

CITY OF THE DEER PARK, TEXAS
POLICIES AND PROCEDURES FOR BOARDS AND COMMISSIONS

March 1, 2022

I. PURPOSE AND SCOPE

The purpose of this policy is to establish uniform procedures for all advisory boards and commissions of the City. Board and commission members are selected by the City Council and serve at the pleasure of the Council, and will not be granted special privileges because of their appointment.

This policy applies to citizens appointed to boards appointed by the Mayor and Deer Park City Council. This policy does not apply to the appointments of a Councilmember made by the Mayor nor to appointments made by the City Council to external boards. An external board is defined as a board outside of the City of Deer Park organization ex: Houston-Galveston Area Council (H-GAC), Harris County Mayor and Council Association (HCMCA) and Texas Municipal Retirement System (TMRS).

II. MEMBER ELIGIBILITY

Applicant qualifications include the following:

- ▶ Must be a resident of the City for at least one (1) year
- ▶ Must be a qualified voter
- ▶ May not hold any other public office, including other council appointed board positions, except that of Notary Public or as a member of the armed services or national guard
- ▶ Must not be in arrears in the payment of any taxes or other liability due to the City
- ▶ May not apply to serve on a board with their immediate family members
- ▶ Regular full-time City employees are not eligible unless required by State statute
- ▶ No persons within the second degree by affinity or within the third degree by consanguinity to a council member are eligible to become a member of a board or commission
- ▶ In the event that State statute requires certain qualifications, those qualifications shall be required

All qualified candidates applying for the first time, must complete an application form (Exhibit A) and a signed consent for felony background history authorization form (Exhibit B) to the City Secretary's office prior to the advertised deadline. Only new applicants will be interviewed by members of the City Council or a committee appointed by the City Council prior to appointment if deemed necessary.

Members shall be appointed for terms of two (2) years, and may be removed at any time by the City Council. Terms of office will be staggered so approximately one-half the membership at any time has experience. In the event a vacancy occurs prior to the expiration of a full term, the City Council may appoint a new member to complete the unexpired term. Any member of a board or commission may be re-appointed by the City Council upon completion of an application and reviewed by members of the City Council or a committee appointed by the City Council prior to appointment.

A member of a board or commission ceasing to reside in the City of Deer Park during his or her term of office shall immediately forfeit his or her position.

III. RECRUITMENT

Advertising of scheduled vacancies for terms expiring in May will occur beginning in February and the period of recruitment will end the first Friday of April and advertising for terms expiring in December will occur beginning in September and the period of recruitment will end the first Friday in November. The Committee will review, select and interview new and qualified candidates and make a recommendation to the City Council.

Citizen involvement may be solicited in a variety of ways including, but not limited to:

- * posting of notice on official bulletin board
- * utility billing inserts
- * website advertisements
- * DPTV public service announcements
- * press releases
- * city E-news
- * social media resources
- * nomination by invitation

All recruitment efforts will highlight the deadlines for application receipt. Candidates chosen by the Committee for interview will be provided a schedule of dates for the interviews and the expected date of action on appointment by City Council.

IV. APPLICATION PROCESS

Application forms shall be made available online at www.deerparktx.org and in the City Secretary's Office. The application shall solicit information about the applicant's background, including current and past occupations and involvement in and knowledge of issues related to the subject of the board to which they are applying. In addition to the completed application, applicants are encouraged to submit a short bio or resume. Applicants may apply for more than one board; however, no person shall serve concurrently on more than one board.

Incumbents who are eligible and wish to seek another term must reapply in the same manner as other applicants.

Applications are considered current for one year from submittal date, after which the application will be removed from consideration. In order to be considered in the next recruitment period, the applicant is required to submit a new application.

To encourage citizen involvement, no person shall serve concurrently on more than one City of Deer Park board except that the Board of Adjustment board members serve as the Planning and Zoning Commission. The Deer Park City Charter prohibits dual office holding. Service as a City of Deer Park board member is considered an office and should a board member become a candidate for any other city public office then the candidate will not resign until elected.

In addition to these eligibility criteria, the City Council may set specific skills and experience desired for each board.

NOTE: Information provided is public and subject to the Texas Public Information Act (Government Code Chapter 552)

V. SELECTION COMMITTEE SELECTION AND RESPONSIBILITIES

Council Nominating Committee

At the first Council meeting in April (May term) or November (December term) the Committee, to consist of up to three Council members, shall be recommended for appointment by the Mayor with concurrence through a motion of the full City Council.

The Committee is charged with screening applications, conducting interviews and making recommendations of appointment for advisory boards and quasi-judicial boards. With the concurrence of the applicant, the Committee may consider the applicant for service on another board if the Committee determines that the skills and competencies of the applicant are more suited for service on that board.

Applicant Review

The City Secretary will review the eligibility requirements and identify those applicants that are ineligible for appointment before submitting applications to the Committee for final review.

The Committee will review the applications in accordance with the eligibility criteria set by the City Council for each board. Additional information available for consideration could include evaluations from the staff liaison and member attendance records.

The Committee may take into account past applications submitted by a candidate and any past interviews for board positions if they deem multiple applications show a spirit of public interest and dedication on the part of the applicant. Previous experience on other boards or experience on a similar board in a previous city of residence is another factor to consider.

Interview Process

In January or August (determined by term considering), the City Secretary will notify board members with expiring terms of the upcoming end of their term. If the member wishes to seek another term to a board or appointment to a new board, he/she must reapply in the same manner as other applicants. The Committee will review each application from current board members and conduct interviews on new applicants prior to the end of January or August. The City Secretary shall schedule and confirm interviews under the direction of the Committee.

In early April/November, the Committee will select a number of the most promising applicants for interview. The exact number selected will vary based on the number of openings, and the number and quality of applicants.

Interviews will be conducted in mid-April/November to ensure the Committee time for evaluation of each applicant. The City Secretary shall schedule and confirm interviews under the direction of the Committee. Applicants who fail to attend their scheduled interview forfeit the interview and will not be rescheduled.

A list of interview questions has been created. All candidates will be asked the same questions. The Staff Liaison can provide additional questions to the City Secretary for the applicant.

The Committee will strive to achieve a balance of:

- Qualified applicants covering the range of qualifications specified for the board;
- Experienced and new members;

Appointment Process

The Committee shall evaluate each applicant for each vacant position considered for appointment. Prior to making recommendations to the full City Council, the Committee shall advise the City Secretary to notify each board member whom requested another term as to whether or not their name will be placed in nomination before the full City Council. Notification shall be done by email and/or letter.

The Committee shall make its recommendations to the full Council. When the entire Council is reviewing the committees' selections in the final step of the process, open meeting rules shall be enforced. Quasi-judicial board appointments may be discussed in executive session, while

advisory board applications must be discussed in an open session either in workshop or at the open Council Meeting.

The next business day, after the City Council makes the appointments, the City Secretary shall prepare and mail letters to each person appointed to a board and each applicant not selected for service. Appointment letters shall state the name of the board the member has been appointed to the term of service and Council's appreciation for their service to the citizens of Deer Park.

VI. TERM OF OFFICE

Board members serve for a staggered term of two years with the exception of the Recreation Commission and the Senior Citizens Commission members who serve a consecutive two year term. Terms expire on either May 31 or December 31 of the year. In the event that appointments are not made prior to the expiration of the member's term, the board member will continue to serve until appointments are made.

Citizens are appointed to serve on a board at the pleasure of the City Council. The City Council retains the right to replace any appointed member at any time and for any reason. Board members are appointed for a limited purpose and time and once the assigned term of office is completed, they are excused from this appointment unless the City Council selects them for another term of service in accordance with the adopted policy for board service.

VII. MID TERM APPOINTMENTS

Occasionally a board member may be unable to finish his or her term or will be removed by the City Council prior to the term ending. In such cases, the vacant position must be filled by a mid-term appointee who will serve out the remainder of the term. Instead of soliciting applicants again, the Committee may refer to the applicant pool kept by the City Secretary's Office. Currently that office holds all applications for one year, and maintains a chart of interviews conducted during the past three appointment years. If the current pool is deemed too small to accommodate the vacant position(s), or the respective Committee wants to consider additional applications, a new application solicitation campaign could take place in the same manner as the typical annual recruitment process.

VIII. NEW MEMBERS

Upon completion of the selection process, all new members should make every effort to become as familiar as possible with all aspects of his or her particular board. To aid in the process, new members will be furnished copies of pertinent telephone numbers of other members and applicable information and regulations that govern that board.

New members of the Planning and Zoning Commission and Board of Adjustment having quasi-judicial authority shall be required to attend specialized training on the Open Meetings Act,

Public Information Act and any State statutes pertinent to their position on the board within three (3) months of their appointment. Such training shall be coordinated by and expenses born by the City.

Members of boards who are considered by State statute to be an officer (quasi-judicial authority) of the City must be administered a Statement of Officer and must receive the Oath of Office upon induction. The members must sign the oath and it must be notarized and kept in the appropriate file in Central Records. Those persons authorized to administer the statement and the oaths are: the City Secretary, and any Notary Public. Those boards include the Planning and Zoning Commission and the Board of Adjustment.

IX. DUTIES OF BOARD AND COMMISSIONS GENERALLY:

All boards and commissions shall act in an advisory capacity to the City Council with the exception of the:

- ▶ Board of Adjustment whose decision is final as set out in Section 17.03 of the Zoning Ordinance of the City of Deer Park, and the
- ▶ Planning and Zoning Commission in particular issues

Boards and commissions shall advise the Council on issues peculiar to their particular interests. No member of a board or commission shall become involved in the daily operations of the departments of the City or in personnel matters.

Specific duties of all boards and commissions are outlined in the Code of Ordinances as follows:

| | |
|--------------------------------|-------------------------------------|
| Board of Adjustment | Appendix A - Zoning, Article 17.03 |
| Library Board of Trustees | Chapter 54, Section 54.20 |
| Parks & Recreation Commission | Chapter 74, Section 74-25 and 74.26 |
| Planning and Zoning Commission | Charter, Article VIII, Section 8.01 |

X. ATTENDANCE AT MEETINGS

It is imperative that members maintain regular attendance. The following procedure has been established in order to assist in maintaining the record.

Members who cannot attend the meeting should contact the chairman or appropriate staff member concerning his or her absence prior to the meeting.

Three (3) consecutive absences from regular sessions, or absence from more than twenty-five percent (25%) of the meetings in any six month period, shall cause the board liaison to report the attendance record of the member to the City Council.

The Council is most appreciative of the dedication and contribution by those who are willing to donate their time to community service. Any decision reached by any of these boards has an impact on the entire community. Therefore, if a quorum is not present because of habitual absenteeism by certain members, the integrity of the board as a whole is affected.

XI. ROLE OF STAFF LIAISON

The role of the liaison is to act as a communication conduit between the City Council and the board or commission. The liaison shall take no part in the board or commission discussions unless requested.

A staff member (usually a department director) is assigned to each respective board to perform support services, provide technical data, prepare agendas, post notices of meetings, prepare minutes of the meetings, and other related functions. The staff member is an ex-officio member of the board, but is not entitled to vote or preside over meetings.

The staff member should arrange a meeting with all new members prior to the first meeting date for briefings on procedures, legal responsibilities, duties of the board, and background information on items that may be considered at the next meeting.

XII. CONDUCT OF MEETINGS

- A. The Chair shall preside at the meetings and in his/her absence the Vice-Chair shall preside. The Chair shall call the meeting to order.
- B. The Chair may address the posted items on the agenda in any order he/she chooses as long as every item is addressed.
- C. A motion may be made by any member other than the presiding officer. A second to the motion is required before a vote can be taken. Any motion dies from a lack of a second.
- D. Roberts Rule of Order shall be used as a guideline to conduct meetings.
- E. All meetings will be held in compliance with the Open Meetings Act and shall be open to the public.

XIII. RECORD OF MEETINGS

A record of all meetings is to be kept. Pertinent items to be included are as follows:

AGENDA - The agenda will serve as the order of business and provide the form for posting of the notice of meetings. The official posting of the agenda must be at least 72

hours in advance of the meeting in a place(s) readily accessible to the public. Two postings are recommended. (1) City Hall outside bulletin board; (2) Front door of the place of assembly, providing the notice is visible at all times. Agendas shall be made available in advance of the meetings on the City's web site. Copies of the agenda, along with supporting data, shall be provided to each member at least 72 hours in advance of the meeting date.

Some boards meet periodically or on an as-needed basis; however, others meet on a specified schedule. In the event a regularly scheduled meeting is cancelled, a notice should be posted stating that the meeting has been cancelled and giving the reason for such cancellation and, if known, the date of the next meeting.

MINUTES OF MEETINGS - The staff member will be responsible for keeping an accurate record of all meetings. The minutes shall include a record of attendance, summary of the discussion, recommendations and/or voting record, indicating by name members voting "for" or "against" all items of business, unless the vote was unanimous. Minutes are permanent record and should be retained as such.

RECORD OF ATTENDANCE – Minutes of each meeting shall accurately reflect the names of those members in attendance.

If a member is late, the minutes shall indicate the position on the agenda upon arrival by utilizing the following statement:

“At this point, (name) arrived, the time being _____ p.m. (a.m.)

XIV. FELONY BACKGROUND

As a representative of the City of Deer Park and due to the nature of the business and associations performed by each Board and Commission member, a felony background verification will be conducted on all new applicants effective with the adoption of this policy. (December 20, 2011)

As of the adoption of this policy, all current members are grandfathered, and a felony background verification will not be conducted when applying for re-appointment.

However, any current member who is re-appointed for a new two-year term after the adoption of the policy will be required to notify the City Secretary within ten (10) days of any charge for a felony or crime of moral turpitude during their term. A member failing to notify the City of such charges will be automatically terminated. A member who is charged and makes the required notification will be on suspension from the Board pending final judgment.

Name: _____

BACKGROUND

Education: ___ High School ___ College - Course Study: _____

___ Other - explain _____

Professional: _____

Areas of Interest: _____

Position and Dates of Volunteer Experience/Community Service:

Please specify membership and give title and dates, and/or employment with all Boards, Commissions, Corporations, Non-Profit Entities, Agencies, or other Entities on any other government Board or Commission that you have held. Additional information may be attached.

Organization: _____

Title: _____ Dates: _____

Organization: _____

Title: _____ Dates: _____

Reasons for seeking appointment: Please attach a brief narrative outlining your interests and qualifications for seeking appointment. You may also add a resume or additional information.

I have read and understand the instructions and appointment process. I certify that all statements that I have made on this application and other supplementary materials are true and correct. I hereby authorize the City of Deer Park to investigate the accuracy of this information from any person or organization, and I release the City of Deer Park and all persons and organizations from all claims and liabilities arising from such investigation or the supplying of information for such investigation. I acknowledge that any false statement or misrepresentation on this application or supplementary materials will be cause for refusal of appointment or immediate dismissal at any time during the period of my appointment.

Signature

Date

City of Deer Park
Consent for Felony Background History
Authorization/Waiver/Indemnity Form

Each volunteer applicant who is to be screened must sign a consent for felony background history authorization/waiver/indemnity form, giving approval for the City of Deer Park to perform a felony background search.

I authorize any duly authorized agent of the City of Deer Park to conduct a review of and obtain full disclosure of all records relating to my felony background record, as received from the reporting agencies, may include arrest and conviction data as well as plea bargains and deferred adjudication. I understand that this information will be used in part to determine my eligibility for a volunteer position with the City of Deer Park. I also understand that as long as I remain a volunteer with the City of Deer Park, the felony background check may be repeated at anytime. I understand that I will have an opportunity to review the background and a procedure is available for clarification, if I dispute the record received.

I, the undersigned, do, for myself, my heirs, my executors and administrators, hereby remise, release and forever discharge and agree to indemnify the City of Deer Park and each of their officers, directors, employees and agents harmless from and against any and all causes of actions, suits, liabilities, costs debts and sums of money, claims and demands whatsoever, and any and all related attorney's fees, court costs and other expenses resulting from the investigation of my background in connection with my application to become a volunteer.

Applicant Name: _____

Applicant Address: _____

Date of Birth _____ Social Security # _____

Driver's License Number _____ State of Issue _____

Signature

Date

Subscribed and sworn to before me, by the said _____,
this _____ day of _____, 20____ to certify which witness my hand and seal of
office.

Notary Public in and For Harris County, Texas

S E A L

FILE COMPLETED APPLICATION FORM WITH CITY SECRETARY'S OFFICE BY DEADLINE
City of Deer Park - City Secretary Department - P. O. Box 700 - Deer Park, Texas 77536

(Original copy will be on file in the City Secretary's office for 12 months)