

ARTICLE III. - BOARDS, COMMISSIONS AND COMMITTEES^[3]

Footnotes:

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Charter reference— Planning and zoning commission, art. XIV.

Cross reference— License appeal board for sexually oriented businesses, § 10-171 et seq.; animal adoption and rescue center advisory board, § 14-31 et seq.; economic development advisory committee, § 26-51 et seq.; board of directors for health facilities development corporation, § 42-82; library board and director of the library, § 46-31 et seq.; teen advisory board, § 58-81 et seq.; parks and recreation commission, § 62-31 et seq.; internal review committee for public art, § 62-91 et seq.; construction code appeals board, § 98-42; board of appeals for mechanical standards, § 98-340; board of appeals for plumbing, § 98-378; substandard building board, § 98-491 et seq.; sign review committee, § 106-14; sign review board, § 106-15; landscape review board, § 114-75; zoning board of adjustment, § 118-81 et seq.

DIVISION 1. - GENERALLY

Sec. 2-121. - Appointment, review, removal, and training for boards and commissions.

- (a) *Exemptions.* The following subject matters are exempt from the operation of this section.
- (1) Eligibility for appointment to the planning and zoning commission; eligibility for appointment to the civil service commission.
 - (2) Method of appointment to planning and zoning commission; method of appointment to civil service commission.
 - (3) Method of removal from planning and zoning commission board of adjustment and civil service commission.
 - (4) Method of conducting business of the board of adjustment civil service commission and planning and zoning commission.
 - (5) Construction board of appeals.
 - (6) Youth advisory committee.
 - (7) All statutorily created boards.
- (b) *Definition.* The word "board" as used herein means "board," "commission," or "committee" of the city.
- (c) *Composition of boards.* Each board shall consist of members who will serve in numbered places on each board. The city council member whose place-number coincides with the numbered place on each board shall have the right to nominate a person to serve in that place on each board. The actual appointment will be subject to the approval of the city council.

- (d) *Terms of office.* It is directed that terms of office for each board shall begin on July 1 of the first year of the appointment and shall end on June 30 of the last year of the appointment. A member shall serve until his successor is duly appointed and qualified.
- (e) *Citizens' pool.* The city council directs that a citizens' pool be created from applications received by the city secretary. The city secretary shall create this pool by soliciting and receiving applications from the public. The city secretary is authorized to advertise in the news media, Citicable television and in any reasonable manner calculated to spawn interest by citizens in serving on city boards.
- (f) *Information sheets and application forms.* The city secretary will make available to potential applicants information sheets on each board showing the reason for the board's existence, nature of the duties and other pertinent information which may be available to a person in selecting a board upon which to serve. The city secretary shall also make available to potential applicants an application form which is on file in the city secretary's office.
- (g) *Dating and filing of applications.* The city secretary will date stamp each application as received and the application shall remain on file for a period of one year and shall be made available to city council members to consider during that one-year period.
- (h) *Notification of term expiration.* In February of each year, the city secretary shall send a letter to each council member letting that council member know which of his nominees have expiring terms on June 30 of that year. The city secretary shall send to the serving member of the board any letter which may be directed by a council member who is responsible for a nomination to that particular place on a board. If so directed, the city secretary shall send a letter asking if a board member wishes to be reappointed and if that member wishes to update his application.
- (i) *Worksheet.* In February of each year, the city secretary will provide each council member with a worksheet showing his serving nominations and the date that each person's service is due to expire. The worksheet will further show the original appointment date last reappointment date and attendance records for the past eight months.
- (j) *Actions on nominations; affinity or consanguinity.* Each council member shall send his nominations for each board to the city secretary prior to July 1 of each year. The city council will act upon the nominations and appoint board members at the first meeting in July of each year, or a soon thereafter as practicable. No appointee shall be related to the appointing council member within the second degree of affinity or within the third degree of consanguinity. The preceding sentence will not affect any person now serving on a board so long as that person serves on the same board.
- (k) *Certificate of appointment.* The city secretary will send each member a certificate of appointment. The city secretary shall further send each applicant who was not appointed an appropriate letter of appreciation.

- (l) *Terms of office.* The terms of office for each board member shall be for two years. The council member who nominated the appointee may remove his appointee at any time.
- (m) *Attendance reports.* The staff person providing support to that particular board shall keep attendance records at all meetings. The staff person will forward the attendance reports to the city secretary on or before the last day of each month. The city secretary will prepare a report for the city council showing attendance records for each board and each member thereof. This report shall be ~~made on September 15, December 15 and May 15~~ provided to city council each month of each year. A member who has missed ~~50-75~~ percent of the board's meetings from July 1 through May 15 shall automatically be dropped from membership on the board. ~~The city secretary shall inform council if their appointee has missed three meetings within a six (6) month timeframe.~~ The attendance reports referred to in this paragraph shall be made available to the city council and a copy furnished upon request. Attendance at all regular meetings, special meetings and workshops shall be recorded and used to calculate attendance percentages.
- (n) *Meetings; officers.* Boards of the city shall conduct its business in compliance with the Open Meetings Act, V.T.C.A., Government Code § 551.001 et seq., the Open Records Act, V.T.C.A., Government Code § 552.001 et seq., and the oath and statement requirements of state law for statutory boards. Each board will elect officers pursuant to its own rules. Any change in officers shall be reported to the city secretary by the staff person charged with providing support for that particular board.
- (o) *Minutes.* Minutes shall be kept of each board meeting. The staff person, providing support to that board, and the officers of the board are responsible for providing the city secretary with a signed, approved copy of each set of minutes. The city secretary shall keep a permanent file of the original minutes. Copies of the minutes of each meeting, showing attendance and absences shall be forwarded to the city council by the city secretary.
- (p) *Orientation.* Immediately following the appointment process in July of each year, the staff person providing support for each board is charged with the duty to familiarize each board member with the functions of that board. Following the July appointment process, the first meeting of each board shall accommodate an orientation period, which shall be set aside for the purpose of helping members become more knowledgeable about his particular board, its functions, state or city laws or rules affecting the board.
- (q) *Training programs.* Members of the board of adjustment and the planning and zoning commission shall be required to attend a minimum of one regional or statewide training program during each two-year term, which is designed to educate members in the functions of those boards. The city shall bear the direct expense of this training for board members. The training program shall be designated by the city manager and approved by the city council. Staff shall conduct an annual training session for the planning and zoning commission and the zoning board of adjustment, which shall also be mandatory for all respective board members.

- (r) *Current board notebook.* The city secretary is charged with the responsibility to keep a current board notebook containing names, addresses and telephone numbers of board members. The staff support person for each board shall be responsible to provide the city secretary with information, with changes with respect to each board member. The city secretary shall retain a permanent copy of each notebook and shall place a copy of each annual or semiannual notebook in the city historical files.

(Code 1975, § 2-41)

Sec. 2-122. - Limitation on the powers of certain boards.

- (a) *Application of section.* This section shall pertain to the following boards and commissions of the city, which are advisory bodies to the city council:
 - (1) Animal control shelter advisory committee;
 - (2) Keep North Richland Hills Beautiful Commission;
 - (3) Library board;
 - (4) Parks and recreation board; and
 - (5) Teen court advisory board.
- (b) *Advisory capacity.* The city council hereby clarifies its intent in creating said boards and commissions and states herein that said boards and commissions are not intended to have judicial powers or quasi judicial powers nor rule making powers other than in an advisory capacity to the city council.

(Code 1975, § 2-42)

Sec. 2-123. - Ex officio members.

The mayor may appoint one ex officio member to the planning and zoning commission, who need not be considered for regular membership, and two ex officio members to the civil service commission, such appointments subject to confirmation by the city council. Such ex officio members shall have no power to vote or participate in decision-making, but will be entitled to observe all proceedings of their respective commissions. The terms of such ex officio members shall expire June 30 of the year the term of the mayor expires.

(Ord. No. 2714, § 1, 6-23-2003)

Sec. 2-124. - Creation of boards.

The following boards are created in the sections referenced:

- (1) Animal adoption and rescue center advisory committee, Code section 14-31.
- (2) Civil service commission, Charter, art. XVII, § 3.

- (3) Construction code appeals board, Code section 98-42.
- (4) Library board, Code section 46-31.
- (5) Economic development advisory committee, Code section 26-51.
- (6) Health facilities development corporation board of directors, Code section 42-32.
- (7) Industrial development corporation board of directors, Code section 26-81.
- (8) Parks and recreation board, Code section 62-31.
- (9) Planning and zoning commission, Charter, art. XIV, § 1.
- (10) Teen court advisory board, Code section 58-81.
- (11) Sexually oriented business license appeal board, Code section 10-171.
- (12) Substandard building board, Code section 98-491 et seq.

Sec. 2-125. - Voting.

- (a) If any matter comes before any of the boards or commissions of the city which requires a formal vote each member of the board or commission entitled to vote under the rules of the board or commission shall vote.
- (b) If any member of such board or commission has a conflict of interest which that member deems to disqualify him in connection with the vote, such member shall file a statement of disqualification with the secretary of the board. When such statement is so filed the said member shall not participate in any discussion on the matter and shall not vote on such matter.

(Ord. No. 1519, §§ 1, 2, 1-11-1988)

Secs. 2-126—2-140. - Reserved.

DIVISION 2. - CAPITAL IMPROVEMENTS ADVISORY COMMITTEE^[4]

Footnotes:

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State Law reference— Capital improvements advisory committee, V.T.C.A., Local Government Code § 395.058.

Sec. 2-141. - Designation.

The planning and zoning commission of the city is hereby named as the capital improvements advisory committee for the city.

(Ord. No. 1505, § 1, 10-26-1987)

Sec. 2-142. - Authority.

In all matters dealing with development of the City, the capital improvements advisory committee will act pursuant to the V.T.C.A., Local Government Code § 395.001 et seq.

(Ord. No. 1505, § 2, 10-26-1987)

Sec. 2-143. - Organization.

The capital improvements advisory committee shall be composed of the seven regular members and one alternate member of the planning and zoning commission. The advisory committee shall have at least one member of the real estate, development or building industry. The advisory committee shall exercise such powers as prescribed by Senate Bill 336, 1987 Legislative Session, and as granted by the city council.

(Res. No. 87-37, § I(A), 12-21-1987)

Sec. 2-144. - Officers.

The officers of the planning and zoning commission shall hold like positions on the capital improvements advisory committee. These officers shall be chair, vice-chair, and secretary, and shall be selected as stipulated in the rules and procedures of the planning and zoning commission.

(Res. No. 87-37, § I(B), 12-21-1987)

Sec. 2-145. - Duties.

The capital improvements advisory committee shall serve in an advisory capacity and is established by the city council to perform the following duties:

- (1) To advise and assist the city in adopting land use assumptions.
- (2) To review the capital improvements plan and file it's written comments.
- (3) To monitor and evaluate implementation of the capital improvements plan.
- (4) To file semi-annual written reports with respect to the progress of the capital improvements plan and to report to the city any perceived inequities in implementing the plan or imposing the impact fee.
- (5) To advise the city of the need to update or revise the land use assumption, capital improvements plan and impact fee.
- (6) Provide other impact fee advisory services as directed by the city council.

(Res. No. 87-37, § I(C), 12-21-1987)

Sec. 2-146. - Rules of order.

Robert's Rules of Order, Newly Revised, shall be the capital improvements advisory committee's final authority on all questions of procedure and parliamentary laws not covered by these rules and procedures. The rules and procedures of the capital improvements advisory committee shall be adopted and approved by the city council. Any modifications to the adopted rules and procedures shall first be submitted to the city council for formal approval. A certified copy of these rules and procedures and any amendments thereto shall be filed in the office of the city secretary and be made available for public inspection during regular business hours.

(Res. No. 87-37, § I(D), 12-21-1987)

Sec. 2-147. - Quorum.

A quorum shall consist of four members of the capital improvements advisory committee and shall be required to conduct official business and forward recommendations to the city council. In the instance where a regular member of the capital improvements advisory committee cannot be present, the alternate member will be called to serve in the position of the first absent member with all voting rights of the regular member.

(Res. No. 87-37, § II(A), 12-21-1987)

Sec. 2-148. - Agenda.

An agenda of the capital improvements advisory committee shall be prepared for each meeting by the director of planning and development. The agenda and all reference and statistical material relating to agenda items shall be delivered to each capital improvements advisory committee member prior to each meeting allowing adequate time for review of and familiarization with the agenda items.

(Res. No. 87-37, § II(B), 12-21-1987)

Sec. 2-149. - Meetings.

- (a) *Calling meetings.* Meetings of the capital improvements advisory committee shall be called and conducted at various times to fulfill the obligations outlined in V.T.C.A., Local Government Code § 395.001 et seq. and directives of the city council. The chair shall call meetings and instruct the director of planning and development to prepare an agenda and provide any required information, reports or statistics.
- (b) *Place of meeting.* Meetings of the advisory committee shall be held in the council chamber of the City Hall unless otherwise directed by the chair with the approval of a majority of the advisory committee.
- (c) *Time of meeting.* The chair shall establish a time for each called meeting of the capital improvements advisory committee.

- (d) *Public notice.* All meetings of the capital improvements advisory committee shall be open to the public and shall be held in compliance with state law and the Charter and this Code.
- (e) *Work sessions.* The capital improvements advisory committee may be convened in work session in order to discuss any matter concerning impact fees. No official business shall be conducted at such work session, and a quorum shall not be required.

(Res. No. 87-37, § II(C), 12-21-1987)

Sec. 2-150. - Official records.

- (a) *Definition.* The official records of the capital improvements advisory committee shall consist of these rules and procedures, minutes of all meetings, supporting documents such as reports, calculations, and all other material used to approve land use assumptions, prepare written reports to the city council and supporting documentation for all recommendations.
- (b) *Minutes.* The minutes of the capital improvements advisory committee meetings shall show the vote of each member, or if absent or abstaining, shall indicate that fact.
- (c) *Record retention.* All official records of the capital improvements advisory committee shall be kept for a period of not less than ten years and be made available for public inspection during regular business hours of the city.

(Res. No. 87-37, § III, 12-21-1987)

Sec. 2-151. - Hearings and decisions.

- (a) *Order of business.* The chair, or in his absence the vice-chair, shall preside at all meetings, and shall decide all points of order or procedure. All letters of transmittal from the committee to the city council shall be over the signature of the chair. The chair shall call the capital improvements advisory committee to order, the members present and absent shall be recorded by the director of planning or his designated representative by calling the roll. The minutes of any preceding meeting shall be submitted for approval. The public shall be advised of the procedures to be followed in the meeting. The director of planning shall publicly advise the committee of any communication received pertaining to any matter pending before the committee.
- (b) *Presentation and hearing.*
 - (1) The chair of the capital improvements advisory committee shall call on persons present who wish to speak to the agenda items, and shall direct that they speak in the following order:
 - a. The proponent or his representative.
 - b. Those persons in support.

c. Those persons in opposition.

Whenever necessary, the chair shall direct that all remarks shall be germane to the agenda item. At the chair's discretion, he may also impose a specified time limit for each speaker wishing to address a particular item. No rebuttal shall be allowed from either side, unless granted by a majority vote of the committee. The capital improvements advisory committee may direct questions to any speaker in order to clarify statements and facts presented.

- (2) The chair shall then declare the public presentation or hearing closed, as to that agenda item.
- (3) A motion may be made by any member other than the presiding officer.
- (4) Any motion may be approved or denied by a simple majority vote of the members present. In the event of a tie vote on any motion, the motion will be considered as being denied and shall be so recorded.

(Res. No. 87-37, § IV, 12-21-1987)

Secs. 2-152—2-170. - Reserved.

DIVISION 3. - YOUTH ADVISORY COMMITTEE

Sec. 2-171. - Composition.

The youth advisory committee will consist of 16 members, all of whom shall be students in the 9th through 12th grade levels, and reside in the city.

(Ord. No. 2226, § 1, 7-28-1997)

Sec. 2-172. - Appointment and term.

All youth advisory committee members will initially be appointed by the city council, with the mayor and city council members each appointing two members. The initial term of office will be for one year. Subsequent members will be selected from an application process that is developed by the youth advisory committee and approved by the city council. The terms of office will end on May 31 of each year and new members shall be appointed to begin service on May 31 of each year.

(Ord. No. 2226, § 2, 7-28-1997)

Sec. 2-173. - Officers.

The youth advisory committee shall elect from its membership a chair, vice-chair, secretary and treasurer for one year terms of office. The initial group of officers shall be elected at the first meeting following the organizational meeting of the committee.

Subsequent officers shall be elected each year following the appointment of new members.

(Ord. No. 2226, § 3, 7-28-1997)

Sec. 2-174. - Function.

The function of the youth advisory committee shall be to serve as liaison between the city council and the youth of the community on issues affecting youth, and to encourage the positive growth and development of youth by involving them in social, cultural, recreational and other drug and alcohol free activities. When requested by the city council or the city manager, the youth advisory committee shall give advice and assistance on matters concerning the needs of youth. The youth advisory committee shall also develop and prepare an application process for future members of the committee to be submitted to the city council for review and approval.

(Ord. No. 2226, § 4, 7-28-1997)

Sec. 2-175. - Meetings.

The youth advisory committee shall hold meetings at least monthly, at times and places it may designate. All meetings of the committee shall be in accordance with the Texas Open Meetings Law and all regular and special meeting notices shall be provided to the local newspaper and news media and the city council, as well as posted at all high schools. At all meetings of the youth advisory committee, the presence of a majority of the committee members then in office shall be necessary and sufficient to constitute a quorum.

(Ord. No. 2226, § 5, 7-28-1997)

Sec. 2-176. - Scope of recommendations.

In the performance of its function, the youth advisory committee is authorized to make recommendations to the city council and the city manager on:

- (1) Policy matters affecting the youth of the community;
- (2) Planning, organizing, coordinating and carrying out drug and alcohol free social, cultural, recreational and other activities for the youth of the community;
- (3) Establishing guidelines, rules and procedures for participation in such activities;
- (4) Making appropriate surveys to determine input from youth in the community regarding areas of interest or other needs of youth.

(Ord. No. 2226, § 6, 7-28-1997)

Sec. 2-177. - Report of activities.

By January 31 of each year the youth advisory committee shall submit a written report the city council on the status of its activities to date. By May 31 of each year the committee shall submit a written report to the city council of its activities for the entire year and an annual plan of work for the ensuing year.

(Ord. No. 2226, § 7, 7-28-1997)

Sec. 2-178. - Use of city facilities and personnel.

Subject to the approval of the city manager, the facilities and personnel of the city shall be made available to assist the youth advisory committee in carrying out its functions.

(Ord. No. 2226, § 8, 7-28-1997)

Sec. 2-179. - Authority.

The youth advisory committee is authorized to develop bylaws, rules and procedures for the conduct of its authorized activities, subject to the approval of the city council.

(Ord. No. 2226, § 9, 7-28-1997)

Sec. 2-180. - Liaison staff member.

The city manager shall appoint a staff member to attend and be liaison between the youth advisory committee and the city council.

(Ord. No. 2226, § 10, 7-28-1997)

Secs. 2-181—2-200. - Reserved.

DIVISION 4. - KEEP NORTH RICHLAND HILLS BEAUTIFUL COMMISSION

Sec. 2-201. - Established.

There is hereby established a Keep North Richland Hills Beautiful Commission of the city, hereafter called the commission.

(Ord. No. 1554, § 1, 8-8-1988; Ord. No. 2665, § 1, 10-28-2002)

Sec. 2-202. - Composition.

The Keep North Richland Hills Beautiful Commission shall consist of seven members, each of whom shall be a resident of the city. The commission shall be

appointed by the city council for two-year terms. The members shall be appointed as provided in section 2-121 et seq.

(Ord. No. 1554, § 2, 8-8-1988; Ord. No. 1649, § 2, 11-13-1989; Ord. No. 2665, § 1, 10-28-2002)

Sec. 2-203. - Alternate member.

There is hereby created the position of alternate member of the Keep North Richland Hills Beautiful Commission. Such alternate member shall serve as provided in section 2-121 et seq. Such alternate member shall sit on the commission, participate in discussion and vote only when one or more of the regular members is absent from a meeting.

(Ord. No. 1656, § 1, 1-8-1990)

Sec. 2-204. - Officers.

The Keep North Richland Hills Beautiful Commission shall elect its officers and shall establish its own procedural rules for meeting and for conduct of business.

(Ord. No. 1554, § 4, 8-8-1988; Ord. No. 2665, § 1, 10-28-2002)

Sec. 2-205. - Purpose.

The purpose of the Keep North Richland Hills Beautiful Commission is to promote the beautification of the city. To this end the commission shall be empowered to make recommendations to the city council for promoting civic involvement in beautification of the city through programs and activities that:

- (1) Increase community awareness of beautification issues.
- (2) Provide opportunities for community education relating to beautification issues.
- (3) Include special community wide events relating to beautification issues.
- (4) Make recommendations on ordinances, policies, and landscape plans on major projects on city property relative to beautification.
- (5) Include award nominations and grant applications.

(Ord. No. 1554, § 2, 8-8-1988; Ord. No. 1746, 6-24-1991; Ord. No. 2665, § 1, 10-28-2002)

Secs. 2-206—2-230. - Reserved.