

City Secretary's Office



PRESENTATION ON BOARDS AND COMMISSIONS (B&C)

Rosa A. Rios, City Secretary
March 18, 2014

PURPOSE OF BRIEFING

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REVIEW OF:

- ❑ B&C MEMBERSHIP SUMMARY LISTING
- ❑ B&C MEMBERSHIP
- ❑ B&C MEETINGS
- ❑ B&C ATTENDANCE AND/OR FORFEITURE
 - B&C ATTENDANCE CALCULATIONS (OVER 25% RULE)
 - B&C FORFEITURE DETAIL
 - B&C SPECIAL ATTENDANCE REQUIREMENTS
 - B&C EXCUSAL DURING MEETING
 - NOTICE OF APPOINTMENT; ACCEPTANCE
 - B&C OPTIONS AVAILABLE TO FORFEITED MEMBERS
- ❑ B&C VACANCIES

B&C - SUMMARY LISTING

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SUMMARY

LINE	BOARDS BY NOMINATING/APPOINTING SOURCE	NUMBER
1	Individual City Councilmember Boards	16
2	Full City Council Boards	33
3	Mayor Appointed Board	1
4	City Manager Nominated/Appointed Boards	2
TOTAL BOARDS BY NOMINATING/APPOINTING SOURCE		52

LINE	BOARDS BY TYPE	NUMBER
1	Advisory	28
2	Quasi-Judicial	19
3	Instrumentality	2
4	Other (MMD's)	3
TOTAL BOARD TYPES		52

LINE	BOARD APPOINTMENTS BY SOURCE	MEMBER
1	City Council	437
2	Mayor	5
3	City Manager (Nominates; City Council Approval Required for Most)	25
TOTAL BOARD APPOINTMENTS BY SOURCE		467

B&C MEMBERSHIP

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General Qualifications & Special Requirements **General qualifications are as follows:**

- ❑ Be a resident of Dallas for six months
- ❑ Be a qualified voter at time of appointment
- ❑ Have no criminal record is considered by city council to be so serious that it should be a disqualification
- ❑ Generally, not be an adversary party to pending litigation against the city
- ❑ Not be in arrears on any city taxes, water service charges or other obligations owed the city
- ❑ Have credible record of attendance and performance in any previous board service
- ❑ Continually in compliance with the City Charter and Chapter 12A of the Dallas City Code at initial appointment and throughout their service

B&C MEETINGS

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City Code, Chapter 8, Section 8-2 (Regular Meetings), states, “Each board shall determine the time and place of its meetings. Regular meetings shall be scheduled weekly, monthly, semi-monthly, or quarterly, as the responsibilities of the board necessitate, at a location within a public building.”

City Code, Chapter 8, Section 8-3 address special meetings. As special meetings do not affect attendance, this section is not specifically covered.

B&C ATTENDANCE AND/OR FORFEITURE

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City Charter, Chapter 24, Section 17 (Board and Commission Members), Subsection (a) states, in part,... Any member of any commission or board appointed by the city council shall forfeit that office if the member misses more than three regular meetings in succession, unless for medical reasons certified to by a physician or unless excused by the board or commission of which he or she is a member and the city council.

City Code Chapter 8-20 (Attendance) states, in part, “(a) No member shall be excused from attendance at a board meeting, unless for medical reasons certified to by a physician or unless excused by the board and the city council. A member having three unexcused absences in succession shall forfeit membership on the board.

Note: The City Council can re-appoint forfeited member or appoint a replacement.

City Code Chapter 8-20 (Attendance) states,... (e) For purposes of this section, the record of a member's absences will begin with the first regular meeting after the 15th day from the date the member received notice of appointment.”

B&C ATTENDANCE AND/OR FORFEITURE (Continued)

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City Code Chapter 8-20 (Attendance) states, ...(b) A member of a board that meets weekly or biweekly, who is absent from more than 25 percent of the regular meetings in any six month period, whether excused or not, shall forfeit membership on the board. (c) A member of a board that meets monthly, who is absent from more than 25 percent of the regular meetings during any 12 month period, whether excused or not, shall forfeit membership on the board.

Note: The City Council can re-appoint forfeited member or appoint a replacement.

ATTENDANCE CALCULATIONS (Over 25% Rule)

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ATTENDANCE FACTORS FOR 6- OR 12- MONTH PERIOD (ROLLING CALENDAR)

MEETINGS HELD	DAYS ABSENT 1	DAYS ABSENT 2	DAYS ABSENT 3	DAYS ABSENT 4
	%	%	%	%
12*	8.33%	16.66%	25.00%	33.33%
11	9.09%	18.18%	27.27%	36.36%
10	10.00%	20.00%	30.00%	40.00%
9	11.11%	22.22%	33.33%	44.44%
8	12.50%	25.00%	37.50%	
7	14.28%	28.57%		
6	16.66%	66.66%		
5	20.00%			

**July = Recess for most boards and commissions as with city council*

B&C LISTING, CLASSIFICATION AND IDENTIFICATION

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BOARDS AND COMMISSIONS CLASSIFICATION AND IDENTIFICATION

Board/Commission (Acronym)	Members	Type	Holdover Period	Termed
Animal Shelter Commission (ASC)	15	Advisory	9 Months	4 Terms
Automated Red Light Enforcement Commission (ARC)	15	Advisory	9 Months	4 Terms
Building Inspection Advisory, Examining Board of Adjustment (BOA)	16	Quasi-judicial	Until Resign or Replaced	4 Terms
Board of Adjustment (BOA)	15	Quasi-judicial	Until Resign or Replaced	4 Terms
Board of Adjustment Alternate Members (BOX)	6	Quasi-judicial	Until Resign or Replaced	4 Terms
Cultural Affairs Commission (CAC)	15	Advisory	9 Months	4 Terms
Cultural Affairs Commission Alternates (CAX)	3	Advisory	9 Months	4 Terms
Community Development Commission (CDC)	15	Advisory	9 Months	4 Terms
City Plan and Zoning Commission (CPC)	15	Quasi-judicial	Until Resign or Replaced	4 Terms
Dallas Citizens Police Review Board (CPR)	15	Advisory	9 Months	4 Terms
Civil Service Board (CSB)	7	Quasi-judicial	Until Resign or Replaced	4 Terms
Civil Service Board Adjunct Members (CSX)	15	Quasi-judicial	Until Resign or Replaced	4 Terms
Cypress Waters Municipal Management District (CYP)	9			
Dallas Area Rapid Transit Board (DAR)	8	Quasi-judicial	Until Resign or Replaced	Indefinite
Dallas Central Appraisal District Board (DCA)	1	Quasi-judicial	Until Resign or Replaced	4 Terms
Dallas/Fort Worth International Airport Board (DFW)	7	Quasi-judicial	Until Resign or Replaced	4 Terms
Dallas Housing Authority (DHA)	5	Quasi-judicial	Until Resign or Replaced	2 Terms
Ethics Advisory Commission (EAC)	7	Quasi-judicial	Until Resign or Replaced	4 Terms
Employees Retirement Fund Board (ERF)	3	Quasi-judicial	Until Resign or Replaced	4 Terms
Fire Code Advisory and Appeal Board (FCB)	9	Quasi-judicial	Until Resign or Replaced	4 Terms

B&C LISTING, CLASSIFICATION AND IDENTIFICATION (Continued)

BOARDS AND COMMISSIONS CLASSIFICATION AND IDENTIFICATION (Cont'd)

Housing Finance Corporation Board (HFC)	11	Instrumentality	Until Resign or Replaced	Indefinite
Judicial Nominating Commission (JNC)	15	Advisory	9 Months	4 Terms
Landmark Commission (LMC)	15	Quasi-judicial	Until Resign or Replaced	4 Terms
Landmark Commission Alternate Members (LMX)	3	Quasi-judicial	Until Resign or Replaced	4 Terms
Municipal Library Board (MLB)	15	Advisory	9 Months	4 Terms
Martin Luther King Jr. Community Center Board (MLK)	15	Advisory	9 Months	4 Terms
North Oak Cliff Municipal Management District (NOC)	9			
Park and Recreation Board (PAR)	15	Quasi-judicial	Until Resign or Replaced	4 Terms
Police and Fire Pension Board (PFP)	4	Quasi-judicial	Until Resign or Replaced	4 Terms
Police and Fire Welfare Fund (PFW)	1	Quasi-judicial	Until Resign or Replaced	4 Terms
Permit and License Appeal Board (PLA)	15	Quasi-judicial	Until Resign or Replaced	4 Terms
Reinvestment Zone Three Board (Oak Cliff Gateway) (RZ03)	5	Advisory	9 Months	4 Terms
Reinvestment Zone Four Board (Cedars Area) (RZ04)	6	Advisory	9 Months	4 Terms
Reinvestment Zone Five Board (City Center) (RZ05)	6	Advisory	9 Months	4 Terms
Reinvestment Zone Six Board (Farmers Market) (RZ06)	7	Advisory	9 Months	4 Terms
Reinvestment Zone Seven Board (Sports Arena) (RZ07)	6	Advisory	9 Months	4 Terms
Reinvestment Zone Eight Board (Design District) (RZ08)	6	Advisory	9 Months	4 Terms
Reinvestment Zone Nine Board (Vickery Meadow) (RZ09)	6	Advisory	9 Months	4 Terms
Reinvestment Zone Ten Board (Southwest Medical) (RZ10)	5	Advisory	9 Months	4 Terms
Reinvestment Zone Eleven Board (Downtown) (RZ11)	6	Advisory	9 Months	4 Terms
Reinvestment Zone Twelve Board (Deep Ellum) (RZ12)	6	Advisory	9 Months	4 Terms
Reinvestment Zone Thirteen Board (Grand Park) (RZ13)	6	Advisory	9 Months	4 Terms

B&C LISTING, CLASSIFICATION AND IDENTIFICATION (Continued)

BOARDS AND COMMISSIONS CLASSIFICATION AND IDENTIFICATION (Cont'd)

Reinvestment Zone Fourteen Board	7	Advisory	9 Months	4 Terms
Reinvestment Zone Fifteen Board (Fort Worth Avenue) (RZ15)	8	Advisory	9 Months	4 Terms
Reinvestment Zone Sixteen Board (Twelve Hills) (RZ16)	6	Advisory	9 Months	4 Terms
Reinvestment Zone Seventeen Board (TOD) (RZ17)	8	Advisory	9 Months	4 Terms
Reinvestment Zone Eighteen Board	6	Advisory	9 Months	4 Terms
Reinvestment Zone Nineteen Board (Cypress Waters) (RZ19)	6	Advisory	9 Months	4 Terms
Senior Affairs Commission (SAC)	15	Advisory	9 Months	4 Terms
Southern Dallas Development Corporation (SDD)	3	Instrumentality	Until Resign or Replaced	Indefinite
South Dallas/Fair Park Trust Fund Board (SDF)	15	Advisory	9 Months	4 Terms
Trinity River West Municipal Management District (TRW)	9			

*Reinvestment Zone One (State-Thomas)
sunset December 2008

*Reinvestment Zone Two (Cityplace Area)
sunset September 2013

B&C SPECIAL ATTENDANCE REQUIREMENTS

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City Code, Chapter 8, Section 8-20.1 (Special Attendance Requirements), states, “If a board or commission, as part of its decision-making process, schedules an inspection trip to the location of a matter that is to be considered by the board or commission at that day's meeting, a member will be counted absent unless: (1) the member attends both the inspection trip and the meeting; or (2) the member represents that a personal inspection has been made of each location visited by the inspection trip and attends the meeting.”

- ❑ *This type of unexcused absence will apply to forfeiture under the rules noted earlier. However, records don't show an absence was ever related to this issue.*

B&C EXCUSAL DURING MEETING

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City Code, Chapter 8, Section 8-21 (Excusal During Meeting), states, “A member may not leave a board meeting in regular session without acknowledgement by the chair. A member who leaves a board meeting after the board has been duly called to order and is absent for the remainder of the meeting, without first obtaining the consent of the chair, shall be charged with an unexcused absence for that meeting. The consent of the chair may be given only in an emergency beyond the control of the member that requires the member to leave the meeting.”

- ❑ *This type of unexcused absence will apply to forfeiture under the rules noted earlier. However, records don't show an absence was ever related to this issue.*
- ❑ *As was raised by a citizen at one of your community meetings, **tardiness is not addressed in the code.** The advice provided is that the board may wish to address this issue by adopting (or amending) its own rules of procedure; but ultimately, the determination of attendance being affected for consistent tardiness would be up to the City Council as the board does not have forfeiture authority.*

NOTICE OF APPOINTMENT; ACCEPTANCE

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City Code, Chapter 8, Section 8-1.2 (Notice of Appointment; Acceptance), Subsection (b), states, “The appointee must return the signed acceptance of appointment to the city secretary within 15 calendar days from the date of receiving notice of the appointment. If the city secretary does not receive the signed acceptance of appointment within the required 15 days, that board position shall be considered vacant and a new appointment made.

- ❑ Oath of Office
- ❑ Oath of Appointed Officer (if required)
 - Forfeitures for failing to return the paperwork under this section has occurred, although not very often. In some instances, the individual seeks reappointment, while in other instances, they do not.

B&C OPTIONS AVAILABLE TO FORFEITED MEMBERS

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Contact council member to seek re-appointment

- Records indicate re-appointment always occur
 - Council member reads statement into record

Resign and seek re-appointment

- Records indicate individual are always re-appointed
- No statement required

Not Seek re-appointment

- Has occurred

City Code Chapter 8-20 (Attendance) states,... (e) For purposes of this section, the record of a member's absences will begin with the first regular meeting after the 15th day from the date the member received notice of appointment."

B&C VACANCIES

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- ❑ 83 Vacancies on various Boards and Commissions
- ❑ 467 Members – Vacancy ratio is 15.63%

Most Common Vacancies – Reinvestment Zone Boards (RZs)

- ❑ 24 Vacancies of 106 total members = 22.64% Vacancy ratio

QUESTIONS?

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THANK YOU