

“Exhibit A”
POLICIES AND PROCEDURES FOR BOARDS AND COMMISSIONS
Effective January 1, 2022

SECTION 1.
PURPOSE AND SCOPE

The purpose of this Policies and Procedures for Boards and Commissions document (“Policy”) is to establish uniform procedures for all advisory and other boards and commissions of the City. Board and commission members are appointed by the Brenham City Council (“Council”) and serve at the pleasure of Council and will not be granted special privileges because of their appointment. For the sake of brevity, the use of the term “board” throughout this Policy shall be interpreted to include the term “commission” except where the context requires otherwise.

This Policy applies to all persons appointed to boards and commissions by Council, unless otherwise provided herein or other applicable law. Persons appointed by other governmental bodies or entities may not be required to abide by all the rules outlined in this Policy.

SECTION 2.
MEMBER ELIGIBILITY

Applicant qualifications include the following:

- Must be a resident of Washington County for at least one (1) year prior to the date of the appointment (unless specified otherwise in this policy);
- Must be a qualified voter in Washington County;
- May not apply to serve on the same board with any immediate family members;
- Members of City Council are not eligible to serve unless required by federal, state, or local laws and regulations, and
- City employees are not eligible to serve unless otherwise provided in this policy or required by federal, state, or local laws or regulations.

All qualified persons, applying for the first time, must complete an “Application for Appointment to City of Brenham Boards and Commissions” form and submit it to the City Secretary before October 1st. Current members wanting to be reappointed to their current board/commission must submit a “Request for Re-Appointment to City of Brenham Boards and Commissions” form to the City Secretary prior to October 1st. If a current member would like to be considered for appointment to a different board, he/she will need to submit the “Application for Appointment” form for the board or commission for which they would like to be considered.

Unless otherwise provided herein or other applicable law, members shall be appointed to terms of three (3) years and may be removed at any time by Council. Terms of office will be staggered. In the event a vacancy occurs prior to the expiration of a full term, the Council may appoint a new member to complete the unexpired term of the vacant position. Any member of a board or commission may be eligible for re-appointment by the Council unless such appointment is prohibited by the term limitation provisions set forth in Section 6 of this Policy.

In addition to the eligibility requirements outlined in this Policy, the City Council shall determine the specific skills and experience desired for each board. Also, in the event that other applicable law requires certain qualifications, those qualifications will be required.

SECTION 3. **RECRUITMENT**

Advertising of scheduled board vacancies for terms expiring on December 31st will begin on or near September 1st.

Advertisement for board volunteer recruitment may be conducted in a variety of ways including, but not limited to:

- posting of notice on official City bulletin board
- press releases
- utility billing inserts
- website advertisements
- social media resources
- nomination by invitation

SECTION 4. **APPLICATION PROCESS**

On or before September 1st of each year, the City Secretary will post information on the City's website and social media sites encouraging qualified people to fill out an application to serve. The City Secretary's office will mail and/or e-mail reappointment application forms to all current board members with an expiring term.

The "Request for Appointment" application will 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. Persons may apply for more than one board.

A shorter "Request for Re-appointment" form will be used for incumbent board members seeking another term. Incumbents will also be required to submit their request to serve another term to the City Secretary's office.

All requests for appointment must be returned to the City Secretary no later than October 1st. Any applications received after the deadline may not be considered.

Applications are considered current for one (1) 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 will be required to submit a new application.

SECTION 5. **SELECTION PROCESS**

The City Manager and City Secretary, along with a subcommittee of the Council, will review all submitted applications. Additional information that could be used in reviewing applications include information from the staff liaison, attendance records, and training records. The subcommittee may also consider past applications submitted by an applicant and previous experience on other boards.

In December, the Council subcommittee will make a recommendation of appointments to the full Council for consideration. In the event appointments are not made in December, all members with expiring terms will continue to serve until their successor is appointed by Council.

SECTION 6. **TERM OF OFFICE**

Board members serve for three (3) year, staggered, terms unless a shorter term is required by law or is necessary to facilitate even staggering of terms among members of a board. All terms expire on December 31. In the event an appointment is not made prior to the expiration of a member's term the board member shall continue to serve until their successor is appointed by Council.

No board member shall be appointed to more than three (3) consecutive terms on any single board. After a minimum absence of one (1) year from a board, the Council may choose to reappoint the member back to the board on which they previously served. If a member is appointed to a term of less than three (3) years, the incomplete term will not be counted as a term for purposes of calculating eligibility under this Section. The term limit provisions of this Section shall not apply to members of board for which a term of less than three (3) years is required by a law that supersedes this policy.

The 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 and Council has appointed their successor, they are excused from service on the board unless the Council selects them for another term of service in accordance with this Policy.

SECTION 7.
MID TERM APPOINTMENTS

Occasionally, a board member may be unable to finish his or her term or will be removed by the Council prior to his or her term ending. In such cases, the vacant position may be filled by a mid-term appointee who will serve out the remainder of the other member's term.

Instead of soliciting applicants for the vacancy, the Council subcommittee may refer to the previously submitted applications kept by the City Manager's Office. If there are no appropriate open applications for the vacant position(s), a new application solicitation campaign could take place in the same manner as the typical annual recruitment process.

SECTION 8.
NEW MEMBERS

After appointment by Council, 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 with the contact information of the other members, as well as applicable information and regulations that govern that board.

Members of all boards shall complete board training within ninety (90) days of their appointment by Council. The training will include the Texas Open Meetings Act, basic Robert's Rules of Order, and applicable ethics training. The training course will be free to all attendees and will be conducted by the City Secretary. Board members must complete this training at least once every three (3) calendar years. A board member who does not comply with the training requirements may not be eligible for re-appointment.

Members of the Historic Preservation Board, Tourism Advisory Board, Planning and Zoning Commission and the Brenham Community Development Corporation Board will be required to complete additional training specific to the duties and responsibilities of these boards. This training will be selected by the City Manager and must be completed at least once every three (3) years.

Members of the Building and Standards Commission, the Planning and Zoning Commission, and the Board of Adjustments must complete and execute the written Statement of Appointed Officer and take the Oath of Office upon appointment. These members must sign the Oath and it must be notarized and kept in the City Secretary's Office. Persons authorized to administer the statement and the oath are the City Secretary, and any notary public.

SECTION 9.
GENERAL DUTIES AND RESPONSIBILITIES OF BOARDS AND COMMISSIONS

Most boards and commissions shall act in an advisory capacity and make recommendations to the Council on issues specific to each respective board's duties and responsibilities; however, actions taken by the Building Standards Commission, the Board of Adjustments, the Planning and Zoning Commission, and the Brenham Community Development Corporation are final, unless required by state law to be approved by the City Council.

No member of a board or commission shall become involved in the daily operation of the City or in personnel/employment matters. The general duties and responsibilities of each advisory board or commission is as follows:

Animal Services Advisory Board

The purpose and responsibility of the Animal Services Advisory Board shall include, but not be limited to, the following:

- To review and recommend procedures for the care and maintenance of the animal shelter facility and impounded animals to ensure compliance with state law, and
- To periodically review the City's animal control ordinances and make recommendations to Council for revisions as needed.

As mandated by State law, the Board must be comprised of one (1) licensed veterinarian, one (1) county or municipal official, one (1) person whose duties include the daily operation of an animal shelter; and one (1) representative from an animal welfare organization. This Board also has one (1) citizen representative.

Board of Adjustments

The Board of Adjustments hears and decides appeals where it is alleged there is error of law in any order, requirement, or decision made by the City's Zoning Administrator, including appeals alleging error in the interpretation of the classification of any zoning use, and hears and decides special exceptions and variances as provided for in the City's zoning ordinance.

The Board consists of five (5) members. The Board may have up to four (4) alternate members who serve in the absence of one or more regular members when requested to do so by the Staff Liaison.

Brenham Community Development Corporation

The Brenham Community Development Corporation (BCDC) promotes economic and community development within the city and on behalf of the city by developing, implementing, providing, and financing projects as defined in Section 4B of the Development Corporation Act (Article 5190.6 V.T.C.S.), currently codified in Chapter 501 et seq. of the Texas Local Government Code. The Board is operated according to state law and its own Articles of Incorporation and Bylaws.

Brenham Police Citizen Advisory Board

The Brenham Police Citizen Advisory Board (CAB) was created to act as a community resource for the Police Chief in the formation of strategies, development of community policing concepts and programs, to serve as an advisory body on certain police matters, fostering and enhancing public transparency and trust, and increasing public awareness.

Building Standards Commission

The Building Standards Commission hears and determines cases concerning alleged substandard buildings and structures. It also grants or denies requests for variances from the building code of the City of Brenham. The Board consist of five (5) members and each member must be a resident of the City.

Historic Preservation Board

The Brenham Historic Preservation Board was organized in 2021 and is charged with the responsibility of assuring that the integrity of designated Historic Landmarks and properties within the city's Historic Districts are protected.

The Board shall be composed of seven (7) voting members appointed by the City Council. A minimum of four (4) Board members shall be property owners within a Historic District, or an owner of a Historic Landmark. The other members should be appointed, to the extent possible, from the following categories: architect with historic preservation experience; planner; design professional; historian; licensed real estate broker; attorney; or member of a historic preservation society. All Board members shall have a known and demonstrated interest, competence, or knowledge of historic preservation.

Library Advisory Board

The Library Advisory Board plans for future development of the Nancy Carol Roberts Memorial Library which may include establishing, reviewing and updating policies; monitoring existing operations; making recommendations regarding fee schedules for services, and considering ways to better utilize library facilities.

The Board consists of nine (9) members. Five (5) members are nominated by the Brenham Fortnightly Club from its membership.

Main Street Board

The Main Street Board develops plans and programs to stimulate both historic preservation and economic vitality for downtown Brenham, according to the Texas Historical Commission's criteria for Main Street Communities.

The Board consists of eleven (11) members. The members shall be knowledgeable about downtown Brenham, marketing, financing, and historic preservation.

Parks and Recreation Advisory Board

The Parks and Recreation Advisory Board assists in the planning and operation of the parks and recreations system and reviews and monitors existing operations and considers ways to better utilize existing facilities. The Board consists of nine (9) members with the majority of members being City residents.

F. Planning and Zoning Commission

As provided by the laws of the State of Texas and ordinances of the City of Brenham, the Planning and Zoning Commission approves or disapproves land subdivision plat or re-plats; vacates plats or re-plats; holds public hearings and makes recommendations to the Council relative to creation, amendment and implementation of zoning regulations, use classifications and districts; recommends to the Council plans, programs, policies related to future growth and development of the City; and performs other duties and responsibilities as may be referred to the Commission by the Council. The Commission consists of seven (7) members and each member must be a resident of the City.

Tourism Advisory Board

The Tourism Advisory Board was organized in 2021 to replace the Hotel Occupancy Tax Board. The Board's purpose and responsibility is to advise and support the Brenham/Washington County Destination Marketing Organization (DMO) and to advocate for the continued development of tourism and cultural assets.

The Board shall be composed of seven (7) voting members; all being residents of Washington County. Five (5) members shall be appointed by the City Council and two (2) members shall be designated by the Washington County Commissioners. The members designated by Washington County shall be (1) the Washington County Tourism Liaison; (2) a member of the Washington County Commissioners Court; or (3) the Washington County Expo Director.

SECTION 10. **ATTENDANCE AT MEETINGS**

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 whole board is affected.

Therefore, it is imperative that members maintain regular attendance. Members who cannot attend a meeting should contact the chairman or staff liaison concerning his or her absence prior to the meeting.

Two (2) consecutive absences from a board's regular meeting, or absences from more than 25% of the board's meeting in a six (6) month period shall be deemed as neglect and may be cause for removal, unless such absences were due to unusual circumstances beyond the member's control such as sickness of the member or someone within the member's immediate family. The City Secretary's Office shall track and report any excessive absences to the City Manager. The City Manager will review each situation and determine if the board member should be recommended to the Council subcommittee for removal.

SECTION 11. **ROLE OF STAFF LIAISON**

A staff member shall be assigned as a liaison to each 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 liaison will ensure that the board understands Council's goals and vision for the community. The staff member is an ex officio member of the board but is not entitled to vote or preside over meetings.

The staff liaison will act as a communication conduit between the Council subcommittee and the board. The liaison shall attend all meetings, of their respective board, on behalf of the City and present and discuss facts pertinent to matters listed on the agenda and being considered.

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

At least once per year, in a regular meeting of City Council, the staff liaison or Chair for each board shall provide an update for Council regarding the activities of the Board.

SECTION 12. **CONFLICTS OF INTEREST**

Members of the Planning and Zoning Commission, Board of Adjustments, and Building Standards Commission shall comply with the requirements of Chapter 171 of the Texas Local Government Code and Article III, Sec. 6 of the Brenham City Charter with respect to conflicts of interest. It is the responsibility of each member of these boards to file a "Conflict of Interest" affidavit (Exhibit A) with the City Secretary's Office when a conflict exists because he or she has a substantial interest in a matter being considered by the board. Substantial interest means the individual:

- Owns 10% or more of the voting stock or shares of the business;
- Owns either 10% or more than \$15,000 of the fair market value of the business;
- Receives funds from the business that exceeds 10% of the person's gross annual income for the preceding year;
- Ownership in real property with a fair market value of \$2,500 or more, or
- Relative within the first degree of consanguinity or affinity has a substantial interest.

Advisory board members shall abstain from participation in a matter when a personal interest creates or gives the appearance of being a conflict of interest. However, if the majority of members of the same advisory board have similar conflicts of interest in the same matter under consideration by the board, such members are not required to abstain from participating or voting on the matter.

SECTION 13.
MEMBERSHIP ON MULTIPLE BOARDS

If a member is serving on more than one board, the member, before discussing and/or voting on a decision that involves funding which impacts matters specific to another board's duties and responsibilities on which said member serves, shall verbally disclose his/her membership on any other board impacted by the funding decision to the other board members in attendance at the meeting. Said member may fully participate in the discussion and vote on the decision involving funding after disclosing his/her membership on any other board impacted by the funding decision.

SECTION 14.
CONDUCT OF MEETINGS

- A. Each Board shall, in its first meeting of the calendar year, elect a Chair and Vice-Chair to serve for a one (1) year term. The Chair of each board shall call the meeting to order and preside at the meetings. In the absence of the Chair, the Vice-Chair shall preside. If both the Chair and Vice-Chair are absent from a meeting, the members in attendance shall elect a member to serve as a presiding officer during the meeting.
- B. The Chair shall address the posted items on the agenda in any order he or 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 ("The Act") and shall be open to the public, except for those items considered at a meeting which are authorized by the Act to be discussed in Executive Session. Items not on a properly posted meeting agenda may not be debated or discussed. The Chair or staff liaison shall have the authority to immediately adjourn the meeting without a vote if necessary to prevent violation of the Act.
- F. The conduct of board members reflects upon the full City Council; therefore, it is expected that board members conduct themselves in an orderly and civil manner during meetings. Board members shall not use aggressive or profane language, interrupt, or insult others, raise their voices, or in any other way detract from the professional decorum of a meeting. If a board member engages in inappropriate conduct that cannot be controlled by the Chair or staff liaison, the Chair or liaison may immediately adjourn the meeting without a vote. Any board member that acts in an inappropriate way in such that a meeting must be adjourned, said board member will be reported to the City Manager.

SECTION 15.
RECORDS OF MEETINGS

The City Secretary's Office shall maintain the official record of all board and commission meetings, which will include:

- **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 readily accessible to the public. The agenda must also be posted on the City's website. A copy of the agenda should also be made available to local news media. In the event a regularly scheduled meeting is cancelled, notices should be posted stating that the meeting has been cancelled.
- **AGENDA PACKET:** Copies of the agenda, along with all supporting documentation, shall be provided to each member in advance of the meeting date. This information shall also be made available in advance of the meeting on the City's web site.
- **MINUTES OF MEETING:** The staff liaison will be responsible for keeping an accurate record of all proceedings. The minutes shall include a record of attendance, summary of the discussion, recommendations, and a record of the Board's voting. The minutes shall also be available on the City's website.

Approved by City Council: December 16, 2021 (R-21-036)