

ORDINANCE NO. 210-102022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, ADOPTING BOARD AND COMMISSION POLICIES AND PROCEDURES; PROVIDING A CUMULATIVE AND SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, City Council and Commissions represent the City of Garden Ridge and should strive to present transparent, professional, efficient, and consistent meetings; and

WHEREAS, there are numerous City Commissions created to assist in the governance of the City of Garden Ridge, each independent of one another, created at different times with different procedures of operation; and

WHEREAS, the City Council has determined that a policy is needed to establish uniform standards and operating procedures for Boards and Commissions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, THAT:

SECTION 1. FINDINGS.

The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

SECTION 2. QUALIFICATIONS/TERMS OF OFFICE.

Candidates seeking appointment to a City Board or Commission must meet the following qualifications:

1. Be a registered voter in Garden Ridge, Comal County, Texas.
2. Reside in the City for at least six (6) months prior to appointment date.
3. Not have been convicted of a felony for which he or she has not been pardoned or acquitted.
4. Not have been found mentally incompetent by a final judgment of a court.

If a Commissioner becomes ineligible as stipulated above, the position is considered vacant and an update is provided to City Council.

Commission appointments are made by City Council for a term of two (2) years with overlapping terms to create staggered terms of office. The staggered terms in effect at the time of the adoption of this policy will remain in effect. When a new Board or Commission is created, each place will be assigned a number. For the purpose of establishing staggered terms of office, the odd numbered positions will initially serve a term of one (1) year and the even numbered positions will serve a term of two (2) years. Thereafter, all terms will be two (2) year terms.

A Chair and Vice-Chair will be appointed by each Commission on an annual basis for a maximum of four (4) consecutive years. The Chair and Vice-Chair may remain on the Commission as regular members after completing terms as Chair and Vice-Chair. A Chair may be reappointed as Chair after remaining out of that position for one (1) year, and a Vice-Chair may be reappointed as Vice-Chair after remaining out of that position for one (1) year.

SECTION 3. VACANCIES.

It is the intent of the City Council that collectively members to each Commission shall, by diversity of their individual occupations and experience, be broadly representative of the City. The City Council may establish specific qualifications and amend such qualifications as needed to meet the objective of each Board or Commission.

When a vacancy occurs, the City will seek qualified candidates from the public via all reasonable means. All applicants will be reviewed by City Staff to validate qualifications and eligibility. Qualified applicants will then be interviewed by an Interview Panel composed of the Mayor or Mayor Pro-Tem, Chair of the applicable Commission, and the City Administrator.

After qualified applicants have been interviewed, the Interview Panel will make a recommendation for appointment to City Council for their consideration and a final determination.

SECTION 4. PREPARATION AND PROCEDURES.

a) Attendance

Regular attendance is vital in order to conduct meetings in accordance with the Texas Open Meetings Act; therefore, Commissioners are expected to limit the number of absences and make every effort to notify the City Secretary and the Commission Chair as soon as possible of any absences. The Commission may make a recommendation, by a majority vote of the Commission, to have a Commissioner terminated for cause due to excessive absences that hinder the Commission's ability to conduct meetings or make informed recommendations.

b) Preparation

All Commissioners will be prepared for each meeting with the ability to spontaneously run any meeting should the need arise in the absence of the Chair and Vice-Chair. Preparation should include:

1. Thoroughly reviewing the agenda packet and any other pertinent material before the meeting.
2. Knowing the responsibilities of the Commission as well as the limitations of Commissioners' individual authority. Commissioners are members of an advisory body, which requires informed recommendations to City Council.
3. Being familiar with the Texas Open Meetings Act (TOMA), and be cautious with electronic communication regarding any issue, notably the risk of "walking quorums" that can occur unintentionally.
4. Maintaining familiarity with Robert's Rules of Order and the Commission's annual calendar reflecting the regular meeting dates of City Council and Commission meetings.

c) Procedures and Decorum

City Council is dependent on each Commission to make recommendations to the City Council. It is through not only the City Council meetings but through input from Commission meetings that City Council can receive citizen input.

Robert's Rules of Order will be followed in all cases where applicable to ensure the Chair as leader can conduct an efficient procedural meeting. However, strict adherence to the rules is not necessary for the orderly conduct of meetings. When a joint City Council/City Commission meeting is held, the Mayor will chair the meeting.

d) Agendas

In accordance with the Texas Open Meetings Act (TOMA), items not on the agenda cannot be discussed at that meeting. Items will be placed on the agenda by the Chair and the City Administrator adhering to established deadlines. The deadline for submission of an agenda item is fourteen (14) days prior to the meeting. Items may be placed on the agenda through unanimous consent or majority vote during a Commission meeting or outside of a public meeting, paying particular attention to adhering to the Texas Open Meetings Act, by:

1. The Chair;
2. The Chair and one (1) Commissioner. The Chair may consider nominations to the agenda from an individual Commissioner; or
3. Two (2) Commissioners. Both Commissioners must contact the City Administrator prior to the established deadline to nominate an agenda item. The Chair may not remove an item placed on an agenda by prior direction of the Commission.

Commission packets will be sent electronically to Commissioners prior to the meeting. Commissioners are expected to review the packet documents and notify the City Secretary of any corrections or amendments by established deadlines.

e) Chair/Vice-Chair

When the Chair is absent, the Vice-Chair will assume the duties of the Chair. In the absence of both the Chair and Vice Chair, assuming there remains a quorum, a temporary Chair will be selected from the remaining Commissioners for the meeting. The Chair is responsible for:

1. Beginning meetings on time and allowing agenda items to be appropriately considered.
2. Maintaining procedure and decorum while ensuring that fair, impartial review and respect for all Commissioners, Staff, and the public is maintained.
3. Ensuring all comments are electronically recorded for the record by having all participants speak into a microphone.
4. Ensuring that the use of other electronic devices is limited to pertinent, urgent, or emergency use only.
5. Remaining a non-voting member unless voting in the case of a tie.
6. Reporting Commission recommendations and updates to City Council. If the Chair is unavailable to appear before City Council, the Chair must ensure the Vice-Chair or an available representative from the Commission appears before City Council. Absent an available representative, the Chair will deliver a written summary of the recommendations and updates to the City Secretary prior to the City Council meeting.

f) Ex-Officio

A City Council member will serve as an Ex-Officio Member of each Commission except the Planning and Zoning Commission. Ex-Officio Members are non-voting advisory positions.

g) Dress Code

The dress code for all scheduled Commission meetings will be “business casual”, except when an offsite meeting necessitates other appropriate attire as directed by the Chair.

h) Social Media

Commissioners should be judicious in their use of social media. Commissioners, in their official capacity representing the City, will not respond, comment, or post opinions, views, or information on social media that relates to any matter the Commission is considering, discussing, or recommending to City Council.

i) Training and Education

Within two (2) months of appointment, Commissioners must complete Texas Open Meetings Act Training and Texas Public Information Act Training as provided by The Office of the Attorney General of Texas.

The City Administrator, with input from the Commission Chair, will advise Commissioners of any additional training opportunities, and will facilitate Commissioners' registration and attendance. Due to specific legal requirements associated with participation on the Planning and Zoning Commission, Commissioners will attend training related to Planning and Zoning as deemed appropriate by the City Administrator. The Commissioners will be entitled to reimbursement for reasonable costs of attending approved training opportunities.

Commissioners are encouraged to attend at least two (2) regular City Council meetings during each calendar year, and to also view monthly City Council meetings online.

j) Dissolution

The City Council will periodically review boards/commissions for continued operations. If the City Council determines that a commission has completed its charge, the City Council may dissolve the commission. City Council will issue notice of dissolution to the chair of the board/commission, and the notice will provide for a reasonable wind down period. During this period the board/commission will work with City Staff to ensure the completion of board/commission business including completion of meeting minutes, proper archival of commission records with the City Secretary, and submission of a close out report to City Council.

Commission members will have the opportunity to apply for vacancies on another commission. Additionally, commission members may have the opportunity to participate in a technical committee if the City Council determines it has an issue that requires subject matter expertise. Technical committees created by City Council will be tasked with a specific purpose and shall operate for a specific time period. A technical committee will automatically dissolve upon completion of its charge, or the time prescribed by the City Council, without any further action by the City Council.

k) At-Will Appointments

The appointment provisions contained within this Ordinance are not contractual in nature. Appointments made by the City Council are "at-will", meaning that appointments may be terminated at any time, with or without notice, for any reason or no reason, by either a majority vote of the City Council or the appointed member. No verbal statements or promises made by anyone at the time of appointment or thereafter, contrary to this Ordinance, are binding on the City in any manner.

SECTION 5. INTERPRETATION OF RULES.

The City of Garden Ridge City Council adopts the aforementioned as its policy for the operating procedures and the appointment of citizens to City Boards and Commissions. In the event of any dispute related to the interpretation or application of the policy established herein, the City Council will hear and make such determinations as needed.

SECTION 6. CUMULATIVE AND SAVINGS.

This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.


SECTION 7. SEVERABILITY.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality will not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrases, clause, sentence, paragraph, or section.

SECTION 8. EFFECTIVE DATE.

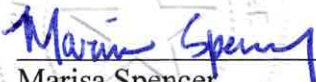
This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED ON this 12th day of October, 2022.



Robb Erickson
Mayor

ATTEST:



Marisa Spencer
City Secretary