

Roles and Responsibilities of Board Members

Why have boards and commissions?

Boards and commissions are an established feature of Austin's municipal government. They offer citizens an opportunity to participate in the City's governmental affairs.

Council members are expected to make good decisions on behalf of Austin's citizens. Boards and commissions help council set priorities by evaluating the extent to which different interests will be affected by different alternatives. By balancing public interests, boards can make informed recommendations to council. They help council get a more comprehensive understanding of what is at stake and where the balance should be struck. Board activities help shape or influence policy in many ways. As a member of a board or commission you are considered to be a City official; therefore, it is important to gain a full understanding of your roles and responsibilities.

Who serves on boards and commissions?

With some exceptions, in order to serve on a board or commission, you must be a resident of Austin. A council member or the mayor nominates a person to a board or commission; however, a majority vote of the council is needed to make the appointment. In general, the term of office for a board member runs concurrently with the term of office for the council member who nominated the board member. A board member may not serve for more than nine consecutive years on the same board. A board member with more than nine years of service is not eligible for reappointment until two years after the last date of the member's service on that board. They can, however, serve on a different board.

Sometimes a person may be appointed to serve on a task force or committee that is created for a specific purpose. When this happens, the authorizing resolution specifies the length of time the task force or committee will convene or the task to be completed.

As a member of a board or commission, there are certain requirements you must meet to be eligible for service. Your attendance is required at regular board meetings. However, it is understood that there may be times when missing a meeting is unavoidable. If a member misses three consecutive regular meetings or one-third of all regular meetings in a twelve month timeframe, he or she will no longer be eligible to serve. Exceptions may be made for illness or injury of the board member or a member of his/her immediate family or the birth or adoption of a child as long as the member notifies the staff liaison in writing of the reason for the absence before the next regular meeting of the board.

As a member of a board, you represent the City of Austin and for many citizens you may be their only contact with the City. Along with the opportunity to serve the City, comes the requirement that you abide by all of the applicable rules and laws that govern ethical behavior. Briefly this means you need to be aware of and avoid conflicts of interest. You may not solicit or accept gifts and you may not use City facilities, personnel, equipment, or supplies for private purposes. More detailed information on the City's Code of Ethics, Standard Code of Conduct and Conflict of Interest is provided in other training modules.

As a board member, you agreed to take this training. Board members sign a written

acknowledgment stating they have taken the oath of office and received a copy of and agreed to comply with the City's ethics and personal responsibility guidelines. To maintain your eligibility, you must complete training within 90 days of your appointment or reappointment, comply with the public financial statement, if applicable, and comply with the attendance and conflict of interest requirements.

What makes a board?

A board or commission is a group of people appointed to help the council make sound decisions and shape or influence policy.

There are three types of boards: advisory boards, sovereign boards and appellate boards. Most boards and commissions in the City of Austin are advisory boards. Advisory boards make recommendations to council. They do not have authority to make decisions but rather they give advice only. Advisory boards are tasked with taking on the issues and concerns of citizens, understanding and exploring possible options and providing feedback and recommendations to council.

In contrast, sovereign boards exercise independent authority and make decisions. These are boards that were established by state law, federal law or City Charter.

Appellate boards exist to hear appeals filed by affected parties to rulings or actions made by City officials.

Most city boards and commissions consist of seven members appointed by the City Council. However, some boards created by state or federal law, interlocal agreement or another type of council action have the size determined in the mandate for that board.

For a board to meet and conduct business, a quorum must be present. A quorum is a simple majority unless the provision that

created the board or commission specifies the number needed for a quorum. Unfilled positions do not change the requirements for a quorum. If a board of seven members has one or two vacant seats, for there to be a quorum, 4 must still be present before any action can be taken. It is important that members be at meetings on time because if there is no quorum within 30 minutes after the starting time, no action can be taken and the meeting must be rescheduled.

When and where do boards and commissions meet?

The City Code requires that all boards and commissions comply with the Texas Open Meetings Act. Among other things, the Open Meetings Act contains certain posting requirements for public meetings.

Boards and commissions meet at least quarterly and must have a published schedule of regular meetings. An agenda for each meeting noting with the date, time, location and agenda items to be considered must be posted at least 72 hours before the meeting. The notices of meetings are posted at City Hall and on the web.

All agendas are written by staff, approved by the chair and follow a standard template located in your workbook. Two or more members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting.

In the meetings, only the subjects listed on the posted agenda can be considered for that meeting. If a member of the public or a member of the board or commission raises a subject that has not been included in the notice for the meeting, any discussion of the subject must be limited to merely providing a factual answer to a question. If the subject needs further discussion, it must be put on a future agenda.

Your board's staff liaison will keep the minutes of your meetings. The liaison will record the events of the meeting using action minutes and include the members in attendance; the subject of each deliberation; and each vote, order, decision, or other action taken. Minutes will be posted using the online posting system so the public can see them.

The City Code prohibits boards and commissions from meeting in closed session unless they have received prior approval from the city attorney.

In summary, there are three central features of the Open Meetings Act. They are: (1) the public must be permitted to attend meetings, (2) an agenda of the meeting must be posted for the public to see, and (3) minutes of the meetings must be kept. This section has only touched on one aspect of the Open Meetings requirement. A detailed training module on the Open Meetings Act is included as part of the board member training.

The City of Austin is committed to compliance with the Americans with Disabilities Act. All boards and commissions will provide reasonable modifications for participation and equal access to communications upon request. Meeting locations must be planned to accommodate wheelchair access. People who need accommodations may need additional lead time to participate in the meetings. When requests are made for sign language interpreters or print materials with alternative formats, staff liaisons will need at least 3-5 days before the meeting date to make arrangements.

What if you have a conflict of interest?

At the beginning of each meeting, board members are required to sign an attendance sheet. On this form, indicate if you have no conflict of interest with any item on the

agenda or the number of the agenda item or items in which you do have a conflict of interest. If you have a conflict of interest on an item, you must also recuse yourself from any discussion or vote on the item. You may not discuss the item with any board member and you may not address the board or an individual member as an advocate for yourself or any other person. It is not required that you leave the dais when the vote is taken on an item on which you have a conflict. Make sure your declaration of the conflict is captured in the meeting minutes. There are additional requirements for recusal depending on the type of board on which you serve. It is important to understand the conflict of interest requirements that apply to your board. These requirements are explained further in the ethics training module.

How do boards and commissions operate?

Each board must adopt bylaws. In your workbook you will find a standard set of bylaws which include:

- the procedures for the annual selection of a chair and any additional officers,
- an outline of the duties of each officer,
- the establishment of committees and working groups,
- guidelines for posting meetings, and
- use of Robert's Rules of Order.

Bylaws and any amendments must go to the Council Audit and Finance Committee for approval. No changes are effective until approved by the AFC.

Staff Support

The city manager designates a City department to provide staff support for each board. The city manager appoints an executive level staff person to serve as the liaison to the board. The executive liaison

ensures the board complies with deadlines and code provisions, monitors the conflict of interest declarations to ensure the rules are followed and helps the chair keep the board functioning within their mission statement.

The department director will appoint an administrative staff person to help the board prepare agendas, post meeting notices, maintain minutes and keep attendance records for board members. The board does not supervise or manage staff liaisons and may not direct staff to perform work on behalf of the board. The board may make reasonable requests for information or resources they need by contacting the executive liaison.

Internal Review Process

To ensure that boards and commissions are functioning efficiently and effectively, a review process is in place. During the first quarter of the year, the chair should prepare a report listing the mission statement, a description of actions taken to support the mission during the previous year and the goals for the upcoming year. The report should be approved by the board and submitted to the city clerk who will collate the reports and provide to the city auditor. The city auditor's staff will review these reports, read the minutes and agendas of the board, and speak to some stakeholders. The auditor will report the findings to the Council Audit and Finance Committee and if there are problems, will recommend the board for a full audit.

What makes an effective board or commission?

There are a few things you can do to make sure that your board or commission is strong and effective and that it has successful meetings. A successful meeting involves effective communication between individuals or groups. Good meeting planning and good

facilitation skills are needed. Here are a few pointers to conducting a successful meeting.

- Keep the meeting under control. Members are responsible for making sure the meeting is conducted in an orderly manner. To do this, have a set meeting procedure and explain the procedure to those present at the beginning of the meeting.
- Act promptly. Follow the published agenda and make decisions in a timely manner to ensure due process.
- Stay focused. Do not get bogged down in details or constant requests for more information. Bring issues to a consensus.
- Determine if the issues were clearly defined and fully addressed. Make sure you have enough information to reach a decision. You can do this by keeping an open mind, hearing all the testimony or information before discussing the pros and cons of an item, remaining focused on the facts, listening carefully before making or announcing a decision and avoid making the discussion personal. Ensure the board's action is aligned with the goals and objectives of the City of Austin.
- Do your homework. Read and review your agenda and spend as much time as necessary to become thoroughly familiar with each matter. If you need more information, ask the staff. If you need to make a site visit for a better understanding – Go. The key is to know the facts so you can make an informed decision.
- Think about whether you have a conflict of interest with any item on the agenda. If so, recuse yourself.
- Be professional. Do not mingle with friends, acquaintances, applicants or objectors in the audience before the meeting or during a recess as this can create the impression of bias, dishonesty or conflict.

- Be polite and impartial. Assist those who are not familiar with the protocol.
- Be attentive to those who are presenting their point of view. This is an important issue to them and their voice must be heard.
- Follow the bylaws, policies and procedures for your board or commission and above all, be on time. Arrange your schedule to be at the meeting on time. This will ensure that a quorum is present and the business of the meeting can proceed. As soon as a quorum is in the room, the meeting should be called to order.
- Follow the rules in the City Code and in the board's bylaws. The rules provide that each person and board member attending a meeting should observe decorum.

There are many ways you can have a successful board or commission. These are just a few. Think about your actions, how you present yourself and how you represent the city. These things make an impression on your board or commission and its effectiveness.

You have been appointed to help the council make good decisions for the citizens of Austin. As a public official, there are certain responsibilities you must undertake and rules you need to know and abide by. This module has covered the essential aspects of being a member of a board or commission and will help you be an effective member.