



# Rowlett

## **City of Rowlett**

# **Boards and Commissions Handbook**

**Amended September 18, 2012  
Resolution Number RES-095-12**

**CITY OF ROWLETT**  
**BOARDS AND COMMISSIONS HANDBOOK**

Amended September 18, 2012 by Resolution RES-095-12

(supersedes all previous versions)

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## **SECTION 1: TYPES OF BOARDS & COMMISSIONS**

The City Council of the City of Rowlett may create committees, boards and commissions to assist in city government, by performing such duties as the City Council may specify, not inconsistent with the City Charter. The work done by citizens serving on boards and commissions is a vital part of the work of the City. Such individuals provide time, expertise, experience and unique perspectives that might otherwise be lacking should the City rely strictly on its appointed and elected officials or its consultants. Rowlett generally has four types of boards and commissions: (1) advisory, (2) decision-making, (3) separate entity and (4) ad-hoc.

- (1)** Advisory boards and commissions advise the City Council on public policy. They play a very important role in city government by providing the City Council with creative ideas, feedback from the community and by serving as a sounding board for proposed public policy. The role of advisory boards and commissions is not to make policy, nor do they have any legal authority. Examples of citizen advisory boards and commissions include the Parks and Recreation Advisory Board, Library Advisory Board, Animal Shelter Advisory Board, Arts and Humanities Commission, Senior Advisory Board and Traffic and Safety Commission.
- (2)** Decision-making boards and commissions also serve as advisory groups to the City Council, but in addition they have quasi-judicial authority, and often have a basis in state law. Decision-making boards and commissions set or enforce policy and make legally binding decisions. The ordinances creating decision-making boards often require members to have expertise in certain areas. Examples of decision-making boards and commissions include the Planning and Zoning Commission and the Board of Adjustment.
- (3)** Separate entity boards and commissions are actually separate legal entities apart from the City of Rowlett. However, they may receive a significant portion of their funding from the City and/or the City appoints some or all of the members. The members of these boards usually oversee an operation or organization much as would a board of directors. Examples of separate entity boards are the Economic Development Advisory Board and the Tax-Increment Finance District (TIF) Board. Unlike advisory and decision-making boards, separate entity boards and commissions may, and frequently do, include City Councilmembers and may also go through a different appointment/selection process.
- (4)** Ad-hoc committees, boards and commissions are created periodically to address specific needs or concerns for a limited period of time. They are almost always strictly advisory in nature. Examples include the 2009 Bond Advisory Committee and Charter Review Commission (appointed in compliance with the City Charter). The City Council shall have the authority to create ad-hoc committees and to appoint members thereto with a simple majority vote.

## **SECTION 2: BOARD & COMMISSION APPOINTMENT PROCESS**

The Rowlett City Council generally makes all of the appointments to the City's boards and commissions. Therefore, it is incumbent on members of the City Council to seek out highly qualified individuals to serve as volunteer members of citizen boards and commissions.

### **2.1 Applications**

- a. Persons wishing to serve on any standing citizen board, committee or commission shall submit a complete application to the City Secretary's office in accordance with the published deadline.
- b. Individuals wishing to apply for appointment should carefully review the requirements of each board and commission and specify those in which they have a special interest and for which they are fully qualified.
- c. City Councilmembers need not apply for membership to a board or commission, but may instead be appointed directly by the City Council for membership only on separate entity boards and ad-hoc committees.
- d. Applicants for appointment to boards and commissions shall be reviewed by City staff for any outstanding debt owed to the City including, but not limited to, tax delinquency and/or pending litigations with the City.

### **2.2 Eligibility Requirements**

- a. No person may serve on any citizen board or commission unless that person is a legal resident of the City of Rowlett, unless otherwise provided by law. Failure to maintain this residency requirement at any time during a member's term of office will cause membership to be forfeited. This requirement shall not apply to the Rowlett Chamber of Commerce appointments to the Economic Development Advisory Board.
- b. No person may serve or remain on any citizen board or commission unless that individual is a registered voter of the City of Rowlett. This provision shall not apply to any Rowlett Chamber of Commerce appointments to the Economic Development Advisory Board that are not Rowlett residents (see above) or to Junior Alternate Members under 18 years old..

Certain boards and commissions have very specific requirements for membership in regard to profession, expertise, etc. All appointments to boards and commissions having such requirements must be made in strict compliance with those requirements and members must continue to comply with all membership qualifications throughout their terms of office to avoid forfeiting membership.

- c. City Councilmembers shall not be eligible for membership on a board or commission unless specifically required by the ordinance or resolution establishing the board or commission or by provision of this handbook.

### **2.3 Multiple Memberships**

A person may not serve on more than one advisory or decision-making board or commission at a time unless specifically authorized by the City Council. However, an individual may serve on the board of a separate entity or an ad-hoc board, committee or commission even though that person maintains membership on an advisory or decision-making board or commission, provided that law does not otherwise prohibit such duplicate membership(s).

## **2.4 Timing of Appointments/Terms of Office**

- a. A Volunteer Fair is to be held in July or August of each year to invite current and prospective volunteers to attend. Application forms can be completed on-site.
- b. The Council will review the applications and will make appointments at the second meeting in September, or as soon thereafter as is practical.
- c. Appointments to advisory and decision-making boards and commissions shall be effective on October 1 of each year. Appointments to ad-hoc committees shall vary in timing depending on the issue(s) and the amount of time anticipated for its resolution.
- d. Upon appointment by the City Council, the City Secretary will determine the eligibility of the appointee, as outlined in Section 2 above. If the appointee meets requirements, the City Secretary shall notify each appointee, in writing, of the appointment. Staff liaisons or board chairs will then contact the new appointees about specific meeting dates and responsibilities.
- e. All appointed and reappointed members of advisory and decision-making boards and commissions shall attend board and commission mandatory training to be conducted by appropriate City staff or appointed officials. This requirement for training applies to regular, alternate members and junior alternate members of standing boards and commissions. Members are appointed to, and continue their service on, boards or committees contingent upon attendance/completion of the required training provided by the City through the City Attorney, City staff and/or through the Internet training found on the Texas Attorney General's website ([www.oag.state.tx.us/open/og\\_training.shtml](http://www.oag.state.tx.us/open/og_training.shtml)). Completion of the Attorney General's program requires a certificate to be printed and submitted to the board liaisons or to the City Secretary's office for safekeeping. Any appointed or reappointed member of any standing board or commission who does not participate in the training will forfeit their membership. Each member has 45 days to complete the required training once they have been appointed or reappointed. The requirement does not apply to ex-officio members, although they are encouraged to attend. The City Manager will determine the participation of City staff members, whether they serve as ex-officio, staff liaison, board secretary or other positions.

## **2.5 Term Limits**

No individual shall serve on a single board or commission for a period of more than twelve (12) consecutive years. This provision shall be effective without regard to the date of approval or revision of this handbook.

## **2.6 Annual Appreciation Dinner**

The City Council should host an annual appreciation dinner/banquet to express its appreciation to those citizens who have been appointed by the City Council as members of any boards and commissions (including ad-hoc and ex-officio members) and to distribute awards to out-going members. All members, including those recently appointed, currently serving and out-going shall be invited to attend. Attendance is not mandatory.

## **2.7 Sunset Provisions**

Any board or commission created by the City Council shall cease to exist upon the accomplishment of the special purpose for which it was created or when abolished by a majority vote of the City Council, whichever is earlier. No board or commission so appointed shall have powers other than advisory to the City Council, except as otherwise specified by the City Charter or ordinance.

## **2.8 Ex-Officio Member**

If the City Council deems it appropriate or beneficial, the City Council may, by a majority vote, create and appoint specific ex-officio, non-voting members to a board or commission, provided that such appointment is not inconsistent with applicable laws, rules or procedures. (An example of this provision might be the appointment of a representative of the school district or utility company as an ex-officio member of the Economic Development Advisory Board, due to the school district's and utility company's interest in economic development activities).

## **2.9 Alternate Members**

If the City Council deems it appropriate or beneficial, the City Council may, by a majority vote, create and appoint one or more alternate members to any board or commission that does not currently have alternates, provided that such appointment is not inconsistent with applicable laws, rules or procedures. In addition, the council may, by simple majority vote, appoint additional alternates in excess of the number provided for in this Handbook as the council may deem advisable without formal amendment to these guidelines, and these additional alternates will have the same privileges and obligations as other alternates. Alternate members' term lengths are determined by the City Council but, absent a specified term, alternates shall serve terms of two years. Upon City Council appointment, alternate members are encouraged to attend every meeting. Alternates will be allowed to participate in discussion during the meeting with or without regular members being absent. Alternates will have voting privileges only if there are regular members absent. (One alternate can participate and vote per each regular member absent.) The chair of the board or commission will determine which alternate(s) present at the meeting will serve to fill any vacancy(ies) as needed. Alternate members should be appointed to fill vacancies on a rotating basis whenever possible, except as prohibited by state law. Time served as an alternate member will not be calculated when applying the twelve year maximum term. In the event of an opening on the Board, the alternate with the most tenure, who also meets attendance requirements, shall be moved to the position of regular member. The City Secretary is to be notified of the change. In the event of two alternate positions being unfilled, the matter is to be placed on the City Council agenda and an appointment of new alternates are to be made from existing applications on file with the City Secretary. Youth members who wish to apply for advisory Boards and/or Commissions will be appointed as Junior Alternate Members and may participate as non-voting members. Youth applicants must be Rowlett citizens in the ninth, tenth, eleventh or twelfth grade.

# **SECTION 3: RESPONSIBILITIES OF BOARDS AND COMMISSIONS**

## **3.1 Attendance**

- a. In order to be fully aware of issues that may arise at a board, commission or committee meeting, and to ensure that the board, commission or committee can conduct business in an effective manner, it is imperative that appointed members

be faithful in their attendance at all meetings. Members are appointed to the various boards, commissions and committees and continue their service contingent upon regular attendance at the meetings and completion of the required training provided. Any member who does not attend the annual training or misses more than twenty-five percent (25%) of the scheduled meetings will cause their membership to be forfeited.

- b. Prompt attendance is encouraged. The Chair or official in charge has the responsibility to notify the City Council of any attendance or tardiness concerns regarding a member(s). After proper notification concerning the member(s) attendance a letter will be generated and signed by the Mayor notifying the member of their removal from the board and/or commission.
- c. Regular meetings of any board, committee or commission shall take place during the workweek, Monday through Friday, with a starting time between 8:00 a.m. and 8:00 p.m. Regular meetings shall not take place on Saturday or Sunday. Only on an exception basis will special meetings be held other than during parameters of regular meeting days and times.

### **3.2 Conflict of Interest**

No member of a board or commission may participate in a vote or decision on a matter involving a business or other legal entity in which the member has a substantial interest. In such instances where a board or commission addresses a matter presenting a conflict of interest to any member, that member should announce the conflict to the other members of the body and excuse himself/herself from the meeting until discussion of and vote on the issue is complete. Further, that member shall refrain from discussing the matter with other members of the board or commission at any time.

### **3.3 Open Meetings**

The Rowlett City Council affirms that the Texas Open Meetings Act is the proper basis for conducting City business and adopts a procedure governing each board and commission requiring those boards and commissions to conduct business in accordance with the provisions of that act. For purposes of this procedure, a “meeting” is defined as a deliberation between a quorum of a governmental body, or between a quorum of a body and another person, during which public business or public policy over which the body has some supervision or authority is discussed or considered, or during which the governmental body takes formal action. All boards and commissions are required to meet a minimum of six times per year with the exception of the Board of Adjustment which only meets on an “as needed” basis.

### **3.4 Open Records**

The Texas Open Records Act provides that all information held by a governmental body, including boards and commissions, must be released to the public upon request, unless the information falls within one of the act’s specific exceptions to disclosure.

### **3.5 Working with City Staff**

Each board or commission member is encouraged to communicate openly with City staff members. Similarly, members of boards and commissions should understand that they are not responsible for supervision of any city operation, and therefore, they should not direct or instruct any City staff member or consultant, nor should they become involved in any personnel or operational issues, except as authorized and directed by state law.

### **3.6 Reporting to the City Council**

The City Council will assign Councilmembers to serve as liaisons to each Board and/or Commission. Each liaison is to attend a meeting of that Board and/or Commission at least a minimum of one time during the year, but preferably once during a six-month period, thus totaling two meetings per year. At meetings that the City Council liaison attends, the liaison shall be placed on the agenda in order for the Board and/or Commission to be prepared to discuss goals and accomplishments. Each City Council Board and/or Commission liaison will then report to City Council during the "Presentation" portion of the meeting agenda in order to continue to publicly recognize and thank the Board and/or Commission members for serving the City.

### **3.7 Removal of Members**

The City Council may remove any member of any board or commission that it has created, or that was created by the City Charter, by a vote of at least four members of the City Council. However, members of the Board of Adjustment may only be removed for cause as provided by state law.

### **3.8 Standards of Conduct**

- a. A member of a board or commission shall not accept or solicit any benefit or economic gain or advantage, nor use one's position to secure special privileges or exemptions.
- b. A member of a board or commission shall not grant any special consideration, treatment or advantage to a person or organization beyond that which is available to every other person or organization.
- c. A member of a board or commission shall not personally represent, or appear on behalf of, the private interests of others.
- d. A member of a board or commission shall not knowingly perform or refuse to perform any act in order to deliberately thwart the execution of city ordinances, rules or regulations.
- e. A member of a board or commission shall not engage in any dishonest or criminal act or any other conduct prejudicial to the government of the City.
- f. No board or commission member, while associating with or acting in their official capacity as an appointed board or commission member, shall be permitted to make personal, impertinent or slanderous remarks, either to another member, the Mayor or City Council member acting in their official duties, a City staff member or any citizen. Any member who does so should be requested to leave the meeting and may be barred from attendance at the remainder of the meeting. Personal, impertinent or slanderous remarks made verbally or in print shall be considered cause for dismissal/removal from the board or commission following a decision by the City Council.
- g. A board or commission member shall not meet or confer (by phone, in person, email, etc) with any applicant or representative of an applicant including but not limited to engineers, architects, attorneys or other outside the presence of City staff.
- h. No board of commission member shall apply for employment with the City while serving in the capacity as a board or commission member.

### **3.9 Ethics Requirements**

The members of the Board of Adjustment and Planning and Zoning Commission are considered “officers of the City” and their actions must comply with the terms of that ordinance. CODE OF ORDINANCES, ARTICLE IV OFFICERS AND EMPLOYEES, DIVISION 2. CODE OF ETHICS FOR CERTAIN OFFICERS is provided in SECTION 6 for reference by these members.

## **SECTION 4: MEETINGS**

### **4.1 Chairpersons**

- a. Chairpersons for all standing boards, committees and commissions shall be determined by a majority vote of its members. The City Council shall appoint chairpersons for ad-hoc committees. Boards, committees and commissions may also elect or otherwise choose other officers from among their membership. Each member may serve in only one position (Chair, Vice-Chair, Secretary, etc.) on a board, commission or committee at a time.
- b. The function of the chairperson is to provide leadership to the group, including ensuring that the meeting is conducted in accordance with established rules of order and procedure, and to maintain order and bring the group to a conclusion on the matters before it.

### **4.2 Agendas**

The order of business of each meeting of a board or commission shall be contained in a written agenda, which shall be a listing of the topics to be discussed. The agenda shall be prepared by the City's staff liaison, in conjunction with the board or commission's chairperson and the City Secretary, to be posted at least seventy-two (72) hours before any meeting. The agendas will also be posted to the City's website. The staff liaison should provide the agenda to the board members at the time of agenda posting. Board members will be provided with agenda materials as much in advance of the meeting as possible.

### **4.3 Minutes**

The actions and discussions of each board and commission should be compiled into written minutes, which shall be reviewed and approved by the board or commission at a subsequent meeting. Some boards and commissions have City staff members designated as recording secretaries, who shall be responsible for taking and transcribing the minutes. These individuals shall be designated by the City Manager. Those boards and commissions that do not have a staff member so designated (see Section 5), may select a person to serve in the role of secretary from among their own membership.

### **4.4 Public Hearings**

- a. Public hearings are open forums that allow members of the public an opportunity to express their opinions on issues before a board or commission. Although few boards and commissions will conduct formal public hearings or appeals, all are encouraged to provide for citizen participation. Boards and commissions shall not include "Citizens Input" (open forum with an opportunity to speak on any subject, not on a particular agenda item) as one of their agenda items. This opportunity is appropriately limited to City Council meetings only. Members of a board or commission may ask questions of any witness at any time; however, the swearing in of witnesses is not necessary, even in a formal public hearing, except as provided by law.
- b. If a public hearing or other item draws a large number of interested citizens wishing to speak, a reasonable time limit may be set for individual speakers by the chair unless overridden by a majority of board or commission members present.

#### **4.5 Rules of Order**

Robert's Rules of Order, Revised shall govern the proceedings of all boards and commissions, except that the boards and commissions may adopt specific revisions to these rules where they are not in conflict with state or local law or other rules contained in this guide.

#### **4.6 Quorum**

A quorum is the minimum number of members needed to officially conduct business. A quorum is generally established by ordinance, resolution or other document that creates the board or commission. When no statement on the quorum number exists, the quorum is a majority of voting members.

#### **4.7 Formal Direction**

All formal direction given to all City Council appointed Boards and Commissions shall be communicated through the assigned Board Liaison.

**SECTION 5: DESCRIPTIONS OF BOARDS AND COMMISSIONS**  
(in alphabetical order)

**5.1 Animal Shelter Advisory Board**

The Animal Shelter Advisory Board is appointed to advise and assist the City in complying with state statutes regarding operation and maintenance of its animal shelter. The board consists of seven (7) members (who must by state statute include at least one licensed veterinarian, one City staff member, one person whose duties include the daily operation of an animal shelter and one representative from an animal welfare agency) appointed to two-year, staggered terms and two (2) alternates appointed annually. The City's staff liaison is designated by the City Manager. The board is strictly advisory in nature to the City Council.

**5.2 Arts & Humanities Commission**

- a. The Arts & Humanities Commission is charged with encouraging the development of, appreciation for and participation in the arts and humanities in the City of Rowlett. This includes promoting the performing arts, visual arts, literature and local culture and heritage, and the nurturing of local artists, performers, historians, writers, artisans, etc. The commission also advises and makes recommendations to the City Council on the award of City grants related to the arts.
- b. The commission consists of seven (7) members appointed to two-year, staggered terms and two alternates appointed annually. The staff liaison and secretary to this commission shall be as designated by the City Manager. The commission is advisory in nature, though one unique aspect of this commission is that it may from time to time apply for grants on behalf of the City, and also has a budget set each year by the City Council.

**5.3 Board of Adjustment**

- a. The Board of Adjustment hears, among other things, requests for variances and special exceptions to the City's zoning ordinance. As authorized by local ordinance and state law, the board has the power to decide special exceptions pursuant to the terms and intent of the ordinance and to grant such variances that are not contrary to the public interest, and where a literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.
- b. The board consists of five (5) regular members appointed to two-year staggered terms and five (5) alternate members appointed annually. The City's staff liaison is the Chief Building Official, with assistance from the Planning Director or other staff as needed, and the board's secretary shall be a City employee designated by the City Manager. The Board of Adjustment is a decision-making board, whose decisions may not be appealed to the City Council, but must instead be appealed in district court.
- c. The members of the Board of Adjustment are subject to the City's Ethics Ordinance, as discussed in Section 3. CODE OF ORDINANCES, ARTICLE IV OFFICERS AND EMPLOYEES, DIVISION 2. CODE OF ETHICS FOR CERTAIN OFFICERS is provided in SECTION 6 for reference by these members.

- d. The Board of Adjustment shall serve as the Building Code Board of Review and Appeals.
- e. In the Board of Adjustment's role as the Building Code Board of Review and Appeals, this board makes recommendations on appeals under the City's building codes, hears appeals of decisions of the Chief Building Official, and act in an advisory capacity to the Building Official and the Fire Chief. This board also serves as the City's Sign Board of Appeals, in which capacity it hears requests for exceptions and/or variances concerning the City's sign ordinance. The board also serves as the City's Housing Advisory and Appeals Board, hearing and acting on appeals of the Building Official's actions relating to substandard housing and the abatement of dangerous buildings under the various building code ordinances.
- f. Members shall consist of members who are qualified by experience and training to pass on the matters within its various jurisdictions. In its role as the Building Code Board of Review and Appeals, the Board of Adjustment is a quasi-judicial decision-making body.

#### **5.4 Economic Development Advisory Board**

- a. The advisory board is charged with promoting the economic development of the community through the coordinated actions of the City and the Chamber of Commerce.
- b. The board consists of seven (7) members, four (4) of whom are chosen by the City Council. These four (4) include the Mayor or Mayor's designee, a City Councilmember and two (2) citizens. The City Councilmember and Mayor shall be selected for one-year terms. The citizen members shall be selected for rotating two-year terms. The other three (3) members are selected by the Rowlett Chamber of Commerce, also to two-year alternating terms, one of which shall be the current Chamber of Commerce Chair (or the Chair's designee if the Chair is unable to attend), and the other two (2) shall be appointed by the Chamber of Commerce on an annual basis. The City Manager, Chamber of Commerce Executive Director, Garland Independent School District staff member and Garland Independent School District board member shall serve as the four ex-officio members. The City's Economic Development Director is the staff liaison.

#### **5.5 Golf Advisory Board**

This board is to act in an advisory capacity to provide observations and make recommendations to the City Council regarding operations and maintenance of the municipal golf course. The board consists of five (5) members appointed to two-year, staggered terms and four (4) alternates appointed annually, who shall be appointed based on their various experience, training or ability. The board may make recommendations to City Council and City Manager concerning municipal golf course and clubhouse operations. The staff liaison and secretary are designated by the City Manager.

#### **5.6 Library Advisory Board**

This board serves to advise the City Council and staff liaison on issues pertaining to the Rowlett Public Library. The board consists of five (5) members, appointed to two-year, staggered terms and three (3) alternates appointed annually. The City's staff liaison is

the Director of Library Services and the board's secretary is designated by the City Manager. The Library Advisory Board is purely advisory in nature.

### **5.7 Parks and Recreation Advisory Board**

- a. This board advises the City Council and staff in all matters pertaining to parks and recreation. This includes encouraging maintenance of facilities and grounds; encouraging recreational programs; making recommendations regarding expansion of parks facilities and programs; and recommending rules, regulations, and guidelines governing the use of parks, including the establishment of sport seasons, scheduling of activities, available services and other park and recreation related issues as directed by the City Council.
- b. This board is also charged with making recommendations to the City to help protect and preserve the City's environmental resources, through education and recommending environmental programs and services, in coordination with appropriate state and federal agencies. In addition, the board hears appeals of the decisions of the Planning Director in regard to enforcement of the City's noise ordinance as well as actions by Neighborhood Services staff enforcing the City's graffiti ordinance. The board also serves as the City's Tree Board, whose roles and responsibilities are described in the City's tree preservation ordinance.
- c. The board consists of nine (9) members, appointed to two-year, staggered terms and three (3) alternates appointed annually. At least one member should have extensive knowledge of and experience in the environmental field. The City's staff liaison is the Director of Parks and Recreation; the secretary is designated by the City Manager. The board shall also elect a Chair and Vice-Chair. The Parks & Recreation Board is a purely advisory body, except in its role as an appeals board for the noise and graffiti ordinances.

### **5.8 Planning & Zoning Commission**

- a. The Planning & Zoning Commission is responsible for the following: (1) processing and initiating zoning cases at the request of property owners and/or their representatives with respect to individual zoning cases; (2) initiation of zoning cases at the request or approval of the City Council; (3) hearing, recommending, and/or determining any matter relating to planning or subdivision control as may be specified by the subdivision ordinance or other applicable law; and (4) performing other such duties as may from time to time be assigned by the City Council.
- b. The Commission consists of seven (7) members appointed to two-year, staggered terms and three (3) alternates appointed annually. The City's staff liaison is the Director of Planning; the secretary to the board is the Planning Department Administrative Assistant. Planning & Zoning is a decision-making Commission, which conducts public hearings and grants final approval on some issues.
- c. Planning & Zoning Commission members are required to attend at least one seminar per year for training related specifically to planning and land use regulations and trends. Such training will be funded by the City.
- g. The members of the Planning & Zoning Commission are subject to the City's Ethics Ordinance, as discussed in Section 3. CODE OF ORDINANCES, ARTICLE IV OFFICERS AND EMPLOYEES, DIVISION 2. CODE OF ETHICS FOR CERTAIN OFFICERS is provided in SECTION 6 for reference by these members.

## **5.9 Senior Advisory Board**

- a. This board is to provide participation by local senior citizens in municipal government and to routinely report thereon to the City Council the conditions and needs of seniors within the community. The Senior Advisory Board shall propose and make recommendations concerning matters of importance to the senior citizen population of the City. The Senior Advisory Board is advisory in nature only, charged with evaluating relevant issues and submitting recommendations to the City Council. The board shall include a Chairperson and Vice-Chairperson, both elected annually from among its members. An advisor and staff liaison to the Senior Advisory Board shall be appointed by the City Manager.
- b. The board shall consist of seven (7) voting members, each of whom shall be at least sixty (60) years of age or older and a resident of the City, who shall be appointed by the City Council to serve two year staggered terms or until their successors are duly appointed. The City Council shall also appoint three (3) alternates annually who may serve in the place of a voting member due to the absence or disqualification of a voting member. Alternates shall meet the same qualifications as regular members. An alternate member, when serving in the place of a voting member, shall enjoy the same rights, privileges and responsibilities in their role as a voting member.

## **5.10 Tax Increment Finance District (TIF)**

This Board consists of five (5) members, three (3) of whom shall be appointed by the City Council; one (1) of whom shall be appointed by the governing body of the Garland Independent School District (School District); and one (1) of whom shall be appointed by Dallas County Community College District (DCCCD). The terms are for two (2) years or until their successors are appointed by the respective governing bodies.

## **5.11 Traffic and Safety Advisory Commission**

This Commission is responsible for identifying, and reviewing citizen concerns regarding, traffic and other public safety issues. The Commission consists of consists of seven (7) regular members appointed to two-year, staggered terms and two (2) alternates appointed annually. In addition, the City Manager, Police Chief, Fire Chief and Public Works Director (or their designees) all serve as non-voting members on the Commission. The Commission includes the positions of Chair and Vice-Chair elected from the members of the Commission. The Commission is strictly advisory in nature.

**SECTION 6: CODE OF ETHICS FOR CERTAIN OFFICERS**

**CODE OF ORDINANCES  
ARTICLE IV OFFICERS AND EMPLOYEES  
DIVISION 2. CODE OF ETHICS FOR CERTAIN OFFICERS**

**Sec. 2-461. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Censure* means a formal written resolution of the City Council reprimanding one of its members for violation of the code of ethics.

*Duties in office* mean the duties of an officer relative to their service under the laws and the constitution of the state the Charter and ordinances of the City.

*Officer* means any member of the City Council and any appointive board, committee, authority or commission set up by ordinance, resolution, the Charter or state law on a permanent basis, except any members of a board, commission, authority or committee that function in an advisory or study capacity.

*Reprimand* means a formal or informal public admonition concerning a violation of the code of ethics.

*Sanction* means a formal written resolution of the City Council imposing an incentive for securing enforcement which may include, but not be limited to, disqualification of consideration of a matter, forfeiture of City Council appointments or duties.

(Ord. No. 3-18-03D, §1(1-10-1), 3-18-2003)

**Cross references:** Definitions generally, §1-2.

**Sec. 2-462. Policy.**

It is hereby declared to be the policy of the City that the proper operation of democratic government requires that officers be independent, impartial and responsible only to the people of the City; that the efficient function of city government requires diligent attendance to the business of the City by its officers; that the governmental decisions and policy be made in the proper channels of the governmental structure; that no officer should have any interest financial or otherwise, direct or indirect, or engage in any business, transaction or professional activity or incur any obligation of any nature which is in conflict with proper discharge of such office in the public interest; that public office not be used for personal gain; and that the City Council or board or commission at all times shall be maintained as a nonpartisan body. To implement such a policy, the City Council deems it advisable to enact this code of ethics for all officers, whether elected or appointed, paid or unpaid, to serve not only as a guide for official conduct of the City's public servants, but also as a basis for discipline for those who refuse to abide by its terms.

(Ord. No. 3-18-03D, §1(1-10-2), 3-18-2003)

**Sec. 2-463. Unethical activity.**

No officer of the City shall:

- 1) Accept any gift or favor from any person that might reasonably tend to influence such person in the discharge of official duties, or grant in the discharge of official duties any improper favor, service or thing of value.
- 2) Use such person's official position to secure special privileges or exemptions for such person or others.

- 3) Grant any special consideration, treatment or advantage to any citizen, individual, business, organization or group beyond that which is available to every other citizen, individual, business, organization or group.
- 4) Disclose information that could adversely affect the property, government or affairs of the City, or directly or indirectly use any information gained by reason of such person's official position for such person's own personal gain or benefit or for the private interest of others.
- 5) Transact any business on behalf of the City in such person's official capacity with any business entity with which such person is an officer, agent or member or in which such person owns a substantial interest. In the event that such a circumstance should arise, then such person shall make known such interest, and in the case of an officer, abstain from voting on the matter, state the reasons for doing so and have nothing further to do with the matter involved.
- 6) Engage in any outside activities which will conflict with, or will be incompatible with, the duties assigned to such person's service to the City or reflect discredit upon the City, or in which such service in the city will give to such person an advantage over others engaged in a similar business, vocation or activity.
- 7) Accept or engage in outside activities incompatible with the full and proper discharge of duties and responsibilities of such person with the City, or which might impair independent judgment in the performance by such person of public duty.
- 8) Receive any fee or compensation for services as an officer of the City from any source other than the City, except as may be otherwise provided by law. This shall not prohibit such person performing the same or other services for a private organization that such person performs for the City if there is no conflict with City duties and responsibilities of such person.
- 9) Represent while an officer, directly or indirectly, or appear in behalf of private interests of others before:
  - a) Any agency of the city or any board, commission, authority or committee, or represent any private interest of others in any action or proceeding involving the City, or participate on behalf of others in any litigation to which the City might be a part, or even accept any retainer or compensation that is contingent upon a specific action taken by the city or any of its agencies, except as may be authorized by law.
  - b) The board, commission, authority or committee of which such person is a member, or before the City Council or board which has appellate jurisdiction over the board, commission, authority or committee of which such person is a member with regard to matters that may be the subject of specific action by any such body.
- 10) Use the prestige of such person's position or office in behalf of any single political party in such a way that it gives the impression of being endorsed by the government of the City, but such person shall at all times maintain the nonpartisan policy of the City; provided, that all officials are encouraged to register, participate, and vote as they may choose in all elections.
- 11) Knowingly perform or refuse to perform any act in order to deliberately thwart the execution of the city ordinances, rules or regulations or the achievement of official City programs.
- 12) Use City supplies, equipment or facilities for any purpose other than the conduct of official City business unless these supplies, equipment or facilities are authorized through an appropriate contact or license or membership available to the general public or otherwise made available for public use.
- 13) Engage willfully and knowingly in any dishonest act or be convicted of any crime involving moral turpitude, in connection with their duties in office which is prejudicial to the government of the City or impairs the operation of the city. Nothing contained in this section shall be construed to mean that conviction of solely a class C misdemeanor shall be construed as grounds for unethical conduct.

(Ord. No. 3-18-03D, §1(1-10-3), 3-18-2003)

**Sec. 2-464. Personal or private interest of officer.**

Any officer who has either a personal or private interest in any matter pending before such person's office shall disclose such interest to the other members thereof, and shall refrain from discussing the same publicly with any other member thereof and shall not vote thereon.

(Ord. No. 3-18-03D, §1(1-10-4), 3-18-2003)

**Sec. 2-465. Attendance of all meetings.**

Attendance of all officers at meetings of their respective office shall be mandatory unless excused. In order for an absence to be considered excused, an officer shall be responsible for notifying the Mayor or Chairperson in the event of an absence prior to any meeting. If the officer notifies the Mayor, Mayor Pro Tem, Deputy Mayor Pro Tem or Chairperson in any other manner or after the absence, the validity of the excuse shall be decided by the membership of the City Council or board. A partial absence and a complete absence shall be considered the same. The officers may compel attendance of their members at all of their respective meetings.

(Ord. No. 3-18-03D, §1(1-10-5), 3-18-2003)

**Sec. 2-466. Violation of code of ethics; appeal.**

The failure of any officer to comply with or the violation of one or more of the code of ethics set forth in this division, which apply to such person, shall constitute grounds for reprimand, censure, or subject the member to any sanctions or actions under the Home Rule Charter. In the case of a City Councilmember, the matter shall be decided by a majority of the remainder of the Councilmembers. In the case of members of boards, commissions, committees and authorities, the matters shall be referred by the Chairperson to the City Council. The decision of the City Council shall be final in the absence of bias, prejudice or fraud.

(Ord. No. 3-18-03D, §1(1-10-6), 3-18-2003)

**Secs. 2-467--2-470. Reserved.**