commission terms are set by State Law.
- ▶ 4 – Boards/Commissions have other terms.
  - ▶ 3 are temporary in nature
  - ▶ 1 is the SM Youth Commission with a term of 1 year.



## Boards and Commissions Review:

- ▶ Amend the Citizen Utility Advisory Board to remove the Mayoral position.
  - ▶ This position can be replaced with a member of Council which would allow anyone on Council to serve.
- ▶ Amend the San Marcos Commission on Children and Youth (SMCCY) to remove the Youth Commission Chair.
  - ▶ This commission meets at noon and creates an unnecessary burden on the Youth Commission Chair since they are a student. The Staff Liaison will provide monthly updates in lieu of attending the SMCCY Meeting.
  - ▶ This change is being requested by the SMCCY.



## Boards and Commissions Review:

- ▶ Staff proposes moving towards an Annual Internal Review Process instead of a 5 year Sunset Advisory Commission review.
  - ▶ During the 1<sup>st</sup> Quarter of the year the Chair would prepare a report following the Annual Report Form provided by the City Clerk.
  - ▶ The report will be approved by the Board or Commission and submitted to the City Clerk who will collate the reports and provide them and any recommendations to the Finance and Audit Committee for review.
  - ▶ Any recommendations approved by the Finance and Audit Committee will be provided to the City Council for final review and approval.



## Boards and Commissions Review:

- ▶ Next Sunset Advisory Commission review is scheduled for 2019.
  - ▶ The commission serves as an advisory body to the city council concerning whether a public need exists for the continuation of a city board, commission or committee or for the performance of the functions of the city board, commission or committee.
- ▶ Staff recommends terminating the Sunset Advisory Commission and monitoring Board and Commission functions annually.



# Summary of Recommendations

1. Adopt a standard set of bylaws that will be adopted by all Boards and Commissions governed by City Code to create continuity.
2. Assign review of bylaws, any amendments to bylaws and Annual Report review to the Finance and Audit Committee.
3. Making amendments to the following boards or commissions: Citizens Utility Advisory Boards, San Marcos Commission on Children and Youth, and Sunset Review Commission.
4. Synchronize Terms for Boards or Commissions regulated by the City Code.